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REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – SECOND SESSION – 2018

DIRECTORATE OF PROCEDURAL AND LEGISLATIVE SERVICES

(INTER-HOUSES AND OVERSEAS DEPARTMENT – IHOD)

DELEGATION REPORT



ON

THE FOURTH STATUTORY MEETINGS OF THE COMMITTEE ON
“PEACE AND SECURITY” AND THE COMMITTEE ON “DEMOCRACY
AND GOOD GOVERNANCE” OF THE FORUM OF PARLIAMENTS OF
THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION
(FP-ICGLR)

HELD IN KHARTOUM, SUDAN

13TH TO 15TH NOVEMBER 2018

CLERK'S CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 19 FEB 2019	DAY: TUESDAY
TABLED BY:	HON. ATIENDE OMOLLO, MP.
CLERK-AT THE-TABLE:	


2018

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CLERK OF THE ASSEMBLY:	

Abbreviations

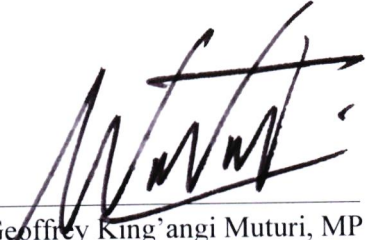
AU	-	African Union
AOB	-	Any Other Business
DRC	-	Democratic Republic of Congo
FP-ICGLR	-	Forum of Parliaments of the International Conference on the Great Lakes Region
ICGLR	-	International Conference on the Great Lakes Region
UN	-	United Nations

1. FOREWORD

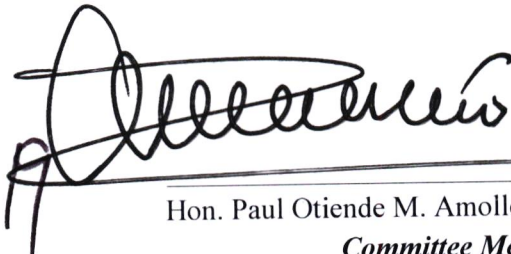
The Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR), in collaboration with the National Legislative Assembly of the Republic of Sudan, organized the Fourth Statutory meetings of the Committee on “Peace and Security” and the Committee on “Democracy and Good Governance” of the FP-ICGLR from 13th to 15th of November 2018 in Khartoum, Republic of the Sudan.

We express our appreciation to the FP-ICGLR for the overall conduct of the activity and to the government of the Sudan for their warm hospitality throughout the meetings. Our greatest gratitude goes out to the office of the Clerk of the National Assembly and the Honorable Speaker of our august House for facilitating the Members of the two Committees of the FP-ICGLR and to ensure that the necessary representation was committed.

This report therefore, albeit briefly, seeks to outline the conduct of the joint meetings of the two committees as transpired in Khartoum between 13th and 15th of November 2018.



Hon. Geoffrey King'angi Muturi, MP
Committee Member
Committee on Peace and
Security, FP-ICGLR

14 Feb 19 

Hon. Paul Otiende M. Amollo, MP
Committee Member
Committee on Democracy and
Good Governance, FP-ICGLR

2. COMMITTEES' BACKGROUND

2.1 The Committees of the Forum of Parliaments of the International Conference on the Great Lakes Region have representation from all the Member States of the Great Lakes Region. The National Assembly of Kenya is currently being represented by the Hon. Geoffrey Muturi in the Committee on Peace and Security and by the Hon. Otiende Amollo in the Committee on Governance and Democracy.

2.2 According to Article 18 of the Pact establishing the FP-ICGLR, the Committee on "Peace and Security" is a technical working group which is charged, inter alia, to promote common policies and strategies to ensure sustainable peace and security in the whole Great Lakes Region, in the framework of the Program of Action for Peace and Security which is aimed at:

- a) Promoting the joint management of the security of common borders;
- b) Promoting, maintaining and enhancing cooperation in the fields of peace, conflict prevention and the peaceful settlements of disputes;
- c) Promoting inter-State cooperation on general security issues including combating the illicit proliferation of small arms and light weapons, preventing and combating organized transnational criminal activities and terrorism.

2.3 According to Article 18 of the same pact, the Members of the Committee on "Democracy and Good Governance" work to entrench the values, principles and norms on democracy, good governance and respect for human rights, in the framework of the Program of Action for Democracy and Good Governance that aims, inter alia, to:

- a) Establish regional mechanisms which work together to strengthen the rule of law in the region, to promote human rights, and to combat impunity;
- b) Consolidate the democratization process by enhancing institutional capacity, by promoting political participation of all segments of society, and by developing and implementing communication and information strategies;
- c) Harmonize and coordinate policies on the protection and rational management of natural resources in the region.

3. THE NATIONAL ASSEMBLY'S DELEGATION

The National Assembly Delegation comprised of the following:

1. The Hon. Paul Otiende Amollo, MP - Member of the Delegation
2. The Hon. Geoffrey King'angi Muturi, MP - Member of the Delegation
3. Mr. Ahmed Salim Abdalla - Secretary to the Delegation

Ten out of twelve member countries were represented in the meetings. These were Angola, Burundi, Kenya, Central African Republic, Republic of Congo, Rwanda, Sudan, Tanzania, Uganda and Zambia.

4. INTRODUCTION

The conceptualization of the Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR) began in the year 2000 when the United Nations Security Council, as stated in its Resolutions 1291 and 1304, called for an international conference on peace, security, democracy and development in the Great Lakes Region. Later that year, the Secretariat of the International Conference was established in Nairobi under the umbrella of the United Nations (UN) and the African Union (AU).

In November 2004, eleven Heads of State and Government of the member countries unanimously adopted the Declaration on Peace, Security and Development in the Great Lakes Region in Dar-es-Salaam, Tanzania. The eleven comprised of Angola, Burundi, Kenya, Central African Republic, Democratic Republic of Congo (DRC), Republic of Congo, Rwanda, Sudan, Tanzania, Uganda and Zambia. South Sudan, the twelfth member country, had not attained statehood at the time. The Dar-es-Salaam declaration presented a political statement with the intention to address the root causes of intractable conflicts and constraints to development in a regional and innovative approach.

In 2006, the Head of States and Government met in Nairobi to sign the Pact on security, stability and development in the Great Lakes Region, and it came into force on 21st June 2008. This Pact consists of Dar-es-Salaam Declaration and Agenda Program and protocols as well.

The Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR) was finally and formally established in a meeting in Kigali, Rwanda on 4th December 2008. Further, in a Plenary Assembly held in Khartoum, Sudan, in September 2010, the forum agreed to establish a General Secretariat to be located in Kinshasa, the DRC.

5. THE FOURTH STATUTORY COMMITTEE MEETINGS 2018

The fourth statutory meetings of the Committee on “Peace and Security” and the Committee on “Democracy and Good Governance” of the Forum of Parliaments of the International Conference on the Great Lakes Region (FP-ICGLR) were jointly held in Khartoum, Sudan from 13th to 15th of November 2018 with representation from all the member states, save for South Sudan and the DRC.

Honorable Onyango Kakoba, the Secretary General of FP-ICGLR, while welcoming the delegates to the fourth statutory meetings, noted that instability of one nation can affect the whole region, and expressed optimism that the forum will give the deserved consideration to issues affecting a

number of member countries. He thanked the President, the Parliament and the people of Sudan for their warm reception.

In his opening speech, Honourable Rwakajara Arinaitwe, the President of the Committee on Peace and Security, thanked the Honourable Speaker of the Parliament of Sudan for the warm welcome. He explained that the Committee stood for promotion of joint management of borders, settlement of disputes and addressing of general security issues including arms proliferation and other transnational activities. He expressed his comfort in the setting and the working environment as coordinated by the host country.

On his part, the Honourable Claude Nahayo, the President of the Committee on Democracy and Good Governance also that the member states for their commitment to the regional cause, and he was hopeful that with unity and dedication, all challenges will be addressed.

The Speaker of the National Legislature of Sudan welcomed all the delegates and submitted that Sudan was honored by the response to the invitation and the choice of Sudan as the host. In his speech, he touched on issues ranging from displacement, refugees plight and matters human rights. He also covered issues on inter linkage between the committee of peace and security and the committee on democracy and good governance. He talked on the importance of the Darfur Peace Agreement, the need for inclusive dialogue among others. He was confident that the forum will cover a number of important issues touching on the region.

The Agenda (PS&DGG-01)

Members adopted the agenda, with slight item-reorganization for purposes of enhancing the flow of the matters under consideration (*Annexure 1*).

Consideration and adoption of the Report of the third statutory meeting of the Committee on “Peace and Security” held from 3rd to 4th April 2017 in Kinshasa, DRC (PS&DGG-04)

Members considered and adopted the Report of the third statutory meeting of the Committee on “Peace and Security” of the FP-ICGLR which was held from 3rd to 4th of April 2017 on Kinshasa, the Democratic Republic of Congo (*Annexure 2*).

Consideration and adoption of the Report of the third statutory meeting of the Committee on “Democracy and Good Governance” held from 16th to 17th May 2017 in Kampala, Uganda (PS&DGG-03)

Members considered and adopted the Report of the third statutory meeting of the Committee on “Democracy and Good Governance” of the FP-ICGLR which was held from 16th to 17th May 2017 in Kampala, Uganda. The FP-ICGLR secretariat was however advised to refine the draft to remove any typographical errors (*Annexure 3*).

Consideration and adoption of the Report of the Parliamentary fact-finding mission to the Republic of Burundi from 10th to 11th July 2017 (PS&DGG-05)

Some Members requested that Members be given more time to go through the contents of the report before adoption, considering that the report - as many other documents - was circulated to Members late. It was however considered that the agenda before the meeting was wide and that there was equal need to move with speed. The meeting further heard that it was not appropriate to name Rwanda in the report's recommendations yet the mission to Burundi did not cover Rwanda and that Rwanda was not given a hearing on the issue. After a deep and through debate among parties, it was proposed and resolved that the reference to Rwanda in the recommendation be deleted. The report was adopted with that amendment (*Annexure 4*).

Consideration and adoption of the Preliminary Draft Resolutions on the political, security and humanitarian situation of the Republic of Burundi (PS&DGG-08), the Republic of South Sudan (PS&DGG-11), the Central African Republic (PS&DGG-10) and the Democratic Republic of the Congo (PS&DGG-09)

The meeting noted that the members from the DRC and South Sudan were not present. Members expressed their desire to see success in the South Sudan peace deal and urged support of the international community in the process. The secretariat was directed to ensure that the draft resolutions under consideration have been shared with the absent Members of South Sudan and the DRC and brief them on the outcome of the session.

It was noted that as regards to the Central African Republic, there was some positive improvement and it was emphasized that there was need for all parties to use dialogue and refrain from doing anything that would affect peace and stability.

The meeting heard that it was important to have a roadmap that will bring all Burundians together and that efforts were being made to repatriate refugees living in Rwanda, Kenya, Tanzania and Uganda.

The meeting also discussed the situation in the Central African Republic, taking note of the gravity of the situation and the processes underwent and currently on going in search of peace. It was noted that the hitherto lifted arms embargo had affected the military capability of the armed forces and that positive changes are now witnessed especially that the UN and other regional bodies have now taken a deeper role in the processes.

All the four draft resolutions were adopted in the meeting (*Annexures 5, 6, 7, 8*)

Consideration and adoption of the Report of the legislative elections observer mission conducted in Rwanda in September 2018 (PS&DGG-06)

Members considered the report on the Election Observation Mission of the FP-ICGLR during the 2018 Legislative Elections in Rwanda and unanimously adopted the report (*Annexure 9*).

Consideration of the draft Report of the Parliamentary Initiative for Peace, Security and Good Governance in the Great Lakes Region on the Status of Former Heads of State, Prevention of Terrorism and Neutralization of the Regionalization Strategies of Armed Groups (PS&DGG-07)

Members were taken through the draft report by an expert who, among other things, explained the current status of the inter-institutional cooperation, the need for structural collaboration between the forum and the summit, and ways to explore for a better collaboration between the forum and the summit. It was noted that the draft was good but needed further input especially on page twenty one (*Annexure 10*).

Consideration of the Preliminary Draft Resolutions on the Parliamentary Initiative for Peace, Security and Good Governance in the Great Lakes Region

The meeting considered three draft resolutions under this agenda item, as follows:

i. Draft Resolution on the Improvement of Inter-Institutional Cooperation between the International Conference on the Great Lakes Region (ICGLR) and the forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR) (PS&DGG-12)

Members considered the draft resolution. There was concern from some Members that the language should be more polite since it was more of a request to the summit than directions. There was also a view that the draft resolutions be shared with Members in advance to afford Members opportunity to make any consultations with the leadership of their respective states. The chairperson however noted that the resolution was still a draft, open to further changes. Members approved the draft resolution (*Annexure 11*).

ii. Draft Resolution on the Prevention of Terrorism and the Neutralization of regionalization strategies of Armed Groups in the Great Lakes Region (PS&DGG-14)

Members considered the draft resolution and it was noted that every country had its own laws and policies on how to deal with the issue. It was noted that there was need for thorough consultation on the matter and therefore Members approved the resolution subject to refinement by the secretariat (*Annexure 12*).

iii. Draft Resolution on the Establishment of a Common Framework for the Implementation of the Status of Former Heads of State in the ICGLR Member States (PS&DGG-13)

Members considered the draft and it was noted that different countries have different systems of governance. For instance, there are countries within the region with a pure presidential system while others have both a President and a Prime Minister. It was also noted that currently, different countries have different legal positions on the status of former

heads of state. The meeting was therefore in agreement that it was important to have a deeper conversation on the matter before rushing the matter into a common conclusion. It was proposed and resolved that clause one of the draft resolution be amended to read “Requests the Summit to authorize a revision of the protocol on Democracy and Good Governance in order to factor in provisions on a common framework on the status of Former Heads of State” (Annexure 13).

Commendation on Dr. Denis Mukwege

Arising as an AOB, Members of the Committees noted that Dr. Denis Mukwege, a Congolese national, was awarded the Nobel Peace Prize (jointly with Ms. Nadia Murad) for his efforts to end the use of sexual violence as a weapon of war and armed conflict, and for general dedication to the cause of victims of sexual violence in South Kivu province, in DRC.

Visit to the SAFAT Aviation Group in Khartoum

Members were, on the last day, taken for a tour of the SAFAT Aviation Group; an organization which prides itself as Sudan’s premier aircraft manufacturing and maintenance complex. The delegation was taken through the SAFAT Defence Training College, the manufacturing center and SAFAT maintenance centers. Members were informed that the center, especially the defence college, was open to students from all the friendly states (Annexure 14).

6. THE KHARTOUM DECLARATION 2018

The Khartoum 2018 Declaration of the Fourth Statutory Meetings of the Committees on “Peace and Security” and “Democracy and Good Governance” of the Forum of Parliaments of the International Conference on the Great Lakes Region was adopted subject to an amendment to delete clause 5 of the declaration because the meeting had earlier resolved to remove any mention of Rwanda vis-à-vis Burundi and rewording of clause 1(f) of the declaration to capture the spirit of the amendment proposed on annexure 13 (Annexure 15).

7. OBSERVATIONS

Members made the following observations:-

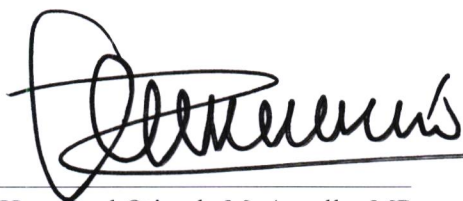
1. The forum was well attended and the host country ensured that participants were comfortable; a clear indication that a well-coordinated approach was adopted towards the event organization.
2. Members witnessed an element of confusion in recording of the Committees’ resolutions. It was noted that there was need to reassure the quality of translation to ensure that, in

particular, the meaning conveyed in French translation was what was meant in English version, and vice versa.

- Members noted that the final draft of the Khartoum declaration did not capture the Committees' resolutions properly on two points: One was on clause 1(f) of the declaration where the wording was supposed to conform to the agreed changes (*page 11, paragraph 1 of this report*) and two was on clause 5 where it was agreed that on matters Burundi, any reference to Rwanda was to be removed. This issue was raised before adoption of the declaration and Members were informed that the declaration will be refined by the FP-ICGLR secretariat to address the two concerns raised and later circulated to Members through email since the sessions in Khartoum had come to an end.

8. RECOMMENDATION

The delegation recommends that the National Assembly fully supports all the initiatives of the Forum of Parliaments of the International Conference on the Great Lakes Region and takes note of the draft Khartoum 2018 declaration on peace and security with the amendments as explained in observation three of this report.



Hon. Paul Otiende M. Amollo, MP
Committee Member
Committee on Democracy and
Good Governance, FP-ICGLR



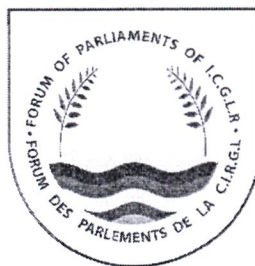
Hon. Geoffrey King'angi Muturi, MP
Committee Member
Committee on Peace and
Security, FP-ICGLR

14th Feb 2019

Annexure 1

The Agenda

(PS&DGG-01)



Joint Committee Meetings
"Peace and Security" - "Democracy and Good Governance" of the FP-ICGLR
From 13th to 15th November, 2018,
Khartoum, Republic of Sudan

Draft Agenda

1. Opening ceremony of the Joint Meeting of both Committees on "Peace and Security" and "Democracy and Good Governance" of the FP-ICGLR;
2. Consideration and adoption of the agenda of the Joint meeting;
3. Consideration and adoption of the report of the 3rd Statutory meeting of the Committee on "Peace and Security" held from 3rd to 4th April 2017 in Kinshasa, Democratic Republic of the Congo;
4. Consideration and adoption of the report of the 3rd Statutory meeting of the committee on "Democracy and Good Governance" held from 16th to 17th May, 2017 in Kampala, Republic of Uganda;
5. Presentation on political, security and humanitarian situations of the member States of the ICGLR by representatives of the national Parliaments;
6. Consideration of the report of the Parliamentary Fact - finding Mission conducted to Bujumbura, Republic of Burundi;
7. Consideration of the report of the Legislative elections observer mission conducted to the Republic of Rwanda;
8. Consideration of the research report including the findings, conclusions and recommendations on the Parliamentary Initiatives for Peace, Security and Good governance in the Great Lakes Region;
9. Consideration and adoption of the preliminary draft Resolutions on:
 - ❖ the political, security and humanitarian situation of the Republic of Burundi, the Republic of South Sudan, the Central African Republic and the Democratic Republic of the Congo;

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- ❖ the Parliamentary initiatives for Peace, Security and Good Governance in the Great Lakes Region including the improvement of inter-institutional cooperation between the ICGLR and the FP-ICGLR, the improvement of the Status of former Head of State, and the mechanism of fighting against terrorism and armed groups;

10. Any Other Business;

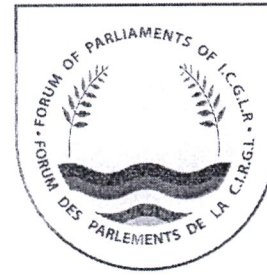
11. Visiting projects of development related to the management of water resources;

12. Consideration and adoption of the joint final declaration of Khartoum;

13. Closing ceremony of the Joint Meeting of both Committees on "Peace and Security" and "Democracy and Good Governance" of the FP-ICGLR.

Kinshasa, October 2018

Secretary General.



**Fourth statutory meetings of the Committees on "Peace and Security" and
"Democracy and Good Governance" of the FP - ICGLR
From 13th to 15th November, 2018, Khartoum, Republic of Sudan**

Draft Programme

Day One: Monday, 12th November, 2018: - Arrival of delegations.

Day Two: Tuesday, 13th November, 2018

08:30-09:00: Registration of participants

09:00: Arrival of the Guest of Honour

09:00-10:00: Opening Ceremony of the Joint Meeting of both Committees on "Peace and Security" and "Democracy and Good Governance" of the FP-ICGLR

- ❖ Welcome remarks by Amb. Onyango Kakoba, Secretary General of the FP-ICGLR;
- ❖ Speech by Honourable Arinaitwe Rwakajara, President of the Committee on Peace and Security
- ❖ Speech by Honourable Claude NAHAYO, President of the Committee on Democracy and Good Governance;
- ❖ Opening speech by the Guest of Honour.

Group Photo

10:00-10:30: Coffee and tea Break

10:30-10:15: Consideration and adoption of the Agenda of the joint Meeting;

10:15-10:45: Consideration and adoption of the report of the 3rd Statutory meeting of the Committee on "Peace and Security" held from 3rd to 4th April 2017 in Kinshasa, Democratic Republic of the Congo;

10:45-10:45: Consideration and adoption of the report of the 3rd Statutory meeting of the Committee on "Democracy and Good Governance" held from 16th to 17th May, 2017 in Kampala, Republic of Uganda;

11:45-13:00: Presentation and debates on political, security and humanitarian situations of the member States of the ICGLR by representatives of the national Parliaments.

13:00-14:30: Lunch Break.

14:30-15:30: Consideration of the report of the Parliamentary Fact-finding Mission conducted in Bujumbura, Republic of Burundi

15:30-16:00: Coffee and tea Break

16:00-17:00: Consideration of the report of the observation mission of the Legislative elections conducted in the Republic of Rwanda;

Day Three: Wednesday, 14th November, 2018:

09:00-10:30: Consideration of the research report including the findings, conclusions and recommendations on the Parliamentary Initiatives for Peace, Security and Good governance in the Great Lakes Region

10:30-10:45: Coffee and tea Break

10:45-11:30: Reflection on findings, conclusions and recommendations

11:30-13:00: Consideration and adoption of the draft Resolutions on:

- ❖ the political, security and humanitarian situation of the Republic of Burundi, the Central African Republic, the Democratic Republic of the Congo and the Republic of South Sudan;
- ❖ the Parliamentary Initiative for Peace, Security and Good Governance in the Great Lakes Region including the improvement of inter-institutional cooperation between the ICGLR and the FP-ICGLR, the establishment of a common framework for the implementation of the status of former Head of State by the ICGLR Member States, and the mechanism of fighting against terrorism and armed groups.

13:00-14:30: Lunch Break

14:30-15:00: Any Other Business

15:00-15:30: Consideration and adoption of the joint final declaration of Khartoum

15:30-16:00: Closing ceremony of the Joint Meeting of both Committees on "Peace and Security" and "Democracy and Good Governance" of the FP - ICGLR

Day: Four: Thursday, 15th November, 2018:

09:00-17:00: Field visit of a development project in the field of water resources management.

Day Five: Friday, 16th November, 2018: Depart of delegations



Joint Committee Meetings
"Peace and Security" - "Democracy and Good Governance"
of the FP-ICGLR
From 13th to 15th November, 2018,
Khartoum, Republic of Sudan

OPENING CEREMONY

- 08:30-09:00:** Registration of participants
- 09:00:** Arrival of the Guest of Honour
- 09:00-10:00:** **Opening Ceremony of the Joint Meeting of both Committees on "Peace and Security" and "Democracy and Good Governance" of the FP-ICGLR**
- ❖ Welcome remarks by Amb. Onyango Kakoba, Secretary General of the FP-ICGLR;
 - ❖ Speech by Honourable Arinaitwe Rwakajara, President of the Committee on Peace and Security
 - ❖ Speech by Honourable Claude NAHAYO, President of the Committee on Democracy and Good Governance;
 - ❖ Opening speech by the Guest of Honour.
- Group Photo**
- 10:00-10:30** **Coffee Break**

Annexure 2

Report of the third statutory meeting of
the Committee on “Peace and
Security” held from 3rd to 4th April
2017 in Kinshasa, DRC

(PS&DGG-04)



**Report of the Third Statutory Meeting of the Committee "Peace and Security"
Committee of the FP-ICGLR**

3rd-4th April, 2017
Democratic Republic of the Congo

Kinshasa, April 2017



Participants in the Third Meeting of the Committee on Peace and Security,
Photo taken at the General Secretariat of the FP-ICGLR, IN Kinshasa, DR Congo.

I. Introduction

The third statutory meeting of the Committee "Peace and Security" of the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR) was held on 3 to 4 April 2017 at Hotel Sultani in Kinshasa, the Democratic Republic of Congo.

The meeting which was organized by the General Secretariat of the FP-ICGLR with financial support from the Association of European Parliamentarians with Africa (AWEPA) was attended by representatives from the Parliaments of Member States of the ICGLR. The list of participants is included into the attachment 1 of this report.

II. Opening Ceremony

The opening session of the third statutory meeting of the Committee "Peace and Security" was marked by three speeches.

II.1. Welcoming speech by the Secretary-General a.i of the FP-ICGLR, Ms. Winnie Kamau.

In her speech, Ms. Winnie Kamau, on behalf of the Secretary-General, warmly welcomed all the participants to the 3rd statutory Meeting of the Committee "Peace and Security" and wished them a pleasant stay in Kinshasa.

She extended heartfelt gratitude to the Parliament of the Democratic Republic of the Congo, represented by Honorable Moïse Nyarugabo, the Deputy Reporteur of the Senate of the Democratic Republic of Congo who willingly agreed to officially open the meeting. She also expressed gratitude to all the participants for positively responding to the invitation. She also thanked the Association of European Parliamentarians with Africa (AWEPA), represented by Mr. Patrick Mpoyi Luabeya, for the financial support made available for the meeting to be held.

She recalled that the FP-ICGLR is an Inter-parliamentarian organization whose key mission consists in making significant parliaments' contribution to the implementation of the security, stability and development Pact in the Great Lakes Region, signed in Nairobi, Kenya on 15 December 2006 as well as its 10 protocols.

She presented the items in the agenda of the meeting and briefed on the situation of peace and security in the region, especially the political, security and humanitarian situation of the Member States of the ICGLR and the effects of terrorism in the Great Lakes Region.

Before concluding her speech, she reiterated her gratitude to the participants and wished them a productive meeting.

II.2. Speech by Honorable Simon BIZIMUNGU, Deputy President of the "Committee on Peace and Security".

In his speech, the Deputy President of the "Committee on Peace and Security" started by warmly welcoming the Participants. He thanked the Congolese people, the Government and Parliament of the Democratic Republic of Congo for the warm welcome and hospitality shown to the Honorable Members of the Committee.

He seized the opportunity to inform the members of the Committee that they were meeting in Kinshasa for two days and they would discuss issues pertaining to peace and security in the region and formulate recommendations. At the end of his speech, he wished fruitful discussions to all the participants.

II.3. Official and Solemn opening speech by Honorable Moïse Nyarugabo, Deputy-Reporteur of the Senate of the National Assembly of the DRC.

In his speech for the opening of the 3rd Statutory Meeting of the "Committee on Peace and Security", Honorable Moïse Nyarugabo, on behalf of the Parliament of the Democratic Republic of Congo, warmly welcomed all the participants to Kinshasa, Democratic Republic of the Congo.

He told participants "peace is the foundation or bedrock for human and lasting development and security is its backbone". Moreover, he recalled since the end of the decade 1990 and the beginning of the year 2000, the Great Lakes Region has continued to be plagued by recurrent insecurity and conflicts caused by the presence of armed groups and uncontrolled flow of weapons. To this end, he invited parliamentarians to increase interactions among them and set up regional parliamentary mechanism to impact the policies of the countries in the region, to seek solutions to the conflictual situation and to tackle terrorism in our region. He also mentioned that the meeting offered the opportunity to examine the situation in the region in general and in particular to review cases faced by each Member State whose security and stability are under threat, namely the Republic of Burundi, the Central African Republic, the Democratic Republic of the Congo and the Republic of South Sudan,

With these words, he wished productive deliberations to the participants and declared officially open the work of the third statutory meeting of the "Committee on Peace and Security" of the FP-ICGLR

III. CONDUCT OF BUSINESS

Working sessions were chaired by Honorable Simon Bizimungu, the Vice – President of the Committee and Parliamentarian of the Republic of Burundi.

III.1. Presentation and adoption of the agenda.

The agenda proposed by the General Secretariat of the Forum included the following items:

1. Opening Ceremony of the third statutory meeting of the Committee "Peace and Security" of FP/ICGLR;
2. Examination and adoption of the agenda of the meeting;
3. Examination and adoption of the report of the 2nd statutory meeting of the Committee "Peace and Security" held from 30 October to 1 November 2016 in Dar es Salaam, United Republic of Tanzania;
4. Presentation and debates around the political, security and humanitarian situation in the Member States of the ICGLR;
5. Examination and validation of the research report on the theme : "Dynamic and Complexities of the manifestations of terrorism, laying special focus on the operations conducted by each armed group in the Geat Lakes region";
6. Presentation and examination of the preliminary draft reolution on prevention and fight against terrorism, the operations conducted by armed groups, the proliferation of the small arms and light weapons (SALW) and the organized transborder crimes in the Great Lakes region.
7. Any Other Business;
8. Adoption of the final communiqué at the end of the meeting;
9. Closing Ceremony.

The agenda was unanimously adopted by the participants.

III.2. Examination and adoption of the report of the 2nd Statutory Meeting of the Committee "Peace and Security" held from 30 October to 1 November 2016 in Dar es Salaam, United Republic of Tanzania

The Program Manager in charge Peace, Security, Democracy and Good Governance presented the report of the 2nd Statutory Meeting of the Committee held from 30 October to 1 November 2016 in Dar es Salaam, the United Republic of Tanzania.

The report was analysed by delegates and unanimously adopted.

III.3. Presentation and debate on the political, security and humanitarian situation in the Member States of the ICGLR

The political, security and and humanitarian situation of the Member States of the ICGLR was presented by the Program Manager. He said in general, the situation was relatively stable and calm in the majority of the Member States of the ICGLR However, some Member States of the ICGLR were confronted with numerous complex threats to security

and stability, namely the Republic of Burundi, the Central African Republic, the Democratic Republic of the Congo and the Republic of South Sudan.

Republic of Burundi

The speaker gave a presentation on the conflictual situation in Burundi. He reported that the institutional and political crises were recurrent in Burundi. He said that the new crisis that broke out around late April 2015 had caused lot of losses in human lives, huge physical damages and people's displacement. The recent facts were debated during the visit by the facilitator H.E. Benjamin W. Mkapa to Bujumbura in December 2016, the organization of the 4th session of the inter-burundian talks in Arusha from 16 to 18 February 2017 and the meeting about Burundi held on 9 March 2017 by the United Nations Security Council during which the UN Secretary General presented his report on Burundi to the UNSC.

Central African Republic

Regarding CAR, the speaker reported that the political and security situation continue to develop positively, however, it remains volatile. Here are the recent facts received from the ground:

- 16 March 2017 – The President of the Central African Republic (CAR), Faustin Archange Touadéra, and UN Under Secretary General for peacekeeping operations, Hervé Ladsous, pleaded with the Security Council for a substantial political support and “robust” presence of the United Nations integrated multidimensional Mission for the stabilisation of CAR (MINUSCA) with a view to consolidating the tangible gains made over the past year in the country. The Board members responded positively to this call.
- The decision by the “Front populaire pour la renaissance de la Centrafrique (FPRC)” and the anti-barka faction led by Maxime Mokom to join the disarmament, demobilization, reintegration and repatriation process (DDRR).
- Confrontations between armed groups as well as criminal activities committed in all impunity:
 - a) Tuesday 28 March 2017, it was reported that:
 - Fights in Ouaka negatively impacted on the humanitarian situation. Fleeing clashes between armed groups in the surrounding areas of the village Agoudoumanga, the populations preferred to seek refuge in Bambari – the provincial capital city of Ouaka.
 - People received in host families experiencing tough living conditions;
 - MINUSCA announced it has sent troops to Bakouma and Agoudoumanga;
 - The same applied to Bria, which was under control of MINUSCA peacekeepers.;
 - Some public administrations and businesses had reopened. Furthermore, no detonation of automatic weapons was reported since Sunday afternoon 27 March 2017.

- MINUSCA also announced it clashed on Friday 24, Saturday 25, Sunday 26 March 2017 with the Anti-balaka in the district of Gobolo in Bria.

Additionally, the speaker spoke of the major challenges faced by the CAR Government:

- ✓ Redeployment of the State authority throughout the territory of the CAR;
- ✓ Implementation of the Demobilization, Disarmament, Reintegration and Repatriation programme for the ex-combatants (DDRR) and of the Security Sector Reform (RSS);
- ✓ Rehabilitation of the military institutions and of professional and republican security services;
- ✓ Removal of sanctions, arms embargo and measures affecting exploitation as well as diamond and other minerals.

Democratic Republic of Congo

With regard to the security situation in the east of the DRC, the speaker said it was volatile insofar as insecurity and the humanitarian crisis resulting from the destabilizing activities by national and foreign armed groups and the flare-up of inter-communal violence in some areas in the east of the country more particularly in Béni and in Tanganyika province are still the causes for serious concern.

The most recent facts include:

- Increased community violence and inter-ethnic clashes extended to areas affected by armed conflicts such as North-Kivu and South-Kivu provinces, Tanganyika province, the three Kasai provinces and the Kongo central province (according to the report issued by the United Nations Secretary General (UN) to the Security Council (UNSC), Mr. Antonio Guterres)
- Extension of MONUSCO mandate until 31 March 2018.
- Reinforcement of Capacity- building for MONUSCO police members to enable them to respond to any security challenge in the DRC with two more formed police units.

From the political views, he mentioned the outcomes of the two dialogues organized in DRC : the Agreements respectively signed at the Cité de l'OUA on 18 October 2016 and at the Centre Interdiocésain on 31 December 2016. They discussed the key points contained in the Agreement reached on 31 December 2016.

Republic of South Sudan

Regarding the political, security and humanitarian situation in the South Sudan, the speaker informed participants that the country was facing humanitarian crisis. As a result, thousands refugees in the South Sudan were in need of help and continued to flee towards neighboring countries. Uganda had received more than 800,000 south sudanese refugees including roughly 572,000 who arrived on 8 July 2016. With this pace, the figures would exceed one million before mid-2017 for on the average, their number stood at more

than 2,800 arrivals a day in March, according to HCR and Ugandan Government joint declaration.

III.4. Considération and validation of the research report on the theme: "Dynamic and complexities of the manifestations of terrorism, laying special emphasis on the operations conducted by each armed group in the Great Lakes Region";

The presenter of the research report to the Forum of Parliaments of the ICGLR was the Expert Simiyu Werunga Phd. He first spoke of the objectives pursued. They were indeed to conduct a thorough research on the dynamic and complexities of terrorism with a special focus on the operations by each armed group in the Great Lakes region. He identified the political, legal and institutional mechanisms as well as the relevant roles of the national and international parliaments and parliamentarians in securing the launch for regional war on terrorism and armed groups' operations, the proliferation of light arms and small weapons (LASW) and the transborder crimes activities organized in the Great Lakes region.

At the end of the ensuing debates, participants learned the lessons on the best practices and challenges relating to the prevention and fight against terrorism and approved the conclusions and recommendations made by the research.

III.5. Presentation and consideration of the preliminary draft resolution on the prevention and fight against terrorism, the operations by armed groups, the proliferation of the light arms and small weapons (LASW) and the organized transnational crimes in the Great Lakes region.

After the reading the preliminary draft resolution by consultant Simiyu Werunga Phd, members of the Committee examined the report and decided to present it to the 16th ordinary session of the executive Committee and to the 8th ordinary session of the Plenary Assembly in Khartoum for its adoption.

III.6. AOB.

There was no other business.

III.7. Examination and adoption of the final Communiqué of Dar es Salaam.

At the end of its 3rd Statutory Meeting held in Kinshasa, the Democratic Republic of Congo, the Committee "Peace and Security" of FP/ICGLR adopted the final Communiqué included into the annexure 2 of the report.

III.8. Closing of the second statutory meeting of the Committee "Peace and Security"

The closing ceremony of the 3rd statutory meeting of the Committee "Peace and Security" was marked by three speeches following the reading of the final communiqué of the Kinshasa Forum. The Secretary General a.i. of the FP/ICGLR, Ms. Winnie Kamau reiterated her gratitude to all the Honorable Members of Parliaments for their active participation to the Forum. The Vice President of the Commission, in turn, expressed gratitude to the Rapporteur – DRC Parliamentarians for gracing with their presence the opening and closing ceremonies of the forum. She also thanked all the Honorable members for their meaningful contributions to the debates.

The official and solemn closing speech for the 3rd statutory meeting of the Committee "Peace and Security" was delivered by the representative of the Parliament of the DRC, Honorable Moïse Nyarugabo, Deputy Rapporteur of the Senate of the Democratic Republic of Congo. In his speech, he congratulated the participants for the matters they ably addressed, inter alia, those relating to the political, security and humanitarian situation in the Member States of the ICGLR and terrorism. He also highlighted that the final communiqué would be effectively used by the national parliaments to contribute to the decision-making processes in the different Member States of the ICGLR.

He concluded his speech by reiterating his gratitude to the Honorable members for their active participation, and wished them safe return to their respective countries. With this said, he declared closed the works of the 3rd statutory meeting of the Committee "Peace and Security" of the Forum of Parliaments of the ICGLR.

Done in Kinshasa, on 04 / 04 / 2017
General Secretariat

Attachment 1

List of Participants to the Third Meeting of the Committee on "Peace and Security"

No	Name	Country and Position	Telephon	E-mail
1.	Hon. Sérgio Leonardo Vaz	Angola, MP	+244923644890	sergio70@yahoo.com
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6.	Hon. Rashida Sayed Ahmed	Soudan, MP		Sudanipg@parliament.gov.pg
7.	Hon. Dr. Christine Ishengoma	United Republic of Tanzania, MP	+255754337770	Mukatz@yahoo.com
8.	Hon. L. Nyirenda	Zambia, MP	+260978088312	Nyirenda@government.gov.com
9.	Mr. Siddig Abu Nofa	Sudan,	-	Nofa53@yahoo.com
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11.	Mr. Patrick MPOYI LUABEYA	AWEPA, Programme Manager	+32477862574	patluabeya@gmail.com
12.	Prof. Madimba KADIMA-NZUJI	AWEPA Consultant	+243976976807	MADI_kadima@yahoo.fr
13.	Mrs. Gertrude BAMBAMAKABI	AWEPA		
14.	Mr. Ndarishikanye Joseph,	Programme Manager, Peace and Security, Democracy and Good Governance	+243973240242	Jndarishikanye@gmail.com
15.	MS. Winnie Kamau,	Programme Manager, Economic Development, Regional Integration and Social Issues	+243978968256	winniewkamau@gmail.com
16.	Mr. Cédric Bueya Matondo,	Translator & Event Coordinator	+243 990 963363	C.bueya@gmail.com
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**FINAL COMMUNIQUE OF THE 3rd STATUTORY MEETING OF THE
COMMITTEE ON PEACE AND SECURITY OF THE FORUM OF PARLIAMENTS OF
THE ICGLR.
KINSHASA, DEMOCRATIC REPUBLIC OF THE CONGO
FROM 3rd & 4th APRIL, 2017**

The Committee on peace and security;

Pursuant to the provisions of Articles 8 of the Inter-Parliamentary Agreement establishing the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region signed on December 4th, 2008 in Kigali, Republic of Rwanda;

Having considered and deliberated on the activities of its 3rd statutory meeting held in Kinshasa, in the Democratic Republic of the Congo on 3rd & 4th April, 2017 on the items of its agenda,

Adopts this final communiqué.

The Committee on "Peace and Security" of the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR):

1. **Examined and approved** the draft of the resolution on the prevention and fight against terrorism, armed groups operations, proliferation of small arms and light weapons and transnational organised crimes in the Member States of the ICGLR;
2. **Considered and adopted** the report of the Second Statutory Meeting of the Committee on Peace and Security held from on 31st October & 1st November, 2016, in Dar es Salaam, the United Republic of Tanzania;
3. **Noted with concern** the political, security and humanitarian situation of four ICGLR Member States, namely the Republic of Burundi, the Central African Republic, the Democratic Republic of the Congo and the Republic of South Sudan and **strongly condemned** the persistent violence and human rights violations perpetuated in them.
4. **Called on** all the parties in these four ICGLR Member States to promote inclusive dialogue and to use peaceful means of conflict resolution;
5. **Urged** the Member States of the ICGLR and the African Union (AU) to be involved by encouraging the Government of the Central African Republic in the rapid restoration of the defence and security forces by supporting the neutralization of armed groups that will not join the Demobilization, Disarmament, Reintegration and Repatriation (DDRR / HSS) program;

6. **Considered and validated** the report of the research on "Dynamics and complexities of the manifestations of terrorism with particular focus on the operations of each armed group in the Great Lakes region";
7. **Strongly condemned** acts of terrorism, armed group operations and transnational organized crime in the Great Lakes Region and **expressed** its deep sympathy for the families of victims of terrorism and the people of the Member States affected;
8. **Encouraged** the ratification of all international and regional protocols and instruments relating to the fight against terrorism, armed groups, proliferation of small arms and light weapons and transnational crime in all ICGLR Member States through domestication and implementation.
9. **Appealed** to the international and regional community for urgent and massive support to the thousands of refugees in the Great Lakes Region and **called** upon humanitarian agencies to increase their support and assistance to internally displaced persons (IDPs) or Refugees.
10. **Express** our sincere appreciation to the President of the Democratic Republic of Congo, His Excellency Joseph Kabila Kabange, the Parliament and the people of the Democratic Republic of the Congo, for the warm welcome and hospitality extended to the Honourable Members of the Forum of Parliaments of the ICGLR since our arrival in this beautiful country;
11. **Thanked** the Association of European Parliamentarians Partners for Africa (AWEPA) for their financial support to the Forum.

Done in Kinshasa, April 4th, 2017

Honourable Rwakajara Arinaitwe

President of the Committee
on "Peace and Security" of the FP-ICGLR

P.O. HA. Simon BIZIMUNGU
Vice President
Simon Bizimungu



Annexure 3

Report of the third statutory meeting of
the Committee on “Democracy and
Good Governance” held from 16th to
17th May 2017 in Kampala, Uganda

(PS&DGG-03)



Report of the Third Statutory Meeting held by the "Committee on Democracy and Good Governance" of the FP-ICGLR

**From 16th to 17th May, 2017
Kampala, Republic of Uganda**

Kampala, May 2017

Introduction

The third statutory meeting of the "ommittee on Democracy and Good Governance" of the Forum of Parliaments of the member countries of the International Conference on the Great Lakes Region (FP-ICGLR) was held on 16 to 17 May 2017 at Speke Resort Munyonyo in Kampala, the Republic of Uganda.

The meeting which was organized by the General Secretariat of the FP-ICGLR with financial support from the Association of European Parliamentarians with Africa (AWEPA) was attended by representatives from the Parliaments of ICGLT member countries. The list of participants is included into the annexure 1 of this report.

I. Opening Ceremony

The opening session of the meeting was marked by three speeches.

II.1. Welcoming statement by the Secretary General of the FP-ICGLR, Honorable HIGIRO Prosper

In his statement, Honorable HIGIRO Prosper warmly welcomed the participants to the third statutory meeting of the "Committee on Democracy and Good Governance" of the FP-ICGLR wished them a pleasant stay in Kampala.

He seized the opportunity to express sinciere gratitude to the Parliament of the Republic of Uganda for the political and diplomatic support provided for this important statutory meeting of the Forum to be successful. Moreover, he expressed special gratitude to the Deputy-Speaker of the Ugandan National Assembly, Honorable Jacob Oulanyah, for gracing the opening ceremony.

He expressed gratitude to all the representatives of the national parliaments for participating in the activities of the 3rd statutory Meeting of their Committee. He also thanked AWEPA, represented by Mr. Patrick Mpoyi Luabeya for the financial support to the organization of this meeting.

In his speech, he recalled that the Forum was established with a view to implementing the Pact on Security, Stability and Development in the Great Lakes Region signed on 15 December 2006 in Nairobi, Kenya as well as its ten protocoles. He went on to say that the role and responsibility of the parliamentarians in the fight against corruption fit into the implementation of the protocole on Democracy and good governance. He also acknowledged that corruption did exist in our respective countries. He highlighted in light of the 2016 index ranking by international transparency that the majority of the member States of the ICGLR are ranked among the most corrupt countries in the world. He further commented that this was causing slow down in the economic growth and generating conflicts in those States. He said that corruption was an obstacle to development. In this regard, he urged parliamentarians in the region to exercise their role of parliamentary control with a view to eradicating the scourge of corruption.

Before ending his speech, he expressed his sincere gratitude to the Deputy-Speaker of the National Assembly of the Republic of Uganda for his presence at the opening ceremony of the session and wished to participants productive deliberations.

II.2. Statements by Honorable Claude NAHAYO, President of the Committee "Democracy and Good Governance".

The President of the Committee "Democracy and Good Governance" firstly welcomed the participants to the 3rd statutory Meeting of the Committee. He expressed his appreciation, on behalf of the Committee, to the Deputy-Speaker of the National Assembly of the Republic of Uganda for gracing the opening ceremony.

He said the meeting offered the opportunity to review the major items in the agenda more particularly the challenges of corruption. He further said the majority of the Member States in the region suffered from this scourge and it was imperative to reinforce the existing measures on the fight against corruption.

With these words, he concluded his speech by wishing productive deliberations to the participants.

II.3. Opening remarks by the Vice-Speaker of the National Assembly of the Republic of Uganda, Honorable Jacob Oulanyah.

In his opening speech on the occasion of the holding of the 3rd Statutory Meeting of the "Committee on Democracy and Good Governance", the Deputy – Speaker of the National Assembly of the Republic of Uganda, Honorable Jacob Oulanyah, on behalf of the Parliament of Uganda warmly welcomed the delegates to Uganda, more particularly to the beautiful city of Kampala.

He expressed the hope to see meaningful brainstorming on the major challenges facing our region in general and in particular on the scourge of corruption. He said because of corruption, poor countries were going to perish. In this regard, he suggested that the fact of recognizing the existence of corruption in our countries would help us to prevent and fight this scourge, to make innovations, to change our methods, to come up with new visions and at the end of the day, to make quick decisions and proceed with robust actions for the eradication of corruption.

Furthermore, he said there were very few rich, unfortunately the number of the poor was on the increase. He raised the question to know how to strike the balance when the scourge of corruption keeps on increasing. He said appropriate institutional and legal mechanisms on a good settlement of this issue as well as good framework for preventing and fighting the scourge did exist. To this end, he called on participants to start prevention and fight against corruption without delay and to start the change through promoting State interventionism given that liberalism favored the survival of the strongest.

With these words, he declared opened the third statutory of the "Committee on Democracy and Good Governance".

III. Sessions

The working sessions were chaired by Honorable Claude Nahayo, President of the "Committee on Democracy and Good Governance" and Parliamentarian of the Republic of Burundi.

III.1. Presentation and adoption of the agenda

The agenda proposed by the General Secretariat of the Forum included the following items:

1. Opening ceremony of the third statutory meeting of the Committee "Democracy and Good Governance" of the FP/ICGLR;
2. Examination and adoption of the agenda of the meeting;
3. Review and adoption of the report of the second statutory meeting of the Committee held on 02 to 03 November 2016 in Dar es Salaam, the United Republic of Tanzania;
4. Review and adoption of the reports and notes corresponding to the sub-themes of the central thematic: "Roles and Responsibilities of the parliamentarians of the region in Good Governance practices relevant to the fight against corruption":
 - ❖ Concepts and principles of good governance;
 - ❖ Concepts of corruption:
 - i. How does it manifest itself?
 - ii. What are the consequences?, and
 - iii. How to fight corruption?
 - ❖ Challenges of corruption in the member States of the ICGLR:
 - i. Description of the current situation,
 - ii. Evaluation of the existing legal and institutional mechanisms on the fight against corruption in the Great Lakes region,
 - iii. Major roles and responsibilities of the Parliamentarians of the region in the fight against corruption.
 - ❖ Corruption, poverty and inequalities in the member States of the ICGLR.
 - ❖ Presentations of parliamentarians on cases experienced by their respective countries:
 - i. How do you perceive the level of corruption in your respective countries?
 - ii. Please talk about legal institutions and actions to prevent and fight corruption in your respective countries;
 - iii. What are, according to you, your roles and responsibilities on the prevention and fight against corruption?

5. Presentation, review and adoption of the preliminary draft resolution on the prevention of corruption through reinforcing anti-corruption institutions in member countries of the ICGLR.
6. Presentation and debates around the organization of election observer missions: Evaluation of the missions achieved, challenges and perspectives;
7. Review and adoption of the Kampala final Communiqué at the end of the meeting;
8. Any other Business;
9. Closing ceremony of the statutory meeting of the Committee.

This agenda was unanimously adopted by participants.

III.2. Review and adoption of the report of the second statutory meeting of the Committee held on 02 to 03 November 2016 in Dar es Salaam, Republic of Tanzania

The Program Manager in charge of Peace, Security, Democracy and Good Governance presented the report of the second statutory meeting of the Committee held on 2 to 3 November 2016 in Dar es Salaam, Republic of Tanzania

At the end of the debates, participants unanimously adopted this report.

III.3. Review and debates on the concepts and principles of good governance.

The presentation on the concepts and principles of good governance was given by the Consultant Professor Madimba KADIMA-NZUJI. Participants gained a better understanding more particularly of the architecture of Good Governance in the ICGLR space made up of the security, stability and development Pact in the Great Lakes region signed on 15 December 2006 in Nairobi, Republic of Kenya and of the protocol on Democracy and Good Governance.

III.4 Presentation and debates around the challenges of corruption in the member States of the ICGLR

The same expert Professor Madimba Kadima Nzuji also gave a presentation on the concepts of corruption as well its manifestations and consequences. Moreover, he made the description of the current situation of corruption and evaluation of the existing legal mechanisms and institutions to fight corruption in the Great Lakes region. In the conclusion of his presentation, he gave the major roles and responsibilities of the Parliamentarians of the region to better prevent and fight corruption.

After the presentation, delegates participated in a debate which led to the adoption of the conclusions and recommendations contained in the research report.

III.5. Presentation and debates around corruption, poverty and inequalities in Africa in the Member States of the ICGLR.

Presentation on the following theme: Corruption, Poverty and inequalities in Africa / in the member States of the ICGLR was given by the Secretary General of the FP-ICGLR, Honorable Prosper HIGIRO. He focused on the negative impact of corruption, namely slow economic growth, diminishing private investment, reduction of growth through its effects on the quality and quantity of the public investments, the human capital and the tax revenues. He went on to say that corruption increased the risk of political instability.

Moreover, he showed the socio-economic factors that cause poverty, amongst others corruption, poor harvest, lack of market and volatile market, conflicts, health issues (disease can cause poverty and poverty can contribute to poor health) and exclusion of the political, social and economic institutions. Furthermore, he clearly explained that corruption also slowed the growth of the poor people's revenue for it increases poverty by reducing pro-poor public disbursements. With respect to the unexpected effects of the macro-economic unbalance caused by corruption, he said corruption discouraged demand and entailed the congestion of the social services. In this regard, he confirmed that about 80% of Africans lived on less than US\$ 2 a day and corruption was one of the factors that sustain poverty. Regarding inequality, he defined it and insisted on its impacts in general. More particularly, he said poor people often have poor access to education and remain ignorant of their rights and as a result, they are easily exploited and marginalised.

At the end of his presentation, he made some recommendations on the political reform which could help fight corruption, poverty and inequalities, namely through:

- ✓ Eliminating scourges like corruption;
- ✓ Improving and implementing sanctions,
- ✓ Measures aimed at increasing transparency in the management of public resources;
- ✓ Establishing conducive structure which rewards outstanding conduct demonstrated by civil servants;
- ✓ Enforcing transparency in conducting international businesses
- ✓ Avoiding conflicts of interests;
- ✓ Applying equal penalties to all the parties involved in corrupt businesses;
- ✓ Promoting free and responsible medias and an independant civil society.

III.6. Presentation by parliamentarians on the cases faced by their respective countries.

During the debates, each parliamentarian gave a presentation on the situation of corruption in their countries. When speaking, parliamentarians confirmed that this scourge did exist and generated serious socio-economic consequences in their respective countries. Due to negative effects of corruption on the economic growth, poor people see their situation of poverty aggravating and inequality between rich

and poor ever increasing. Yet, they confirmed that the legal and institutional mechanisms to prevent and fight corruption were in place and functional in their respective countries.

In this regard, they pledged to pursue their roles of government control and of reinforcing their responsibilities on the prevention and fight against corruption.

III.7. Presentation and review of the preliminary draft resolution on the improvement of the fight against corruption

The presentation of the preliminary draft resolution on the improvement of prevention and fight against corruption was given by the Consultant Professor Madimba KADIMA-NZUJI. The preliminary draft resolution was enriched by recommendations from participants. At the end of the debates, the preliminary draft resolution was unanimously ratified and will be submitted to the Executive Committee and the Plenary Assembly of the FP/ICGLR for adoption.

III.8. Presentation and debates on the organization of the election observation missions: Evaluation of missions achieved, challenges and perspectives

The Head of the Peace, Security, Democracy and Good Governance Programme presented a report on the organization of the elections observation missions including the evaluation of the missions achieved, the challenges to overcome and the prospects for a better organization of the election observer missions in future. He recalled that several elections observer missions were organized in the member countries of the ICGLR, namely in Rwanda in 2013, in the United Republic of Tanzania in November 2015, in the Republic of Sudan in April 2015, in Central African Republic in December 2015, in the Republic of Congo in February 2016, in the Republic of Uganda in March 2016 and in the Republic of Zambia in August 2017. The participants to the meeting concluded that the Forum has gained experience in the deployment of the elections observer missions and in organizing related activities, namely capacity building seminars on the legal and institutional political framework as well as the context of the elections.

However, he informed the participants that there were still many challenges, inter alia, observers' security, observers' training and declarations and reports of missions on the electoral processes that should include the facts observed during the pre-electoral periods, during polls and post-electoral periods.

The participants held debates at the end of which they came up with a recommendation on the organization of a capacity-building seminar for the parliamentarians, members of the Committee "Democracy and Good Governance" on the techniques of the observation of the electoral processes. The Secretariat and the President of the Committee informed participants of the financial difficulties faced

by the Secretariat General which could not allow them to carry through those activities.

III.9. Examination and adoption of the Final Communiqué of Kampala

The final Communiqué of the "Committee on Democracy and Good Governance" issued at the end of its third Statutory Meeting of Kampala was analysed and adopted by participants. It was read by the Program Manager before closing the ceremony.

III.10. Any other Business

There was no Any Other Business.

III.11. Closing of the third statutory meeting of the Committee "Democracy and Good Governance"

In his closing speech for the 3rd statutory meeting of the "Committee on Democracy and Good Governance", Honorable Claude NAHAYO reiterated his thanks to the Honorable member for their very active participation. To the Parliament of the Republic of Uganda, he expressed his gratitude for the warm welcome and hospitality. He also thanked the Association of European Parliamentarians with Africa (AWEPA) for their financial support to the organization of this forum.

After the word of thanks, he declared the third statutory meeting of the Committee officially closed.

Done in Kampala, on 17 / 05 / 2017
General Secretariat.

Attachment 1

List of participants in the Third of the Meeting of the Committee de "Democracy and Good Governance"

No	Name	Country	Phone	E-mail
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FINAL COMMUNIQUE OF THE COMMITTEE ON "DEMOCRACY AND GOOD GOVERNANCE" OF THE FORUM OF PARLIAMENTS OF THE ICGLR.
THIRD STATUTORY MEETING
KAMPALA, REPUBLIC OF UGANDA
FROM 16th TO 17th MAY, 2017

The Committee on Democracy and Good Governance;

Pursuant to the provisions of Article 8 of the Inter-Parliamentary Accord establishing the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region signed on 4th December, 2008 in Kigali, Republic of Rwanda;

Having considered and deliberated on the items on the agenda of its third statutory meeting held from 16th to 17th May, 2017 in Kampala, Republic of Uganda;

Adopts the following final communiqué.

The Committee on "Democracy and Good Governance" of the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR):

1. **Examined and approved** the draft of the resolution on the prevention of corruption by strengthening the anti-corruption institutions in the ICGLR member States;
2. **Considered and adopted** unanimously the report of the second statutory meeting of the Committee on Democracy and Good Governance that took place from 2nd to 3rd November, 2016 in Dar es Salaam, United Republic of Tanzania.
3. **Considered** the research report of corruption in the ICGLR member States, including a description of the current situation, an evaluation of existing anti-corruption legal mechanisms and institutions in the Great Lakes Region, the major roles and responsibilities of Parliamentarians of the Great Lakes Region in the fight against corruption and presentations on three following topics.
 - a. "Concepts and principles of good governance";

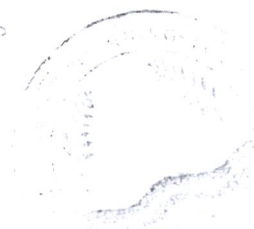
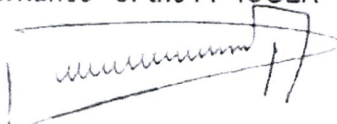
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- b. "Concepts of corruption, manifestations, consequences and the fight against corruption"; and
 - c. "Corruption, poverty and inequalities in the ICGLR member States".
4. Requested the Governments and Parliaments of the ICGLR member States in general, and in particular those that will organize elections in 2017, to take necessary measures to ensure peaceful, free, transparent and credible elections keeping in mind the importance of elections in the stability and security of a nation.
 5. Urged the Parliaments of the ICGLR member States to attach importance to the prevention of corruption and to strengthen the anti-corruption institutions in their respective countries, given that corruption causes significant economic damages and weakens citizens' trust in both States authorities and institutions.
 6. Considered the note on the organization of electoral observation missions in ICGLR member States, including the assessment of missions undertaken, identification of major challenges and definition of perspectives;
 7. Presented ours sincere thanks to the people of the Republic of Uganda, to His Excellency Yoweri Kaguta Museveni, President of the Republic of Uganda, to both the Parliament and Government of the Republic of Uganda for the warm welcome and generous hospitality extended to Honourable Parliamentarians of the FP-ICGLR since our arrival in this beautiful Country,
 8. **Thanked further** the Association of European Parliamentarians with Africa (AWEPA) for its financial support and contribution to the FP-ICGLR.

Done in Kampala, 17th May 2017

Honourable Claude NAHAYO

President of the Committee on "Democracy and Good
Governance" of the FP-ICGLR



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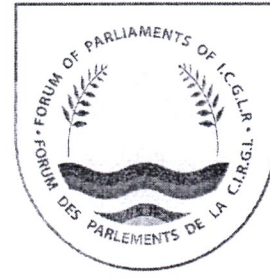
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Annexure 4

Report of the Parliamentary fact-
finding mission to the Republic of
Burundi from 10th to 11th July 2017

(PS&DGG-05)



**FORUM OF PARLIAMENTS OF MEMBER STATES OF THE INTERNATIONAL
CONFERENCE ON THE GREAT LAKES REGION (FP-ICGLR)**

Report of the Parliamentary Fact-finding Mission to the Republic of Burundi

From 10th to 11th July 2018

Bujumbura

List of abbreviations and acronyms

APU	African Parliamentary Union
AU	African Union
BBC	British Broadcasting Corporation
CAR	Central African Republic
CNDD-FDD	National Council for the Defence of Democracy and the Force for the Defence of Democracy.
DRC	Democratic Republic of Congo
EAC	East African Community
EU	European Union
FNL	National Liberation Forces
FP-ICGLR	Parliaments Forum of the ICGLR
HE	His Excellency
ICC	International Criminal Court
ICGLR	International Conference on the Great Lakes Region
IPU	Inter-Parliamentary Union
MS	Member States
MSD	Movement for Solidarity and Democracy Party
OAG	Observatory of Government Action
OSPA	Ordinary Session of the Plenary Assembly
PARCEM	Word and action for the Awakening of Consciousness and the Evolution of Mentalities
UN	United Nations
UNHCR	High Commissioner for Refugees
UPRONA	Union for National Progress
VOA	Voice of America

Acknowledgements

On behalf of the FP-ICGLR and on his own behalf, the Right Honorable Dr. Omar Suleiman Adam Waneesse, President of the Council of States of the Republic of the Sudan and Head of the Delegation, expresses his gratitude for the warm welcome, and hospitality accorded to the delegation since its arrival in the city of Bujumbura.

Special appreciation and gratitude to His Excellency Pierre Nkurunziza, President of the Republic of Burundi, for receiving the delegation despite his busy schedule.

He also expresses his sincere thanks to the Very Honourables Pascal Nyabenda and Révérien Ndikuriyo, Right Honourable Speakers of the National Assembly and the Senate respectively, for their personal commitment and contributions to the success of the Parliamentary fact-finding Mission in Bujumbura, Republic of Burundi.

He also thanks all delegates for their commitment and contributions to the Mission, as part of the program for the Parliamentary Fact-finding Mission to Bujumbura, Republic of Burundi.

The mission is grateful to the Minister of Foreign Affairs and International Cooperation for meeting with the delegation and for the information he shared with the delegation.

The delegation also thanks the officials of the two Houses of the Burundian parliament for liaising with the staff of the FP-ICGLR in the organization of the mission and the logistical and protocol services rendered during the mission.

The Mission expresses its gratitude to all stakeholders in Burundi, including leaders of political parties and civil society organizations.

Executive Summary

The delegation from the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR) visited Bujumbura, Republic of Burundi, from 10th to 11th July, 2018. The delegation held a series of meetings with officials including the President of the Republic of Burundi, the Presidents of both Houses of Parliament, Ministers, leaders of political parties, leaders of Civil Society Organisations and individuals.

The political and security situation on the ground is stable. It requires the ultimate support of regional and international communities to complement the efforts of the Government and other important stakeholders in Burundi and abroad for the maintenance of peace and security in the Republic of Burundi. At the end of the visit, the delegation made a number of observations and recommendations highlighted in this report.

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I. Background to the Burundi conflict

I.1. Introduction

During the 11-year civil war in Burundi, which broke out on 21 October 1993 following a bloody coup d'etat, numerous attempts were made to bring together the contending parties for negotiations over power-sharing. Major agreements to share power between Hutu and Tutsi groups were signed in 1994, 2000 and 2004, but none of these agreements contributed fully to building the peace and good governance that were envisioned for them.

Whereas all of the agreements were signed in the context of an ongoing civil war, none included all of the parties to the conflict, thus provoking the emergence of armed groups and prolongation of the armed conflict. With the signing of a cessation of hostility agreement with the last remaining rebel group in May 2008, there was optimism on the security side of the Burundi peace process.

I.2. The Burundi Civil War: 1994-2005

A longstanding conflict over unequal distribution of wealth and monopolization of power between the dominant Tutsi minority and the marginalized Hutu majority has dominated most of Burundi's history since the country's independence from Belgium in 1962. Post elections Massacres in 1965, 1972, 1988, 1991 and 1993 led to the deaths of hundreds of thousands of Burundians. The worsening of the situation occurred on October 21st, 1993, when the democratically elected institutions were the victims of a coup led by the majority Tutsi army followed by the assassination of Hutu President Melchior Ndadaye and his several collaborators. These events precipitated a civil war in 1994.

The war (1994–2005) was fought between the Tutsi-dominated government army and several Hutu-based opposition groups. Each of the two main rebel groups – the Conseil National pour la Défense de la Démocratie–Forces pour la Défense de la Démocratie (CNDD–FDD) and the Parti pour la Libération du Peuple Hutu–Forces Nationales de Libération (Palipehutu–FNL) – had its own support base within the Hutu community, though they represented competing solutions to the conflict.

While the CNDD– FDD fought to re-establish the democratic institutions from 1993, the aims of the Palipehutu–FNL were to raise Hutu awareness about the massacre in 1972, obtain justice for the victims of the massacres and overthrow the Tutsi-dominated government. The Burundi civil war represents one of the most intractable conflicts in Africa. It is estimated to have caused the deaths of over 300,000 people, while displacing another 1.3 million.

I.3. Recent Context: Power Sharing Agreements in Burundi

Three major agreements that included provisions for power-sharing were signed during Burundi's civil war, but implemented with varying degrees of success: the

1994 Convention of Government, the 2000 Arusha Peace and Reconciliation Agreement and the 2004 Burundi Power-Sharing Agreement.

I.4. 1994 Convention of Government

The first formal attempt at introducing power-sharing to the political structure in Burundi was carried out, under the aegis of the UN, in the context of an emerging civil war. A power-sharing agreement, the Convention of Government, was signed by 12 political parties in January 1994. This Convention of Government introduced power-sharing between Hutu and Tutsi in both a coalition government and the public sector. Cyprien Ntaryamira, Hutu, becomes President while Tutsi Anatole Kanyenkiko becomes Prime Minister. The death of Cyprien Ntaryamira in the attack of 6 April 1994 against the Rwandan President's plane in Kigali complicated the peace process in Burundi. In September, Sylvestre Ntibantunganya, a Hutu, was appointed as President.

However, the agreement failed to take into account the results from the democratic elections in 1993, and it neither included any of the rebel groups nor addressed any of the primary grievances that led to the civil war. Clashes between the Tutsi-dominated army and pro-Hutu rebel groups continued unabated, and the coalition government was overthrown by a military coup on July 25th, 1996. President Buyoya returned to power

I.5. 2000 Arusha Peace and Reconciliation Agreement

The second attempt at institutionalizing power-sharing was the culmination of a lengthy negotiation process carried out under heavy regional and international pressure in Arusha between 1998 and 2000. The Arusha Peace and Reconciliation Agreement of 2000 aimed to institutionalize a democratic system of power-sharing between Burundi's Hutu and Tutsi political parties, and initiated a three-year transitional period with a grand coalition government. Although considered an important step towards bringing peace to Burundi, the Arusha Agreement did not include ceasefire agreements with any of the major rebel groups, and the civil war continued.

I.6. 2004 Burundi Power-Sharing Agreement

The Burundi Power-Sharing Agreement was signed between the government and the main rebel group, the CNDD-FDD, in August 2004. The power-sharing agreement reflected the spirit of the Arusha Agreement and provided a framework that assured the country's ethnic groups a proportional share of the political power following the scheduled democratic elections. Ethnic balance would also be ensured in the security forces.

These stipulations were included in the constitution that came into effect a few months later, and were thus meant to direct future composition of the state institutions. The power-sharing arrangements were implemented through elections

in 2005, which gave a resounding victory for the CNDD–FDD, whose leader Pierre Nkurunziza now serves as President of the Republic

Even though several positive developments have taken place since the installation of the democratic power-sharing institutions in 2005, the prospects for durable peace and democracy in Burundi require additional efforts of the Government and the regional and international communities. There was a dramatic increase in violent confrontations between the government army and the Palipehutu–FNL till April 2008 when a cessation of hostility agreement was signed with the latter in May. The rebel group started the process of assembling its combatants in July 2008.

I.7. 2015 Events

Against this backdrop, have been added insurrections organized by civil society and some opposition political parties since April 26th, 2015 followed by a failed coup d'Etat that took place on 13th May, 2015. This failed coup was strongly condemned by the regional and international community, including the FP-ICGLR.

II. The Current Parliament of the Republic of Burundi

Having been postponed several times, parliamentary elections, the third since the transitional institutions were created through the Arusha Accords of 2000, were finally held on 29th June, 2015. They took place in a tense atmosphere following violent protests. At the end of the ballot, the CNDD-FDD won 77 of the 100 seats to be filled.

Although it had officially boycotted the elections, the Hope of Burundian coalition (Abigenga-Amizero y'Abarundi), led by Mr. Agathon Rwasa, current First Deputy Speaker of the National Assembly, won 21 seats. In order to respect the 60%-40% distribution of seats between ethnic groups and the 30% quota for women provided for by the Constitution, 21 additional members were co-opted after the elections. The current National Assembly of Burundi now consists of 121 members, compared with 106 in the outgoing legislature.

Elections to the Senate were held on 24th July, 2015. Given the fact that a new province was created in March 2015, the current Senate is henceforth composed of thirty six indirectly elected members, plus three co-opted representatives of the Twa ethnic group and the former Presidents of the Republic, as ex officio members.

Globally, the parliament is a key player in promoting the peaceful resolution of internal conflicts. The parliament is the forum that represents the people and should, as such, provide a platform for discussion and for identifying a peaceful outcome to conflicts through solutions that are in the national interest. The parliament also plays a pivotal role in reaching national consensus on important topics such as development, combating poverty, as well as several other socio-economic, political and security challenges that Burundi currently faces.

The parliament must serve as a framework for dialogue between all of the socio-political actors in Burundi. It will need to create a space where all stakeholders: ruling party and opposition MPs, opposition members not represented in parliament, representatives of civil society, professional associations, and media and religious leaders can express their views on the current situation and examine all the possibilities for re-establishing peaceful co-existence among all sectors of Burundian society.

III. Context and justification of the Mission.

III.1. Introduction

The Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR) has continuously monitored the political, security and humanitarian situation in the Republic of Burundi since the conflict started in April 2015. The FP-ICGLR believes that diplomatic activities may contribute considerably in setting up the best option to settle the problems facing this country.

In accordance with resolution 8OSPA/01/2017 adopted by the 8th Plenary Assembly of the FP-ICGLR held in December, 2017 in Bangui, Central African Republic, the Secretary General of the FP-ICGLR was requested to continually monitor the political, security and humanitarian situation in the Republic of Burundi and to report thereon to the next Plenary Assembly. In addition, the Eighth Ordinary Session of the Plenary Assembly decided to deploy a Parliamentary Fact-finding Mission to Bujumbura to evaluate the situation as a follow-up to the fact finding mission in February of 2016 and assess the progress made and challenges faced in the process of consolidating lasting peace in the Republic of Burundi.

III.2. Forum of Parliaments of the ICGLR

The Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR) is an inter-parliamentary organization composed of 12 Member States including the Republic of Angola, the Republic of Burundi, the Republic of Kenya, the Republic of Uganda, the Central African Republic, the Republic of Congo, the Democratic Republic of the Congo, the Republic of Rwanda, the Republic of the Sudan, the Republic of South Sudan, the United Republic of Tanzania and the Republic of Zambia.

The FP-ICGLR was established on 4th December, 2008 in Kigali, Republic of Rwanda, with the mission to promote, maintain and strengthen peace and security in the Great Lakes Region in accordance with the will expressed by the Heads of State and Government in the Pact on Security, Stability and Development in the Great Lakes Region signed on 15th December, 2006 in Nairobi, Republic of Kenya.

III.3. Parliamentary Fact-finding Mission to Burundi in February 2016

The FP-ICGLR based on democratic principles and values, whose dialogue, respect and inclusion are the main elements to promote the peaceful and participatory management of disputes, already carried out a Parliamentary Fact-finding Mission in the Republic of Burundi. In solidarity with the people of Burundi and joining the efforts of those who undertook the peaceful resolution of the Burundian conflict, the FP-ICGLR, together with the IPU, undertook the Parliamentary Fact-finding Mission to Bujumbura, Republic of Burundi and afterwards to Kampala, Republic of Uganda from 20th to 29th February 2016. The delegation was led by the Right Honourable David Ekwee Ethuro, the former Speaker of the Senate of the Republic of Kenya.

The main purpose of the mission was to assist the Parliament of Burundi with finding a way out of the unstable socio-political situation the country was facing, strengthening democracy and reconstructing the country through dialogue and inclusive decision-making. In addition, it aimed to enable the Parliament to truly play its role of reconciliation with a view to building peace and allowing parliamentarians to defend the interests of the people. This would entail mobilizing the various political stakeholders around the objective of strengthening dialogue for democracy, the rule of law and reconciliation.

The mission held talks with several actors, including members of the two Houses of the Burundian Parliament, some Ministers, political parties in power as well as opposition political parties, Civil Society organizations and religious leaders. The delegation was also received by His Excellency Pierre Nkurunziza, the President of the Republic of Burundi. The delegation then travelled to Kampala, in the Republic of Uganda and was received by His Excellency Yoweri Kaguta Museveni in his capacity as Mediator appointed by the East African Community (EAC).

At the end of this mission, the following results were achieved:

- Information on the conflict and instability in Burundi was collected along with recommendations proposing appropriate and durable solutions to the conflict;
- The internal process of the inter-Burundi dialogue was observed;
- Discussions with stakeholders on both side of the political divide we held;
- Delegation was received by H.E. Pierre Nkurunziza the President of the Republic of Burundi;
- Delegation was received and held talks with. H.E. Yoweri Kaguta Museveni President of the Republic of Uganda and the mediator appointed by the East African Community;
- The important contribution by the two chambers of the Parliament of Burundi to finding solutions to the conflict.

III.4. Justification for the mission

In the resolution 8OSPA/01/2017 adopted in Bangui, Central African Republic, paragraph 7, the Plenary Assembly requested the Secretary General of the FP-ICGLR to monitor the political, security and humanitarian situation in the Republic of Burundi and to report thereon to the next Plenary Assembly to be held from 4th to 6th December, 2018 in Brazzaville, Republic of Congo.

To this end, the FP-ICGLR prioritized deploying a further parliamentary diplomacy to Bujumbura, Republic of Burundi to follow-up on the political, security and humanitarian situation.

In addition, the Forum aimed to implement its objectives in relation to peace and security which include among others:

- To provide a platform for exchange of experiences, conflict resolution and dialogue between the parliaments of Member States of the ICGLR;
- To support the efforts of Governments in the prevention and resolution of conflicts and to contribute to the consolidation of the peace processes and to national reconciliation;
- To ensure that the national Parliaments of the Member States are fully involved in the evaluation and follow-up of the implementation of the Pact on Security, Stability and Development in the Great Lakes Region.

It was within this framework to implement its objectives and 2018-2019 Action Plan that the FP-ICGLR organized a Parliamentary Fact-finding Mission from 10th to 11th July, 2018 to Bujumbura, Republic of Burundi.

IV. Objectives

IV.1. Main Objective

The overall objective of the mission was to evaluate the progress made in recent years, to the challenges for boosting and supporting the Burundi's Parliament in the process of consolidating lasting peace and national reconciliation in the Republic of Burundi with particular emphasis on the promotion of democracy.

IV.2. Specific Objectives

The specific objectives of the parliamentary fact-finding mission to the Republic of Burundi were as follows:

- a) To evaluate progress made and challenges faced in relation to recent developments in Burundi's political, security and humanitarian situation;
- b) Identify the relevant perspectives to be proposed to the Parliament of Burundi in order to accelerate and strengthen the process of consolidating lasting peace and national reconciliation in the Republic of Burundi;
- c) Support the efforts of the EAC, including the mediation initiative for the continuation and finalization of the inter-Burundian dialogue;

- d) Encourage Burundian political actors to promote inclusive dialogue and build confidence in order to consolidate lasting peace and security in the Republic of Burundi.

V. Expected outcomes

At the end of the Parliamentary Fact-finding Mission, the expected results were as follows:

- a) Better knowledge of progress and challenges in relation to recent developments of the Burundi's political, security and humanitarian situation;
- b) Identifying relevant perspectives for the Burundi Parliament to contribute for accelerating and strengthening the process of sustainable peace building and national reconciliation in the Republic of Burundi;
- c) Support for the efforts of the EAC, including the mediation initiative for the continuation and finalization of the inter-Burundian dialogue;
- d) Burundian political actors are encouraged to promote inclusive dialogue and to build confidence for consolidating the sustainable peace and security in the Republic of Burundi.

VI. Methodology and recommended activities

This was a deployment of the parliamentary diplomacy of the FP-ICGLR to Bujumbura, Republic of Burundi in order to monitor and evaluate the progress made and challenges faced during the recent developments of the political, security and humanitarian situation of the Republic of Burundi.

Composition of the delegation

- Right Honourable Dr. Omer Suliman Adam Waneese, Speaker of the Council of States of the Republic of the Sudan and Head of Mission;
- Honourable Lawrence Nyirenda, Member of Parliament of the Republic of Zambia;
- Honourable Daniel Abibi, Senator of the Republic of Congo
- Honourable Jean Apollinaire Tsiba Member of the Parliament of the Republic of Congo
- Honourable Ambassador Onyango Kakoba, Secretary General of FP-ICGLR
- Mr. Joseph Ndarishikanye, Programme Manager- Peace, Security, Democracy and Good Governance, FP-CGLR;
- Supporting Staff from the Forum General Secretariat, Parliaments of the Republic of Sudan and the Republic of Congo.

The delegation was received by the President of the Republic, the Presidents of both Houses of Parliament and some members of the Government, including the Minister of Foreign Affairs and International Cooperation, and with leaders of political parties and civil society.

The delegation was to meet the Ambassadors of the UN Security Council Member States based in Bujumbura and the Ambassadors of the ICGLR Member States accredited to Bujumbura as well as the Executive Secretary of the ICGLR, but this did not happen.

A statement on the preliminary findings relevant to the process of consolidating peace and national reconciliation was made by the head of the delegation at the end of the mission.

During all these meetings, the official languages of the ICGLR Forum of Parliaments were used.

VII. Minutes of meetings and Findings

Following the meetings that the delegation had with the personalities met, they noted with satisfaction the various interventions and information on the political, security and humanitarian situation prevailing in Burundi. The personalities met included:

- His Excellency the President of the Republic of Burundi, Pierre NKURUNZIZA;
- The Right Honourable Pascal NYABENDA, Speaker of the National Assembly of the Republic of Burundi;
- The Right Honourable Révérien NDIKURIYO, Speaker of the Senate of the Republic of Burundi,
- Minister of Foreign Affairs and International Cooperation, Ezekiel NIBIZI;
- Representatives of authorized political parties in the Republic of Burundi;
- Representatives of the Civil Society Organisations of the Republic of Burundi

VII.1. Head of State of the Republic of Burundi

The Mission was received by His Excellency Pierre NKURUNZIZA, President of the Republic of Burundi, early in the afternoon of 11th July, 2018 in his office in Bujumbura. In his message to the delegation, President Pierre Nkurunziza spoke, about the political, security and humanitarian situation in his country and confirmed that cyclical conflicts were problems that come from outside. He argued that all countries in the Great Lakes Region have been colonized and gained independence. However, neo-colonialism has resumed, he said. The current situation shows that Burundi has been able to fight and succeed. He thanked most countries of the Great Lakes Region for the support. He pointed out that the authors of the failed coup of May 13, 2015 were in exile in Belgium and the neighbouring countries and that destabilization continues from those countries hosting the putschists.

Regarding the refugees who are returning for the moment, he said that they find their properties intact and they would be able to recover them, as the Government protects their properties. . He recalled that justice will do its job to fight against impunity.

He said that all the countries of the world know the problem of Burundi, even to the level of United Nations Security Council meetings, African, Asian and Latin American countries supported Burundi. He confirmed that there is calm throughout the country and that churches and mosques are open.

He reported that other African countries have experienced the same problems, including Chad, CAR, Gabon and the Republic of Congo. To this end, he said he hoped to see African countries working together as in the era of independence and said: "Together we will win".

In addition, he informed members of the delegation that he was able to complete his term of office and that he was the only one among the democratically elected presidents to complete the term. He hoped that his successors could also finish their term. In addition, he said that his predecessors have not finished three months citing the cases of Prince Louis Rwagasore and President Melchior Ndadaye who were murdered. In this respect, he concluded that the Burundian evil was not a problem of mandate. In addition, he mentioned that there was a president of the Republic of Burundi who died on the plane shot down in April 1994 in Kigali, but there was no investigation or resolution at the level of the United Nations.

VII.2. Speakers of both houses of the Parliament

The Speakers of the National Assembly and the Senate received the delegation in the morning and afternoon of Tuesday, July 10, 2018 respectively. Both speakers presented the progress made in the recent developments on the political, security and humanitarian situation.

They spoke of the fight against impunity by providing an internal legal framework allowing the courts of Burundi to punish crimes of genocide, war crimes and crimes against humanity. Therefore, the ICC, in their opinion, cannot take a decision to authorize its prosecutor to open an investigation into the crimes against humanity committed in Burundi since 26 April 2015 because Burundi is no longer a member of this and moreover, jurisdictions of the country are competent, they mentioned.

With regard to the prevention of sexual violence based on gender, three strategic documents were validated by the Government during 2016-2017. In addition, the penal code provides for heavy penalties and a specific law 1/13 of 22 September 2016 on prevention, protection of victims and repression of gender-based violence were sensitized among the population and at the same time were in application.

They said the Government has been successful in organizing the return of refugees. Following the significant improvement in security, the voluntary repatriation movement continues at a satisfactory pace. They both said that during the first six months of 2018, around 31,000 Burundians were repatriated from Tanzania. Another 48 Burundian refugees living in Kenya returned by aircraft.

The President of the Senate said that he had just carried out a mission to the United Republic of Tanzania and appreciated the mechanism set up in particular the Tripartite Tanzania-UNHCR-Burundi to facilitate the repatriation of Burundian refugees from Tanzania.

Both Speakers informed the delegation that the 7th Summit of Heads of State and Government of the ICGLR took note of the improvement of the security situation in Burundi and that, at the end of this Summit, the participants urged neighbouring countries which sheltered Burundian refugees to facilitate their voluntary return and for those who do not wish to return, to install them far from common borders in accordance with the 1951 Convention on the Status of Refugees. They both requested that the countries hosting the Burundian refugees respect the civilian character of the Burundian refugee camps in accordance with the provisions of the same Convention mentioned above.

At the penitentiary level, they said that presidential pardon measures were taken by Decree 100/01 of 3 January 2017.

They spoke on the freedom of associations. Nevertheless, they said that there were associations that disrupted public order in 2015 and many of them were suspended. They cited the cases of some associations including the Observatory of Government Action (OAG) and Word and Action for the Awakening of Consciousness and Evolution of Minds (PARCEM).

They informed the mission that as of April 26, 2015, when the insurgency movement broke out to overthrow the elected government, some radio stations synergized to transmit and rebroadcast the insurgency live and in multiplex and this pushed thousands citizens into panic mode and take the road to exile. They added that some foreign media among others the Voice of America (VOA) and the British Broadcasting Corporation (BBC) were suspended for 6 months from May 07, 2018. The BBC recognizes the mistake and the VOA has recruited a Burundian journalist wanted by Burundian justice.

They also spoke about political freedoms by saying that political parties are free to hold meetings with the exception of the Movement for Solidarity and Democracy (MSD) party, which was suspended for violating Article 35 of the law governing political parties that prohibits the establishment of a military and paramilitary branch.

They commented that, at the diplomatic level, all the official missions carried out in Burundi attest to an improvement and normalization of the situation in Burundi after the insurrectional movement and the failed coup in May 2015, and that, on the political plan, the 31st Summit of Heads of State and Government of the AU held in Nouakchott in Mauritania called for the lifting of the sanctions that the European Union has taken against Burundi. Similarly, at the conclusion of the 72nd Session of

the Executive Committee of the African Parliamentary Union (APU) held in Bujumbura from 22 to 23 May 2018, participants noted with satisfaction the positive developments in regard to the political, security and security situation in Burundi.

They reported that it was high time for Burundi to evolve, in particular, towards the preparation of the upcoming 2020 elections, which they wished to be free, peaceful, transparent and democratic. They spoke about the initiatives of the Burundian Ombudsman who organized, at his level, several inclusive dialogues and the conclusions contributed significantly to peace and national reconciliation.

They also spoke about the recent revision of the Constitution by referendum on May 17th, 2018. They informed the delegation about the results of this referendum namely 73.24% for "YES" and 19.37% for "NO" and a high turnout of 96.19%. The delegation was also informed of the announcement of HE Pierre Nkurunziza not to present his candidacy for the next presidential election of 2020.

They also highlighted remarkable advances in governance including innovation and improved public service for its Provincial One Window.

In conclusion, they asked members of the delegation to advocate for Burundi to be withdrawn on the list of countries facing political crisis as the Mission was on the ground to discover that peace and security exist in Burundi.

VII.3. Minister of Foreign Affairs and International Cooperation

On the security point of view, he was pleased to inform the delegation that the security situation was good throughout the country. He reported that the Youth League "Imbonerakure" is formed by young people under 40 years old and that most senior Party personalities are from the League, which works for peace in the country. He denounced the untruths propagated tendentiously by countries, circles and organizations hostile to the youth league.

On the political aspect, he spoke about the success of the constitutional referendum that took place on May 17 and the promulgation of this new Constitution on June 7, 2018 and that the President of the Republic, His Excellency Pierre NKURUNZIZA confirmed to the people and the international community that He will not contest in the next presidential elections of 2020.

On the humanitarian aspect, he appreciated the return of Burundian refugees from the United Republic of Tanzania.

VII.4. Leaders of the Political parties

They confirmed that calm has returned to the entire national territory and that the human rights situation is normal. Further to this favourable environment, some leaders of the political parties who were refugees, decided to return to the country.

They mentioned that Burundi was a member of several regional and international organizations, including the EAC and the ICGLR. To this end, they expressed the wish that opinions on the political, security and humanitarian situation of Burundi may come from these entities and not from the EU. They denounced that Burundi cannot suffer the isolation imposed by France and Belgium. They sought the support of the FP- ICGLR and the ICGLR during the 2020 general elections.

They confirmed that there is no problem in Burundi as this was testified by the organization of the Constitutional Referendum with no incident. The representative of the Monarchist Party also appreciated the Government for it organized the referendum which went well with national resources and without any foreign contribution.

The representative of UPRONA, the party that led the country to independence, also supported the Government by saying that peace exists in Burundi with significant progress compared to 2015 when there occurred the insurrectional movement and the failed coup. He also spoke about the mass movement of refugees returning to the country, but he informed the delegation that refugees in Rwanda were denied passage to return to Burundi.

VII.5. Leaders of the Civil Society

Civil society leaders unanimously condemned EU sanctions against Burundi as unjust. Moreover, they said that they found it incomprehensible the ICC's initiation of an investigation into crimes against humanity committed in Burundi at a time when Burundi is no longer a member. They said there was no insecurity in Burundi while condemning the attacks of civilians perpetrated on May 11, 2018 in a village in Cibitoke province. Many of these associations have deployed constitutional referendum observation missions and said there was no incident in the whole country.

VIII. Observations and recommendations

At the end of the aforementioned visits, the delegation made a number of observations and recommendations mentioned below.

VIII.1. Observations

a. Security Situation

- A general calm has been observed in the areas visited for meetings, the population conduct their daily activities peacefully, public institutions function normally and the mission has not witnessed incidents during its stay;
- There have been accusations against countries harbouring the authors of the failed coup in May 2015 that continue to destabilize the country. However, this is an allegation that the Mission is unable to verify until another Parliamentary Fact-finding Mission is organized for this purpose.

b. Political Situation

- There is significant progress, as evidenced by the organization of the constitutional referendum of 17 May 2018 without any incident and with a high turnout, which reflects the acceptance and appropriation of the electoral process by the people;
- The inter-Burundian dialogue ended without the signature of the road map for the 2020 elections, but the progress of this dialogue is satisfactory. However, the Government insists that the inter-Burundian dialogue cannot include those who are considered troublemakers, including the authors of the failed coup on May 13th, 2015;
- At the end of the Summit of Heads of State and Government of the African Union held in Nouakchott, Republic of Mauritania, a decision was taken in connection with the lifting of the sanctions of the European Union against the Republic of Burundi.
- The continued democratization of the country by the Burundi institutions and the commitment of the Government and all stakeholders to sign the road map for the upcoming elections in 2020 with a view to reaching a lasting solution constitute an open window to support peace, security and development in the country.

c. Humanitarian Situation

The mission welcomed:

- The massive return of refugees from the United Republic of Tanzania and other refugees repatriated by air plane from the Republic of Kenya.
- The mechanisms to facilitate the voluntary repatriation of refugees, including the tripartite between the United Republic of Tanzania - the Office of the United Nations High Commissioner for Refugees (UNHCR) - the Republic of Burundi;
- The validation, in 2016-2017, of three strategic documents, in particular the 2017-2021 National Action Plan of the National Gender Policy, the 2017-2021 National Action Plan of Resolution 1325 and the 2017-2021 Plan Strategy to Combat Sexual and Gender-Based Violence.

VIII.2. Recommendations

The Mission recommended:

a. To the Government of the Republic of Burundi:

- To continue to work with all stakeholders, including leaders of political parties including leaders in opposition, representatives of civil society organizations and religious leaders regardless of their views, to preserve the calm that exists throughout the national territory;

- To work towards the signing of the road map for the next general election in 2020, which are crucial for maintaining peace, security and stability.
- To implement the three strategic documents of the national gender policy, in particular the 2017-2021 national action plan of the national gender policy, the 2017-2021 national action plan of resolution 1325 and the 2017-2021 strategic plan of fight against sexual and gender-based violence.

b. To neighboring countries that shelter Burundian refugees:

- To promote the voluntary return of refugees to their country of origin and their usual places of residence and, for those who do not wish to return, to resettle them far from common borders in accordance with the 1951 Convention relating to the Status of Refugees;
- To put in place mechanisms to facilitate the voluntary repatriation of refugees in collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Republic of Burundi.

c. To regional and international community:

- To play a positive role for the restoration of stability in Burundi and in the region;
- To resolve conflicts between Burundi and neo-colonial countries, circles and organizations hostile to it;
- To advocate for the lifting of the sanctions of the European Union against the Republic of Burundi.

d. To ICGLR and the FP-ICGLR:

- To support the institutions of Burundi in the pursuit of democratization of the country;
- To contribute to the removal of diplomatic concerns between Burundi and Rwanda and to undertake efforts to normalize bilateral relations between the two countries;

Done at Bujumbura, July, 2018

Right Honourable Dr. Omar Suleiman Adam Waneesse

**Speaker of the Council of States of the Republic of Sudan
Member of the Bureau of the FP-ICGLR.**

Annexure 5

**Preliminary Draft Resolution on the
political, security and humanitarian
situation in the Republic of Burundi**

(PS&DGG-08)



RESOLUTION 9 OSPA/01/2018

RESOLUTION ON THE POLITICAL, SECURITY AND HUMANITARIAN
SITUATION IN THE REPUBLIC OF BURUNDI

**NINTH ORDINARY SESSION OF THE PLENARY ASSEMBLY OF THE FORUM
OF PARLIAMENTS OF MEMBER STATES OF THE INTERNATIONAL
CONFERENCE ON THE GREAT LAKES REGION.**

The Plenary Assembly of the Forum of Parliaments of the Member States of the International Conference on the Great Lakes Region (FP-ICGLR):

- **Pursuant to** the provisions of Articles 4 and 22 paragraph 1 of the Pact on Security, Stability and Development in the Great Lakes Region signed on 15th December, 2006 in Nairobi, Republic of Kenya;
- **Whereas** the provisions of the Articles 2 and 6 of the Inter-parliamentary Accord establishing the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region signed on 4th December, 2008 in Kigali, Republic of Rwanda;
- **Considering** that the Parliamentary Fact Finding Mission of the FP-ICGLR, conducted from 10th to 11th July, 2018 in Bujumbura, Republic of Burundi, did not witness any incident during its stay and that a general calm was observed with people peacefully going about their daily business and public institutions that function normally;
- **Confirming** remarkable progress made at the political level, as evidenced by the organization of the Constitutional Referendum held on 17th May, 2018 without any incident and **convinced** of the smooth running of the inter-Burundian dialogue and the roadmap for the 2020 General Elections;
- **Supporting** the decision taken by the Summit of Heads of State and Government of the African Union held in Nouakchott, Republic of Mauritania, in connection with the lifting of the sanctions of the European Union against the Republic of Burundi;

- **Welcoming the:**
 - massive return of refugees from the United Republic of Tanzania and other refugees repatriated by air from the Republic of Kenya;
 - establishment of mechanisms to facilitate the voluntary repatriation of refugees, including the tripartite between the United Republic of Tanzania, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Republic of Burundi;
 - validation of three strategic documents, in particular the National Action Plan 2017-2021 of the National Gender Policy, the National Action Plan 2017-2021 of Resolution 1325 and the Strategic Plan 2017-2021 to combat sexual gender- based violence;
- **Referring** to the report of the Parliamentary Fact-finding Mission conducted from 10th to 11th July, 2018 in Bujumbura, Republic of Burundi;

Adopts the following resolutions:

To the Government of the Republic of Burundi:

1. **Calls upon** the Government of the Republic of Burundi to continue to work with all stakeholders, including political party leaders, representatives of civil society organizations and religious leaders, regardless of their views, to preserve the existing calm throughout the national territory;
2. **Commends** the Government of the Republic of Burundi for its efforts to sign the roadmap for the upcoming general elections of 2020 to guarantee peace, security and stability.
3. **Calls on** the Government of the Republic of Burundi to implement the three strategic documents of the National Gender Policy, in particular the 2017-2021 National Action Plan for the National Gender Policy, the 2017-2021 National Action Plan for the Resolution 1325 and the 2017-2021 Strategic Plan to combat Sexual and Gender-Based Violence.

To the Governments of neighboring countries sheltering Burundian refugees:

4. **Calls upon** the Governments of neighboring countries sheltering Burundian refugees to:
 - a. promote the voluntary return of refugees to their country of origin and, for those who do not wish to return, to resettle them far from common borders in accordance with the 1951 Convention on the Status of Refugees;
 - b. put in place, for those who are yet to do so, mechanisms to facilitate the voluntary return of refugees in collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Government of the Republic of Burundi;

To the regional and international community

5. **Urges** the regional and international community to:
 - a. play a positive role in strengthening stability in the Republic of Burundi and in the region;
 - b. contribute to the resolution of conflicts between Burundi and the old colonial powers, circles and organizations hostile to it;
6. **Calls on** the regional and international community to work for the lifting of the unjust sanctions of the European Union against the Republic of Burundi.

To the ICGLR and the FP-ICGLR

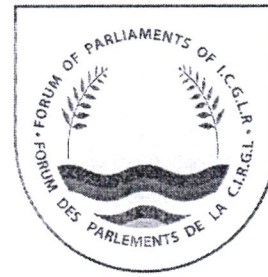
7. **Urges** the ICGLR and the FP-ICGLR to support the institutions of the Republic of Burundi in the pursuit of the democratization of the country;
8. **Requests** the Secretary General of the FP-ICGLR to monitor the political and security situation of the Republic of Burundi and to report to the next Plenary Assembly;
9. **Decides** to remain actively seized of the situation in the Republic of Burundi.

Brazzaville, 6th December, 2018
President of the FP-ICGLR

Annexure 6

Preliminary Draft Resolution on the
political, security and humanitarian
situation in the Republic of South
Sudan

(PS&DGG-11)



DRAFT RESOLUTION 9 SOAP/04/2018

**RESOLUTION ON THE POLITICAL, SECURITY AND HUMANITARIAN
SITUATION IN THE REPUBLIC OF SOUTH SUDAN**

**NINTH ORDINARY SESSION OF THE PLENARY ASSEMBLY OF THE FORUM
OF PARLIAMENTS OF MEMBER STATES OF THE INTERNATIONAL
CONFERENCE ON THE GREAT LAKES REGION**

The Plenary Assembly of the Forum of Parliaments of the Member States of the International Conference on the Great Lakes Region (FP-ICGLR):

- **Considering** the provisions of Articles 4 and 22 paragraph 1 of the Pact on Security, Stability and Development in the Great Lakes Region, signed on 15th December, 2006 in Nairobi, Republic of Kenya;
- **Considering** the provisions of Articles 2 and 6 of the Inter-parliamentary Accord establishing the FP-ICGLR;
- **Recalling** its resolution 8OSPA/04/2017 adopted on 7th December, 2017 on the political, security and humanitarian situation in the Republic of South Sudan;
- **Noting with satisfaction** the recent significant progress in the peace process in the Republic of South Sudan, including the permanent ceasefire declaration based on the Agreement on Cessation of Hostilities and the Khartoum Agreement in June 2018, which helped revive the peace process;
- **Stressing** that the pre-transition period should last eight months and be very laborious and that the accumulated delay is a risk of failure;
- **Deeply concerned** by the humanitarian situation in the Republic of South Sudan, which has deteriorated due to instability and hunger with approximately 2.4 million refugees and 2 million internally displaced persons;
- **Welcoming** the parliamentary fact-finding missions conducted in the Republic of South Sudan by the FP-ICGLR delegations respectively from 30th May to 4th June 2014, from 22nd to 26th June 2015, from 20th to 22nd April 2016 and from 20th to 22nd April, 2016 23rd June, 2017 and recalling the conclusions and recommendations of the reports of these parliamentary fact-finding missions;

Adopts the following resolutions:

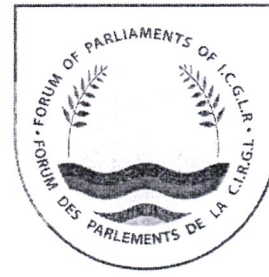
1. **Welcomes** the declaration of a permanent ceasefire based on the Agreement on Cessation of Hostilities as set out in the Khartoum Declaration of Agreement, **and urges** all conflicting parties to comply with the permanent ceasefire in order to create a political and security environment conducive to the implementation of all other signed agreements;
2. **Expresses** its support to the agreements signed in general, particularly the peace agreement signed on 12th September, 2018 in Addis Ababa, Ethiopia, between the Government and the majority of opposition groups in South Sudan, and particularly thanks H.E. Omer Al-Bashir, President of the Republic of the Sudan, and H.E. Yoweri Museveni, President of the Republic of Uganda for the facilitation of the Khartoum talks, which helped revive the peace process;
3. **Requests** the Government of the Republic of South Sudan to:
 - a. Collaborate with the Pre-Transition Committee which is the key body responsible for implementing the Agreement, to expedite the setting up of transitional institutions;
 - b. Continue to ensure the protection of the entire civilian population;
 - c. Continue to strengthen structures within political, governance and security institutions as they still need to be reformed and improved.
4. **Urges** humanitarian agencies to:
 - a. Continue to support Internally Displaced Persons (IDPs), refugees and vulnerable people in the Republic of South Sudan;
 - b. Allocate the necessary humanitarian aid to the displaced population both within and out of the countries.
5. **Calls** on regional and international community to mobilize the necessary funds for urgent and massive support to address the basic needs of IDPs and refugees whose numbers are very high;
6. **Urges** the Secretary General of the FP-ICGLR to continue to work with the South Sudanese Authorities to support the Parliament of the Republic of South Sudan in the sustainable peace building process;
7. **Requests** the Secretary General of the FP-ICGLR to regularly monitor the political, security and humanitarian situation in the Republic of South Sudan;
8. **Decides** to remain actively seized of the matter.

Brazzaville, 6th December, 2018
President of the FP-ICGLR

Annexure 7

**Preliminary Draft Resolution on the
political, security and humanitarian
situation in Central African Republic**

(PS&DGG-10)



RESOLUTION 9 OSPA/02/2018

RESOLUTION ON THE POLITICAL, SECURITY AND HUMANITARIAN
SITUATION IN CENTRAL AFRICAN REPUBLIC

**NINTH ORDINARY SESSION OF THE PLENARY ASSEMBLY OF THE FORUM
OF PARLIAMENTS OF MEMBER STATES OF THE INTERNATIONAL
CONFERENCE ON THE GREAT LAKES REGION**

The Plenary Assembly of the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR):

- **Pursuant to** the provisions of Articles 4 and 22 paragraph 1 of the Pact on Security, Stability and Development in the Great Lakes Region signed on 15th December, 2006 in Nairobi, Republic of Kenya;
- **Whereas** the provisions of the Articles 2 and 6 of the Inter-parliamentary Accord establishing the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region signed on 4th December, 2008 in Kigali, Republic of Rwanda;
- **Recalling** its resolution 8OSPA/02/2017 dated 7th December, 2017 on the Political, Security and Humanitarian situation in the Central African Republic;
- **Expressing deep concern**, despite the return to normal constitutional order, for the deterioration of the security situation as a result of the continuing destabilizing activities of armed groups and other criminals who perpetrate acts of violence, in Bangui and the rest of the country, against civilians, United Nations peacekeepers and humanitarian workers, as well as violations of international humanitarian law and human rights violations;
- **Considering** that the resolution of the Central African conflict must include the disarmament, demobilization, reintegration and repatriation programme (DDRR) of ex-combatants of armed groups and the reconstruction of a military institution and security services which are professional and republican;
- **Considering further** that, in order to be sustainable, the solution of the Central African Republic should factor in the fight against impunity;
- **Noting** the Resolution 2399 (2018) of the United Nations Security Council adopted on 30th January, 2018 extending the mandate of the United Nations

Multidimensional Integrated Stabilization Mission in Central Africa Republic (MINUSCA);

- **Stressing** the importance of the role and commitment of the regional and international community, in particular the African Union, the Economic Community of Central African States, the International Conference on the Great Lakes Region and neighboring States for the promotion of lasting peace and stability in the Central African Republic;
- **Considering** that the humanitarian situation remains worrying due to the large numbers of internally displaced persons, refugees and people in need of assistance;
- **Welcoming** the activities already carried out in CAR by the FP-ICGLR, including five parliamentary fact-finding missions and one election observation mission conducted since 2014;

Adopts the following resolutions:

1. **Strongly condemns** the violence perpetrated against the civilian population, United Nations peacekeepers and humanitarian workers by armed groups, and **discourages** acts of incitement to ethnic and religious hatred and violence that threaten peace and stability in the Central African Republic;
2. **Requests** the Government of CAR to:
 - a. take necessary measures, in cooperation with its partners, to implement the reform of the security services including the Disarmament, Demobilization, Reintegration and Repatriation (DDRR) program for ex-combatants and the reconstruction of the military institution and security services which are professional, republican, representative of the Central African society and well equipped;
 - b. work, in conformity with the constitution, in collaboration with all the State institution including the National Assembly of the Central African Republic, in the search and implementation of appropriate solutions for a rapid return to the security and lasting peace throughout the country;
 - c. bring to justice people who are responsible for violations of international humanitarian law and human rights violations with a view to combating impunity and thus promoting the rule of law;
 - d. implement the Truth, Justice and Reparation Commission and other national accountability mechanisms with a view to reconcile the Central African people.
3. **Encourages** the reactivation of bilateral joint committees between the Central African Republic, on one hand, and the Republics of Chad, Cameroon, and the Sudan, on the other, in order to cooperate in combating cross-border movements of armed groups and other criminals;
4. **Calls upon** the Government of CAR and the MINUSCA to take the necessary measures and initiatives to ensure the protection of the population throughout the country;

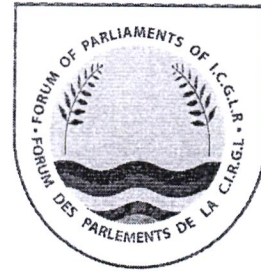
5. **Requests** the Governments of ICGLR Member States and the African Union to:
 - a. continue to make efforts aiming to neutralize both domestic and foreign negative forces, including the Lord's Resistance Army (LRA) and the Janjawid forces operating in eastern CAR;
 - b. cooperate with the Government of CAR to contribute to the reconstruction of the armed forces and security services, including through training in their military academies;
 - c. support the Democratic Institutions of the CAR in the search for security, stability and development of the country;
6. **Urges** humanitarian agencies and NGOs to continue supporting and assisting internally displaced persons (IDPs) or refugees in neighboring countries and to implement a programme designed to support women and vulnerable people who are deprived of all means, with a view to achieve their reintegration;
7. **Requests** the Secretary General of the FP-ICGLR to monitor developments in the political, security and humanitarian situation of the Central African Republic and to report on it at the next Plenary Assembly;
8. **Decides** to remain actively seized of the situation in the Central African Republic.

Brazzaville, 6th December, 2018
President of FP-ICGLR

Annexure 8

Preliminary Draft Resolution on the
political, security and humanitarian
situation in the Democratic Republic
of Congo

(PS&DGG-09)



DRAFT RESOLUTION 8 SOAP/03/2018

**RESOLUTION ON THE POLITICAL, SECURITY AND HUMANITARIAN SITUATION
IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

**NINTH ORDINARY SESSION OF THE PLENARY ASSEMBLY OF THE FORUM OF
PARLIAMENTS OF MEMBER STATES OF THE INTERNATIONAL CONFERENCE
ON THE GREAT LAKES REGION.**

The Plenary Assembly of the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR):

- **Considering** the provisions of Articles 4 and 22, paragraph 1 of the Pact on Security, Stability and Development in the Great Lakes Region signed in Nairobi on 15th December, 2006;
- **Considering** the provisions of Articles 2 and 6 of the Inter-Parliamentary Accord Establishing the Forum of Parliaments of the Member States of the ICGLR;
- **Recalling** its resolution 8SOAP/03/2017 adopted on 7th December, 2017 on the political, security and humanitarian situation in the Democratic Republic of the Congo;
- **Expressing** deep concern about the security situation in eastern Democratic Republic of the Congo, which in the course of 2018 has deteriorated with the persistently high level of violence, including attacks targeting the civilian population, the systematic nature of sexual and gender-based violence, the recruitment and use of children by armed groups and militias, and the forced and massive displacement of civilians;
- **Stressing** the importance of completely neutralizing national and foreign armed groups, including the Democratic Forces for the Liberation of Rwanda (FDLR), the Allied Democratic Forces (ADF), the Lord's Resistance Army (LRA) and other armed groups operating in eastern DRC;
- **Recalling** that it is primarily the responsibility of the Government of the Democratic Republic of the Congo to protect civilians within its territory from crimes against humanity and crimes of war;

- **Welcoming** the progress made in the electoral process, especially with respect to the electoral calendar which set the date of the general elections on 23rd December, 2018;
- **Stressing** that it is crucial that this next electoral process be conducted in a peaceful and credible manner, as provided by the Constitution of the DRC and in accordance with the ICGLR Protocol on Democracy and Good Governance, to ensure stability, the rule of law and the consolidation of constitutional democracy in the Democratic Republic of the Congo;
- **Expressing** concern over the illegal exploitation and trafficking of natural resources by armed groups and other criminals who constitute a serious obstruction to achieving lasting peace and the development in the Democratic Republic of the Congo ;
- **Considering** that the humanitarian situation remains worrying in eastern DRC with at least 13.1 million people in need of humanitarian assistance and expressing concern about the very large number of Internally Displaced Persons (IDPs) have more than doubled in the past year to more than 4.49 million and more than 714,000 refugees have fled the country as a result of the activities of armed groups or militias.

Adopts the following resolutions:

1. Strongly condemns all armed groups and other criminals operating in the Democratic Republic of the Congo and violations of international humanitarian law and other applicable standards of international law and human rights violations, including attacks on the civilian population, sexual and gender-based violence and the recruitment and use of children, and calls on the Government of the DRC to conduct thorough investigations into these atrocities in order to prompt the perpetrators to respond;
2. **Encourages** the Government of the Democratic Republic of Congo to:
 - a. Continue to ensure the protection of all civilians within its territory from atrocities such as genocide, war crimes and crimes against humanity throughout the country in general and in particular in the eastern part of the DRC;
 - b. Take necessary measures to prevent and stop conflicts throughout the DRC;
 - c. Continue and strengthen military operations with the support of the MONUSCO to end the threat posed by negative armed groups including the FDLR, ADF, LRA, FNL and all other armed groups operating in eastern DRC ;
3. **Encourages** the Congolese institutions and people to move forward with the next general elections scheduled for 23 December 2018 and requests the Government of the Democratic Republic of the Congo and its national partners,

- including the National Independent Electoral Commission, to ensure the security, transparency and credibility of the electoral process, as it is their primary responsibility to create conditions conducive to the holding of the next elections, in accordance with the Agreement of 31 December 2016, and in accordance with to the Constitution and national legislation, in accordance with the ICGLR Protocol on Democracy and Good Governance to ensure confidence in the conduct of the electoral process;
4. **Urges** all political parties and candidates in the general elections to continue to reject all forms of violence, to exercise the utmost restraint in their actions and declarations, in order to preserve the calm situation and peacefully settle their differences;
 5. **Calls** on the regional and international community, in particular the United Nations, the AU, the ICGLR, the SADC and the FP-ICGLR, to support and accompany the implementation of the Agreement signed on 31st December, 2016 and the electoral process by the deployment of election observation missions in the DRC;
 6. **Calls** on the Government of the DRC to take action against global firms exploiting and trading natural resources that do not comply with all transparency initiatives, including laws and/or mechanisms put in place at the national level by the DRC and by the ICGLR at the regional level;
 7. **Expresses** its concern at the alarming humanitarian situation in the DRC, including displacements, food insecurity, epidemics and natural disasters, and urges humanitarian agencies to continue meeting the assistance needs of internally displaced persons (IDPs);), refugees, survivors of sexual violence and other vulnerable groups of the population;
 8. **Expresses** its gratitude to the host countries of refugees from the DRC, particularly its neighboring countries, as well as the humanitarian agencies, for their continued support to the affected populations;
 9. **Urges** the Secretary General of the Forum of Parliaments of the Member States of the ICGLR to monitor the political, security and humanitarian situation in the DRC and to report to the next Plenary Session;
 10. **Decides** to remain seized of the political, security and humanitarian situation of the DRC.

Done in Bangui, on 6th December, 2018

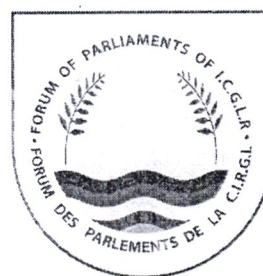
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Annexure 9

Report of the legislative elections observer
mission conducted in Rwanda in
September 2018

(PS&DGG-06)



Report on the Election Observation Mission of the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR during the 2018 Legislative Elections in Rwanda



September 2018

ABBREVIATIONS AND ACRONYMS

FP-ICGLR	Forum of Parliaments of Member States of the International Conference on the Great Lakes Region
GMO	Gender Monitoring Office
ICGLR	International Conference on the Great Lakes Region
NEC	National Electoral Commission
NFPO	National Forum for Political Organizations
PL	Parti Liberal
PS Imberakuri	Parti Social Imberakuri
PSD	Parti Socialiste Démocrate
FPR-Inkotanyi	Rwanda Patriotic Front- Inkotanyi
CAR	Central African Republic

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I. INTRODUCTION

The Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR), including the Republic of Angola, the Republic of Burundi, Central African Republic, the Republic of Congo, the Democratic Republic of the Congo, the Republic of Kenya, the Republic of Rwanda, the Republic of South Sudan, the Republic of the Sudan, the Republic of Uganda, the United Republic of Tanzania, and the Republic of Zambia was one of the delegations of observers of Rwandan Legislative Elections, Chamber of Deputies which was held from September 2- 4, 2018.

The Forum aims to promote democracy, respect for human rights and fundamental freedoms, organization of free, fair and transparent elections and good governance within the ICGLR member States. In this regards, the Forum provides an ultimate framework for the inter-parliamentary dialogue to promote, maintain and strengthen peace and security in the Great Lakes Region in accordance with the will expressed by the Heads of State and Government in the Dar-es-Salaam Declaration in November 2004 and subsequently in the Pact on Security, Stability and Development signed in Nairobi in December 2006.

In view of the above mandate and following an invitation by the Republic of Rwanda FP-ICGLR to observe the 2018 the Legislative Elections, the Forum deployed an Election Observation Mission from the 27th of August to the 6th of September 2018. The mission was led by Honorable Davy YAMA from the National Parliament of Central Africa Republic (CAR).

The Mission comprised Members of Parliament from five National Parliaments of ICGLR Member States, namely: Republic Angola, Central African Republic, Republic of Congo, Republic of Kenya and Republic of Sudan, as well as the Secretary General of the FP-ICGLR and staff from the Secretariat

1.1. Context and Background

The Government of Rwanda has made significant efforts to ensure the respect of human rights under different legal instruments. Article 11, of the Constitution of Rwanda of 4th June 2003 as amended to date stipulates that “all Rwandans are born free and equal in rights and duties”. Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.

The Constitution provides for the protection of citizens’ fundamental rights and liberties which include freedoms of expression, assembly and association, movement, freedom of conscience and religious belief, as well as participation in elections. The same Constitution in article 55 stipulates “that every Rwandan has a right to join a political organization of his or her choice, or not to join any”. No

Rwandan shall be subjected to discrimination on grounds of membership or non-membership to a given political organization.

Political organisations must always reflect the unity of Rwandans as well as equality and complementarity of men and women in the recruitment of members, in establishing their leadership organs, and in their functioning and activities. Thus, Political organisations must abide by the Constitution and other laws. They must conform to democratic principles and not compromise national unity, territorial integrity and national security. To facilitate political dialogue, and building consensus and national cohesion, the National Consultative Forum of Political Organisations was created.

Power sharing is respected in State institutions in accordance with the fundamental principles set out under Article 10 of the National Constitution and the provisions of other laws. For example, the President of the Republic and the Speaker of the Chamber of Deputies cannot come from the same political organization; Cabinet members are selected from political organisations on the basis of seats held by those political organizations in the Chamber of Deputies. However, a political organisation holding the majority of seats in the Chamber of Deputies cannot have more than fifty (50%) per cent of Cabinet members. It is not prohibited for other competent persons to be appointed to Cabinet.

As stated in the constitution (articles 52 and 54), political organizations on their side are required to operate in a manner that ensures for men and women equal access to elective offices, membership and leadership positions in political parties. The law goes beyond and recommends unambiguously consideration of gender equality in political programs. The combination of both a favourable political will and a gender responsive legal dispensation constitute the most important factors in the country's achievements in the area of promotion of gender equality and high levels of women representation in decision-making positions.

In Parliament, the principle of representation of various categories is respected as provided for by the Constitution and other laws. Article 9 of the Constitution established an affirmative action providing for at least 30 % reserved seats to women in decision making organs.

In the Republic of Rwanda, the Legislative power is vested in the Parliament consisting of two chambers including the Senate and the chamber of Deputies. The Chamber of Deputies is composed of eighty (80) members who shall include fifty-three (53) Deputies elected by direct universal suffrage, twenty-four (24) female Deputies elected by simple majority, two (2) Deputies elected by the National Youth Council by a simple majority by an electoral college consisting of organs of the youth and one (1) Deputy elected by the National Council of Persons with Disabilities by simple majority by an electoral college consisting of persons with disabilities.

1.2. Objective of the Mission

The main objective of the mission was to observe the 2018 legislative elections and witness the Rwandan electoral process (pre-electoral, electoral and post electoral activities) and to see if it complies with the commitments made by the Heads of State and Government in the ICGLR Pact on Stability, Security and Development and its Protocols, as well as with the national legislation of Rwanda and other universal principles for democratic elections.

1.3. Methodology

Prior to the polling days, the Mission held consultations with stakeholders including NEC, political parties, Forum of Political Organizations in Rwanda, Chamber of Senate, Platform of Civil Society Organizations (CSOs), Rwanda Media Commission, Gender Monitoring Office as well as African Union Observation mission. The Mission also observed political campaign rallies, and witnessed campaigns by various political parties. Consultations were held with other Election Observation Missions including African Union and local observers. The Mission also reviewed the constitutional and legal framework governing Elections in Rwanda as part of its methodology.

II. PRE – ELECTIONS PERIOD

In carrying out its observation work, the Mission was guided by the key observation principles of impartiality, transparency as well as guidelines for 2018 legislative elections observers in Rwanda shared by NEC to all observation delegations as well as national legal framework.

2.1. Legal Framework

The legal framework governing 2018 Legislative Elections in Rwanda consists of various domestic laws and international instruments that Rwanda has ratified or acceded to. The constitution of Rwanda is the supreme law of the country and any law, decision or act contrary to it is without effect. It lays out fundamental principles the country commits itself to upholding and they include:

- Equitable power sharing;
- Building a state governed by the rule of law, a pluralist democratic Government;
- Equality between men and women and the guarantee of at least 30% of women in all positions in decision-making organs.

The constitution provides for the different rights and freedoms including:

- Right to life;
- Right to country and nationality;

- Right to freedom of movement;
- Right to participate in Government and public services;
- Freedom of the press, of expression and of access to information;
- Right to freedom of association;
- Right to freedom of assembly, among others.

Article 54 of the Constitution explicitly recognizes a multiparty system in Rwanda and article 55 guarantees to every Rwandan a right to join a political organization of his choice or not to join any. Political organizations are prohibited from basing themselves on race, ethnic group, tribe, lineage, religion, sex or any other division which may lead to discrimination.

The Constitution specifies, in its article 60, persons whose services are incompatible with membership in political organizations. The constitution further recognizes three separate, independent and complementary branches of Government. The Constitution leaves the details of Legislative Elections procedures to the law no 27/10 of 19/06/2010 as modified and complemented to date. This law determines the practical modalities on how local, legislative and Presidential Elections, as well as referenda are conducted. The law tasks the National Electoral Commission to ensure respect of electoral laws and regulations and specifies the following:

- Modalities, time and eligibility for registration on the voter's register, including who is responsible for registration as well as voter's registration related complaints and their handling;
- Conduct of electoral campaigns;
- Organization of voting operations, including the location and arrangement of polling rooms and their administration, polling time, counting and consolidation of votes,
- Assistance to persons with disabilities,
- Role of security agents in and around polling rooms,
- The handling of complaints and the collection and conservation of ballot papers.

It is worth noting that the successive revisions of Law No. 27/2010 introduced the following substantial improvements:

- Voter registration is no longer an obligation, it is a civil responsibility,
- Polling starts from 7 am instead of 6 am;
- The voter chooses between voting using a pen or a thumb;
- The vote consolidation process and the administrative levels at which it is done are clearly indicated;
- Rights and responsibilities of election observers are provided for;
- Election related penalties are moved from electoral law to the penal code;

- Candidates are given more time to complete their files between the publication of the provisional and the final list of approved candidates;
- The National Electoral Commission was given the responsibility to ensure that candidates are given equal access to Public media.

Additionally, the Constitution and the law 27/2010 as modified and complemented to date provide the essential principles, guidelines and procedures regarding elections in Rwanda. In addition, the National Electoral Commission (NEC) issues instructions that give finer details regarding voting procedures. Other domestic laws relevant to the electoral process are the Organic Law no 10/2013/OL of 11/07/2013 governing Political Organizations and Politicians and the Organic Law no 03/2012 of 13/06/2012 determining the organization, functioning and jurisdiction of the Supreme Court. Further to domestic laws, international treaties and agreements which have been duly ratified or approved have the force of law as national legislation. The main instruments containing international standards for elections include:

- The Universal Declaration of Human Rights (UDCHR) (1948);
- The Convention on the Political Rights of Women(1952);
- The International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) (1965);
- The International Covenant on Civil and Political Rights (ICCPR) (1966);
- The Convention on the Elimination of all Forms of Discriminations against Women (CEDAW) (1979);
- The African Charter on Human and People's Rights (Banjul Charter) (1981);
- The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (2003);
- The African Charter on Democracy, Elections and Governance (2007);
- The ICGLR Protocol on Democracy and Good Governance.

For 2018 legislative elections, only 5 political parties were legally registered approved by the National Electoral Commission (NEC) and participated in the elections including: RPF and its coalition (PDI, PDC, UDPR, PPC, PSP, PSR); PSD (Parti Social Démocrate); PS Imberakuri, Democratic Green Party of Rwanda (DGPR) and PL (Parti Liberal). Also, four independent candidates were approved by the NEC and participated including NTIBANYENDERA Elissam Salim; SEBAGENZI Ally Hussein; MPAYIMANA Philippe and NSENGIYUMVA Janvier.

Further to this, the Government reserves 24 out of the 80 seats in the Chamber of Deputies for women. The 24 seats allocated to women are divided up between each province and the city of Kigali and are elected through the National Women Council structures. The 24 seats reserved for women are determined based on the total population of each province which include six from Eastern, Southern and Western provinces, four from Northern Province and two from City of Kigali. The same goes

for the youth and people living with disabilities, they are elected through their structures, at national level instead of provincial level as it is for women.

2.2. Guidelines for 2018 Legislative Elections Observers in Rwanda

To facilitate easy work of different legislative elections observation missions in Rwanda, the NEC developed clear guidelines which guided all observation missions during election campaigns and election period. Although election observers enjoy the right to work independently, there are basic rules and principles that guided them in their operations. Therefore, election observers ensure the following:

- Have knowledge of and respect Rwandan laws in general, and laws governing elections in particular;
- Respect the authority of the bodies charged with administering the electoral process at all level of administration;
- Maintain strict political impartiality during election observation period;
- Be characterized by impartiality and transparency;
- Have a sound knowledge of the Rwandan history and geographical structure, respect the Rwandan culture and Rwandans;
- Avoid any interference in non-election related activities;
- Submit their election observation report to the National Electoral Commission within sixty (60) days after the final publication of election results.

2.3. Elections Administration

The current version of the commission's legal framework is the Law No. 31/2005 of 24/12/2005 establishing the National Electoral Commission, which was revised in June 2013. The NEC is a national body with decentralized structures that enable it to fulfil its mandate as stipulated by law. It is composed of three organs:

- Council of Commissioners;
- Bureau of the commissioners
- Executive Secretariat.

The Council of Commissioners is the supreme organ in charge of ensuring the function of the NEC. It is composed of seven commissioners, appointed by a presidential order, after approval of the Senate, for a five year term that can be renewed once. At least two of the Commissioners must be lawyers and at least 30% of them must be women. Once appointed, the Commissioners continue to exercise their ordinary duties.

The responsibilities of the Council of Commissioners include determining electoral policy, taking decision on electoral matters, analysing and approving NEC reports, approving representatives of NEC in its decentralized branches, monitoring of electoral campaigns, monitoring of electoral process, and announcements of election results.

The Executive Secretariat is the technical office of the NEC, responsible for its day-to-day functioning. It is headed by the Executive Secretary, who is appointed by an order of the Prime Minister. The Executive Secretariat also manages election volunteers who assist the NEC in election periods.

2.4. Voter Registration

In the Rwandan electoral system, the voter register is permanent and is updated before each election. Since the introduction of an ID card database, the update is conducted from this civil registry. According to the electoral law, every year and whenever necessary, the National Prosecution Authority submits to the National Electoral Commission the list of those persons sentenced to the penalties preventing them from registering on the voter register and from voting. The Electors have been encouraged to consult the voter register at their respective villages and at embassies of Rwanda for those in the Diaspora. The aim was to ensure that all voters have their details accurately recorded and let the NEC make corrections where needed. Voters who changed their residences were given the opportunity to request the transfer of their voter's records to their current place of residence. The update of voter list was done between March and July 2018 with a total of 7,172,612 voters registered.

2.5. Civic Education

Civic education of all stakeholders is a key factor for successful elections. It enabled election monitors and managers to conduct a smooth and successful election and at the same time improved voters' understanding of their rights as well as the elections process. The NEC engaged in building the capacity of different actors involved in national elections to ensure that their roles and responsibilities are understood and everybody has the required capacity to fulfil his/her duties either as voter, candidate and/or supporter.

To this end NEC engaged in civic education training and promotion of collaboration between different institutions in charge of elections as reflected in its rules. Different civic education modules were developed tailored to various groups such as the general community, election volunteers, women, youth and people living with disabilities highlighted "**the role of election in democracy**" as well the role of women and youth in "**democracy**". As part of civic education, consultations with different stakeholders noted the critical role played by the NEC through media in enhancing awareness on the election process including voter registration and voter education. This went a long way in promoting public interest and encouraging public participation in the 2018 legislative Elections in Rwanda.

2.6. Election Campaigns

The electoral campaigns ran from 13th August to 1st September 2018. Political Parties, Independent Candidates, specific groups of women, youth and people living with disabilities organized their campaigns at District, Sector and Cell levels. They

used various means of communication, public media regulated for equal use by the National Electoral Commission. Access to private media is commercial and depends on the budget of Political Parties. They used also sign posts, Social Media, Websites, SMS, etc. The FP-ICGLR EOM was able to observe some campaigning events in Nyarugenge district on last day of campaign for three political parties: RPF and its coalition, PSD and PL; and made the following observations:

- The electoral campaigns were peaceful and candidates generally adhered to the instructions of the NEC;
- Security organs are to be commended for their professional conduct in the entire electoral process, including during the electoral campaign;
- The security organs and the media that were covering the campaign were present at all campaign sites equally for all political parties;
- In the evening of 1st September 2018, almost all campaigning materials had been removed as stipulated by the instructions of the NEC.

The EOM noted the high number of RPF member's participation in campaign held at Maison de Jeunes compared to two others for PSD and PL held at camp Kigali and Tapis rouge respectively.

2.7. Participation of women in 2018 Legislative Elections in Rwanda.

The Rwanda government has demonstrated an unprecedented strong political will in the promotion of gender equality. Government's commitments to gender equality are reflected into the adoption of gender sensitive key national constitutional, policy and legal instruments/frameworks. These include, but are not limited to the Constitution of the Republic of Rwanda of 04th June 2003 as amended to date, which commits the state to ensure gender equality and complementarity in national development; Vision 2020 and NST1 that set gender equality as a prerequisite to achieve equitable and sustainable development for women and men, girls and boys.

In addition various policies, laws and programs including the national gender policy consider gender equality as crosscutting which stresses its inclusion in all programs and projects. The Constitution also established an affirmative action providing for at least 30 % reserved seats to women in decision making organs. As stated in the constitution, political organizations on their side are required to operate in a manner that ensures for men and women equal access to elective offices, membership and leadership positions in political parties. The law goes beyond and recommends unambiguously consideration of gender equality in political programs.

The recent concluded parliamentary elections have reflected a high level of gender equality approach throughout the whole electoral process as evidenced by the outstanding result of the number of seats held by women in the Parliament for the 2018 tenure. The 2018 legislative elections handed women an overwhelming

majority in Rwanda's Parliament, with 49 out of 80 seats in the Chamber of Deputies that is 61.3 % for women.

2.8. Polling Stations Sampling and Visits

The mission was split into 5 groups to cover Districts representing 3 provinces namely Ramayana in Eastern province, Rulindo in Northern Province and Kamonyi in Southern Province as well as the three districts of Kigali City (Gasabo, Kicukiro and Nyarugenge). Only Western Province was not sampled due to the fact that it is relatively far for the team to participate in the opening and closing of polling stations.

Group 1 – Eastern Province (Rwamagana District)

1. Hon. Manzani Rigobert Sabin
2. Hon. Yousif Ahmed Yousif Aburouf
3. Mr. Cédric Matondo Bueya

Group 2 – Northern Province (Rulindo District)

1. Hon. Sergio Leonardo
2. Hon. Otiende Amollo
3. Mr. Byabagabo Jules

Group 3 – Southern Province (Kamonyi District)

1. Hon. Capingala Celso Eduardo
2. Hon. Abdelelah Mohmoud Mohamd Yousif
3. Miss Isaura Vicente

Group 4 – Kigali City - Nyarugenge District

1. Hon. Davy YAMA
2. Hon. Amb. Kakoba Onyango
3. Mr. Mohamed Elmubarak Mohieldin

Group 5 – Kigali City - Kicukiro and Gasabo Districts

1. Ms. Winnie Kamau
2. Gad - Consultant

It is important to mention that the idea behind the choice of one polling station per district is the fact that each team had to participate in the opening and closing of one polling station. After the opening the team then visited other polling stations and returned to the first one to witness the closing procedures.

III. POLLING PERIOD

Rwanda 2018 legislative elections were implemented on three consecutive days:

- 2nd September, 2018: Elections in the Diaspora for 53 general seats and one seat for People Living with Disabilities;
- 3rd September, 2018: General elections for general seats countrywide;
- 4th September, 2018: Elections of 24 seats for Women and 2 seats for the Youth.

3.1. Polling Days

As mentioned above, on 2nd September 2018, the elections were held in the Diaspora. The mission was able to observe the voting on the following two days in the teams as described earlier in this report. The following observations were made:

- In all voting rooms observed, there was enough space for the smooth flow of voters and the voting booths were adequately positioned to guarantee the secrecy of the vote;
- The necessary materials were brought ahead of time;
- The voting operations started at 7am sharp in almost all voting rooms observed;
- At all the polling stations observed, the polling site presidents, the polling room coordinators and the assessors took the requisite oath before the start of the election, showed the empty ballot boxes to the voters present and explained to them the voting procedures;
- One element of this protocol that was overlooked is the counting of the ballot papers available in the voting rooms before the start of election operations;
- Voters were checked on the voter lists, their ID cards were verified and then they proceeded to the voting booth as prescribed in the Instructions of the NEC;
- The election officials conducted the election in accordance with the law and adhered to the instruction of the National Electoral Commission;
- At some voting sites, voting cards were being distributed to voters on the day of election, as some of voters have not collected their voting cards. This could interfere with the voting process;
- In many polling stations and voting rooms, the mission observed that except RPF, other political parties didn't have their observers present. Many political parties had earlier during interactions with the EOM team expressed inability to place polling agents in all polling stations due to financial constraints.
- But it is in the interest of transparency of the elections that political parties and independent candidates should be represented in the voting process and counting of votes;
- At some sites, the mission noted some frustration of election agents due to presence of external observers.

3.2. Closing and Counting of Votes

In all visited polling stations and polling rooms, votes counting started immediately after the closing of voting rooms. The counting of votes was carried in each polling room, by polling assistants under the supervision of the Polling room Coordinator. Before starting the vote counting, as per NEC instructions, the polling room coordinator and polling assistants were supposed to prepare a report on closure of polls and other vote counting related materials.

However, the mission noted that this closing report was not done in majority of polling stations and rooms visited. Vote counting was carried out publicly; in the presence of election observers and candidates' representatives were they were available. It is worth noting that NEC deployed sufficient numbers of election staff to manage polling stations and polling rooms. The election staff were evidently trained and they managed the process professionally. Voting proceeded smoothly in most polling stations observed by the Mission teams.

The Mission also commends the polite and helpful way Electoral Officials liaised with different stakeholders involved in elections including observation missions. Voting materials were available in adequate quantities and voting proceeded smoothly in a peaceful environment. The counting process was done in orderly manner following procedures. However, some time it was done very quickly at the extent that it was difficult to follow. At the end of each election, the counting of votes was done in each polling station and consolidated at site level and the results were transmitted to the NEC at the national level. The NEC published the results as follows:

1. Coalition of Rwandan Patriotic Front and Allies:	40 seats
2. Social Democratic Party:	5 seats
3. Liberal Party:	4 seats
4. PS Imberakuri:	2 seats
5. Democratic Green Party of Rwanda:	2 seats
6. Women seats:	24 seats
7. Youth:	2 seats
8. People with disabilities:	1 seat.

Based on the above, it is important to mention that 2018 Rwanda Legislative Elections need to be recognized as a good practice of any democratic process as they were conducted in a free, fair, and transparent environment which met Chapter 3 of the Protocol on Democracy and Good Governance of the International Conference on the Great Lakes Region (ICGLR) as there was no evidence of candidates being discriminated against and denied basic rights based on gender, ethnic origins, religion, or minority status and gave the opportunity for all Rwandans to freely express their political choices through the vote in conditions of peace.

IV. CONCLUSION AND RECOMMENDATIONS

The concluded Rwanda 2018 Legislative Elections exercise has come up with key and general good practices in all the observed processes from the pre – elections to elections process of different elected categories. The FP-ICGLR mission noted the following about the 2018 legislative elections in Rwanda:

- The domestic legal framework incorporates the key principles of a free and fair election and the legislation was scrupulously followed by all stakeholders;
- The election system guaranteed that electors have an equal vote and similar voting conditions;
- The NEC organized the election in a politically neutral and transparent manner;
- All candidates were given equal access and unbiased coverage by the public broadcaster;
- Voting procedures ensured secrecy and catered for persons with special needs;
- The vote count was done accurately and reported honestly, however more clarity is needed on vote tabulation at different levels;
- Domestic and international observers were allowed to observe the election and their rights and duties were clear.

The FP-ICGLR mission wishes to conclude that the Rwanda 2018 Legislative Elections was free and fair and its outcome entirely reflects the will of the Rwandan people. The few reported irregularities are not likely to challenge in any way the integrity and the results.

REFERENCES

1. "The Constitution of the Republic of Rwanda of 04th June 2003 as amended to date". Kigali- Rwanda 2003;
2. Regulations no 03/2018 of 09/07/2018 of the National Electoral Commission governing 2018 parliamentary elections;
3. NEC, "Law modifying and complementing law no 37/2010 of 19/06/2010 relating to Elections as modified and complemented to date". Kigali-Rwanda 2010;
4. NEC " Modules on Civic Education"
5. NFPO, 'The Organic law governing political organizations and politicians (No 10/2013/OL of 11/07/2013), Kigali-Rwanda 2013;
6. PROFEMMES TWESE-HAMWE "Training module on women can do it program"
7. Guidelines for 2018 legislative elections' observers in Rwanda;
8. NEC's website: www.nec.go.rw

Annexes



Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR) – Election Observation Mission for Legislative Elections in Rwanda September 2-4, 2018

Final Declaration

The Forum of Parliaments of Member States of the International Conference on the Great Lakes Region, namely the Republic of Angola, the Republic of Burundi, Central African, the Republic of Congo, Democratic Republic of the Congo, the Republic of Kenya, the Republic of Rwanda, the Republic of the Sudan, the Republic of South Sudan, the Republic of Tanzania, the Republic of Uganda and the Republic of Zambia was established on December 4, 2008 in Kigali, Rwanda by Member Parliaments.

The Forum provides an ultimate framework for inter-parliamentary dialogue to promote, maintain and strengthen peace and security in the Great Lakes Region in accordance with the will expressed by the Heads of State and Government in the Dar Es Salaam Declaration of November 2004 and subsequently in the Pact on Peace, Stability and Development signed in Nairobi in December 2006.

The Forum aims to “promote democracy”, respect for human rights and fundamental freedoms, organization of free, fair and transparent elections and good governance within ICGLR Member States.

Following the invitation of the Government of the Republic of Rwanda and within the context of the implementation of its 2018 Action Plan, especially in the area of Democracy and Good Governance, the FP-ICGLR organised a mission to observe the legislative elections in Rwanda held from 2 - 4 September 2018.

The mission arrived in Rwanda on August, 27-28, 2018 and is composed of the following:

1. Parliament of the Republic of Angola (3 delegates);
2. Parliament of the Central African Republic (1 delegate);
3. Parliament of the Republic of Congo (1 delegate);
4. Parliament of the Republic of Kenya (1 delegate);
5. Parliament of the Republic of the Sudan (3 delegates);
6. General Secretariat of the Forum (4 delegates)

The FP-ICGLR Observation Mission was headed by Hon David Yama, a Member of Parliament of the Central African Republic. The FP-ICGLR Mission observed the conduct of elections, but also the pre-election period, to see if the elections complied with the principles as contained in the ICGLR Protocol relating to democracy and good governance.

The Mission met with officials from the National Electoral Commission, the Media Council, the Gender Monitoring Office, the Coalition of Political Parties, the coalition of Civil Society's as well as meetings with Political parties, FDR, Liberal Party, PSD to name but a few. The Mission also had the opportunity to observe campaigns and rallies around Kigali city of various Political Parties.

The Head of the Mission Hon. Davy Yama and the Secretary General of the FP-ICGLR Amb. Onyango Kakoba also had an opportunity to meet and share information and impressions on the process with the AU in a meeting with the AU Head of Mission and other delegates.

The mission also visited various polling stations in different provinces of Rwanda including Southern Province, Northern Province, Eastern Province and the City of Kigali and covered over seven (7) districts of visited provinces on the 3rd of September during the election for the 53 seats in the House of Deputies in 5 teams. On the 4th of September the Mission deployed teams to various districts in Kigali city to observe the elections for the seats reserved for women and the youth.

The Mission noted with satisfaction the role played by all stakeholders including National Electoral Commission, Political Organizations, Civil Society Organizations, Faith Based Organizations as well as the Local Administration and Rwanda National Police to maintain order, transparency, peace and citizens' participation during the polling days.

The Mission noted the orderly manner in which the elections were conducted, from the Presiding Officers taking their oath before polling began to the close of the same and the commencement of counting and tallying of the votes. It is important to point out that the mission noted quite a number of young people coming out to vote especially in Kigali City. The aged and people with disabilities were assisted by the volunteers and NEC staff at the polling station. The mission did not witness any incidents of voter intimidation or undue influence.

Therefore, the Mission of Observation of the FP-ICGLR hereby declares that the electoral process as organized by the National Electoral Commission in connection with other stakeholders in the Republic of Rwanda was peaceful, transparent, and free and fair. The Mission further states that the results will undoubtedly reflect the will of population expressed in the polling stations.

Done in Kigali, September 5, 2018
Forum of Parliaments of ICGLR

Programme

From 27th to 28th September, 2018

- Arrival of the Observation Mission of the FP-ICGLR

Tuesday, 28th September, 2018:

- Finalization of the accreditation process of the members of the FP-ICGLR observation mission
- 15:00: Briefing on the objectives of the mission, division of observers' teams as well as legislative process in Rwanda;

Wednesday, 29th September, 2018:

- 09:00: Meeting with Political parties Forum
- 13:00: Political party: PS Imberakuri
- 15:00: Platform of CSOs in Kicukiro
- 16:00: Meeting with the Chief Gender Monitor

Thursday, 30th September, 2018:

- 10:00: Visit at the Electoral Commission of Rwanda.
- 14:30: Meeting with the PSD (Political Party)
- 15:00: Meeting with the leadership of the media regulatory body

Friday, 31st September, 2018:

- 09:30: Meeting with Hon. Speaker of Chamber of Senate;
- 14:00: Meeting with other election observation missions.

Saturday, 1st September, 2018:

- 09:00: Meeting with the Liberal Party
- 10:30: Observation of Campaign and rally for Independent Candidate (Kimironko);
- 14:00: Observation of Campaign and rallies for Ruling Party (RPF and coalition) at Gikomero;
- 15:00: Observation of Campaign and rallies for Opposition Party (Green Party) at Kimironko.

Sunday, 2nd September, 2018:

- Inspection of polling stations.
- Briefing on the elections organized abroad for the Rwandan Diaspora;

Monday, 3rd September, 2018:

- Observation of legislative elections in polling stations for general seats (53).

Tuesday, 4th September, 2018:

- Observation of women's and Youth elections,

Wednesday, 5th September, 2018:

- Press conference.

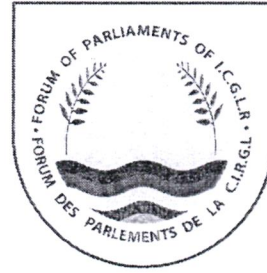
Thursday, 6th September, 2018

- Departure of the Mission

Annexure 10

**Draft Report of the Parliamentary
Initiative for Peace, Security and Good
Governance in the Great Lakes Region
on the Status of Former Heads of
State, Prevention of Terrorism and
Neutralization of the Regionalization
Strategies of Armed Groups**

(PS&DGG-07)



**Parliamentary Initiative for Peace, Security and Good Governance in
the Great Lakes Region**

**Status of Former Heads of State – Prevention of Terrorism and Neutralization of
the Regionalisation Strategies of Armed Groups**

DRAFT REPORT

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**Kinshasa,
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July 2018**

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1. Introduction

The purpose of the present report is to propose to the Institutions of the Great Lakes Region, more particularly the Forum of Parliaments of the member States of the International Conference on the Great Lakes Region (AP-ICGLR), a cooperation approach between the parliamentarians, on the one hand, and on the other hand, the Heads of State and Government in order to rise up to the challenges facing the Region. Establishing a status for the former Heads of States as well as preventing terrorism and neutralizing the regionalization strategies of armed groups are the two identified areas to trigger the new approach. The decision was made by the 1st extraordinary meeting of the FP-ICGLR Plenary Assembly held in Kinshasa (DRC) on 31st January and 1st February 2018, through adopting, following a proposal by the Central African Presidency, what was termed "Parliamentary Initiative for Peace, Security and Good Governance in the Great Lakes Region."

1.1. *Spatial and institutional Framework*

The Initiative's geographic framework is the Great Lakes Region and its organizational and institutional framework is the International Conference on the Great Lakes Region. This should be viewed as a structuring framework for it would be important, in the construction of the Initiative, to take into account the particularities of the problematic of peace, security and good governance in the Region, and to fit the planned actions into a suitable institutional dynamic.

1.1.1. **Special framework: The Great Lakes Region**

The Great Lakes Region is made up of countries of the Central and Eastern African Regions. As a matter of fact, the name "Great Lakes Region" was coined out of the river basins and fresh water Lakes situated in the Eastern and Central parts of Africa.

The huge space of the Great Lakes region has a total surface area of roughly 10 million km² and a population estimated at more than 300 million people, say about 25 % of the total population of Africa.

The whole territory of the Great Lakes Region comprises twelve States, namely: Angola, Burundi, Central African Republic, Republic of Congo, Democratic Republic of Congo, Kenya, Uganda, Rwanda, Republic of South Sudan, Sudan, Tanzania and Zambia.

1.1.2. Organizational and institutional framework

The Great Lakes Region is not only a physical space. The States making up this Region indeed decided to turn it to a political space through its institution and to make it a full-fledged organization known as the International Conference on the Great Lakes Region (ICGLR). Its main bodies referred to in this report are the Summit of Heads of State and Government as well as the Forum of Parliamentarians of the States of the Great Lakes Region (FP-ICGLR).

1.1.2.1. International Conference on the Great Lakes Region

When ICGLR was established, there was the Pact on Security, Stability and Development in the Great Lakes Region, signed on 15th December 2006 in Nairobi, the Republic of Kenya by Heads of States and Government of 11 countries: Republic of Angola, Republic of Burundi, Republic of Kenya, Central African Republic, Democratic Republic of Congo, Republic of Congo, Republic of Rwanda, Republic of Sudan, the United Republic of Tanzania, Republic of Uganda and Republic of Zambia. This led to the creation of a regional organization named "the International Conference on the Great Lakes Region" (ICGLR)¹. That brought to an end a consultation process that started in early 2000 under the United Nations Organization (UN) and African Union (UA)'s auspices and was aimed to address the root causes of the violent conflicts and political crises having affected many Great Lakes countries during the years 1990.

The Pact² includes the Declaration on Peace, Security, Democracy and Development in the Great Lakes Region signed by the Heads of State and Government of the Member States of ICGLR during their first Summit held in Dar-es-Salaam, Tanzania on 19 - 20 November 2004, complemented by ten protocols, four programs of action and one follow-up mechanism, all of which were adopted in 2006.

The overall objective pursued by the organization is therefore to implement the Dar-es-Salaam Declaration, the Protocols, and the Programs of action mentioned above, as well as the Regional Follow-up Mechanism and the Special Reconstruction and Development Funds which will be discussed later. In a more expressive way, ICGLR intends to "provide a legal framework for better relationship between the member States" and to "create conditions for lasting security, stability and development for the member States" ³.

To implement the Pact, including the protocols and programs of actions, ICGLR Member States decided to set up a "a regional follow-up mechanism". It represents the institutional framework of the Conference. It consists of the Summit of Heads of

¹ The Republic of Sudan joined the organization on 24 November 2012 thus becoming the 12th member State to join the Organization.

² ICGLR, Dar-es-Déclaration on peace, security, democracy and development in the Great Lakes region, 20 November 2004, article 76, p.10.

³ The Pact, article 2.

State and Government, the interministerial regional Committee, the Conference Secretariat, the national Coordinating Mechanisms, the Collaboration Mechanism and any other specific structure and forum the Member States would have decided to set up⁴. That is how the Forum of Parliaments of the Member States of the ICGLR was established.

It should be added that as part of the implementation of the Programs of action, some structures one may refer to as agencies, reporting to the Conference Secretariat were set up, namely: the Levy Mwanawassa Regional Center for democracy, good governance, human rights and civics, based in Lusaka, Republic of Zambia, the training Center on gender-based sexual violence, headquartered in Kampala, Republic of Uganda, Extended Joint Verification Mechanism (MCVE) and Joint Intelligence Merging Center (CCFR), both of which based in Goma, Democratic Republic of Congo.

1.1.2.2. Summit of Heads of State and Government

The Summit of Heads of State and Government is ICGLR "supreme authority"⁵. It serves both as the Conference policy and decision-making structure. Guiding policies are determined based on the report issued by the executive body which is the interministerial and decision-making Committee and decisions are in principle made out of consensus following proposals or recommendations from the same Committee. The decisions, besides the ones made in term of guidance, namely approval of the organization's budget, mobilization of additional resources, appointment of the executive Secretary for the Conference Secretariat, the establishment or change of the Executive Secretariat's headquarters. The Summit is also tasked to evaluate the status of the implementation of the Pact. This assignment is to be linked to the responsibility entrusted to the President of the Summit of Heads of State and government, assisted by his predecessor and his successor⁶, to ensure that the Pact is complied with and implemented.

1.1.2.3. Forum of Parliaments of Member States of ICGLR

The Forum of Parliaments of Member States of ICGLR is, as the name suggests, the parliamentary institution of this organization.

It was officially set up on the initiative of the Presidents of Parliaments of member countries of ICGLR, guided by the above-mentioned 2006 Security, Stability and Development Pact in the Great Lakes Region, which then understood that the democratically elected Parliaments could play a major role and make a significant contribution for the promotion of peace, security, stability, mutual understanding and friendship among the African people as well as solidarity, brotherhood and good

⁴ The Pact, article 22, paragraph 1.

⁵ The Pact, article 23.

⁶ The three form the Troika.

neighborliness between the States of the Great Lakes Region. The founding instrument is an interparliamentary agreement signed in Kigali, Republic of Rwanda, on 4 December 2008 in Kigali.

As an interparliamentarian organization, FP-ICGLR is structured as follows: it comprises twelve Parliaments of Member States of ICGLR, inter alia, tasked to promote, keep and enhance peace and security in the Great Lakes Region in accordance with the will that was expressed by the Heads of State and Government in the Pact.

To structurally fully fulfill its mission, FP-ICGLR relies on five permanent Committees corresponding to its five priority areas of intervention:

- Peace and Security;
- Democracy and Good Governance;
- Humanitarian and Social issues;
- Economic Development, Regional Integration and Natural Resources; and
- Gender, Children and Vulnerable Persons-related Issues.

Besides the permanent Committees, FP/ICGLR comprises the following organs: the Plenary Assembly, the Conference of Speakers, the Executive Committee, and the General Secretariat. The creation of those structures was completed six (6) years ago. Thus, the Forum has been operational ever since.

During this short span, FP-ICGLR displayed its dynamism and demonstrated its ability to contribute to the realisation of the objectives included in the Pact: Security, Stability and Developmen in the Great Lakes Region, as set out in the Interparliamentarian Agreement. The outstanding achievements include, amongst others :

- a) The following-up of the political, security and humanitarian situation, more particularly in the countries plagued by insecurity and conflicts like the Republic of Burundi, Central African Republic (C.A.R), the Democratic Republic of Congo (D.R.C) and the Republic of South Sudan as well as parliamentary fact-finding missions deployed as part of the parliamentary diplomacy;
- b) Follow-up on the electoral processes in the member countries of ICGLR that have organized elections since 2013; elections observation missions were deployed in those countries.
- c) Adoption of several resolutions during statutory meetings of the Executive Committee (17) and the Plenary Assembly (8) ;
- d) Partnership FP/ICGLR with AWEPA (Cooperation Agreement between AWEPA and FP- ICGLR for the period 2016-2020, signed on 1 December 2015, in Luanda, Republic of Angola), UIP (the Forum has permanent

- observer statute to the Interparliamentarian Union) and African Women's Development Fund (AWDF),
- e) Participation to activities organized by other ICGLR institutions, inter alia, the Summits of Heads of State and Government.

1.2. Political Dynamics

The parliamentary initiative fits into the regional political dynamics for, through the planned actions, it intends to set up conditions for lasting peace, increased security for States and citizens and to improve democratic governance. In other words, its ambition is to contribute to the realization of the political objectives assigned to ICGLR by the 2006 Pact on Security, Stability and Development in the Great Lakes Region, through responding to the current challenges and threats.

1.2.1. Peace, security and good governance demands to be extended

The objectives pursued by the Initiative, should it be recalled, have been at the heart of the ICGLR'S project since its inception. With the adoption of the Pact in 2006, after more than four years' consultations through UN/AU-facilitated participatory process⁷ at national and regional levels, the countries involved decided to analyse individually and collectively the main causes of the "endemic conflicts and persisting insecurity" in the Region. The Pact thus formalises a common vision of the strategies and mechanisms likely to facilitate a collective resolution of conflicts.

The Dar es-Salaam Declaration adopted by the 1st Summit of Heads of State and Government is particularly meaningful in this respect. The Heads of State and Government said "they were deeply concerned by the endemic conflicts and the persisting insecurity caused or aggravated, inter alia, by the economic stagnation and aggravation of poverty, distrust and suspicion between governments, massive violations of Human rights and political exclusion and marginalization, disparities between sexes, resorting to violence for the purposes of conquering or conserving power, impunity for the crimes of genocide, crimes against humanity, war crimes, illegal trafficking of small arms and light weapons, proliferation of armed groups, organized criminality, and illegal exploitation of natural resources; acknowledging the efforts made at national, regional and international levels to adress those endemic problems."

The problems at hand are thus identified as being the main causes of the conflicts, therefore, their resolution is key factor for peace and security.

It is in this context that the Heads of State and Governement of the Member States of ICGLR expressed "their collective determination to turn the Great Lakes Region into a space for peace and lasting security for the States and the peoples, of political and social stability, growth and shared developmeny, convergence within the

⁷ The idea of an international conference on the Great Lakes Region was recommended by the resolutions 1291 and 1304 of the UN Security Council in 2000.

framework of common destiny [they are] determined to build, pursuant to the aspirations of [their] people, in line with AU Vision and Mission, with full participation of all [their] people, and in partnership with the United Nations Organizations, the African Union and the International community as a whole.”

To materialize this commitment, the member States identified (4) key areas in which they defined priority strategic options and guiding principles:

- (i) Peace and security;
- (ii) Democracy and good governance;
- (iii) Economic development and regional integration ;
- (iv) Humanitarian and social issues.

It should be noted that the environment issue was added to the Program of action on humanitarian and social issues during the signing of the Pact in December 2006⁸.

It should be further highlighted that Dar-es-Salaam Summit decided to declare the Great Lakes Region “ Reconstruction and Specific Development Area ” with a special funds for the reconstruction. This fund is aimed to support the implementation of protocols and programs of action identified in the priority areas: peace and security, democracy and good governance, economic development and regional integration as well as humanitarian, social and environmental issues. The reconstruction and development thus become fully part of the problematic of peace and security.

With a view to materializing the commitment to make the Great Lakes Region a haven for peace, security, reconstruction and development, the member States included into the Pact some specific instruments, in the form of Protocols, on the one hand, and on the other hand, the programs of action.

The ten (10) Protocols are listed below:

- Non-aggression and mutual defence Protocol in the Great Lakes Region;
- Protocol on democracy and good governance;
- Protocol on judiciary cooperation,
- Protocol on the prevention and repression of the crime of genocide, war crimes and crimes against humanity and all forms of discrimination;
- Protocol on the fight against illegal exploitation of natural resources;
- Protocol on the specific reconstruction and development area;
- Protocol on the prevention and repression of sexual violence against women and children;
- Protocol on protection and assistance to internally displaced persons in their own country;
- Protocol on co-ownership rights for returnees;

⁸ See ICGLR, The Pact on security, stability and development for the Great Lakes region. December 2006 amended in November 2012 : Article 20 (p.10) : Program of action on humanitarian, social and environmental issues.

- Protocol on the management of information and communication.

The programs of action, designed to operationalise the Dar es-Salaam protocols and declarations, have been restricted to four (4) :

- Program of action on peace and security⁹;
- Program of action on democracy and good governance¹⁰;
- Program of action on economic development and regional integration¹¹;
- Program of action on humanitarian, social and environmental issues¹².

The parliamentary Initiative for peace, security, and good governance in the Great Lakes Region intends to expand this momentum, on the one hand, through developing a synergy of efforts between parliamentarians in the Region and the executive dimension of the latter, through developing new cooperation tools in the service of the Conference values and objectives.

1.2.2. New threats to counter

For the construction of a space for peace, security and lasting development to be achieved successfully, the crisis factors should be identified.

For the Great Lakes Region, the following factors were identified a long time ago by both the Summit of Heads of State and Government as well as by FP-ICGLR as the major causes of insecurity:

- Uncontrolled flow or circulation of the small arms and light weapons ;
- Border porosity ;
- Emergence of armed groups and violence ;
- Unemployment, Poverty and Precarity ;
- Difficulties in mobility of persons and their goods ;
- Ethnic and territorial conflicts ;
- Illegal exploitation of natural resources ;
- Corruption and impunity ;
- Non-respect of Human Rights and fundamental liberties ;
- Lack of transparency in the organization of the elections ;
- Lack of status for the former Heads of States in some member countries of ICGLR.

The bottomline is that those factors change with the time and any newly emerging threat should be integrated into the problematic of the action to take. In this respect, recent developments would prompt us to give particular attention to two elements.

⁹ CIRGL, Pact on security, stability and development of the Great Lakes Region. December 2006 amended in November 2012, Chap. III, Article 17.

¹⁰ ICGLR, Pact on security, stability and development of the Great Lakes Region. December 2006 amended in November 2012, Chap. III, Article 18.

¹¹ ICGLR, Pact on security, stability and development of the Great Lakes Region. December 2006 amended in November 2012, Chap. III, Article 19.

¹² ICGLR, Pact on security, stability and development of the Great Lakes Region. December 2006 amended in November 2012, Chap. III, Article 20.

The second is due to the fact that the crises and conflicts, whether persisting or new, that affect the Great Lakes Region, many of which are basically political tensions caused by bad governance. Yet, despite the major cause of tensions identified as bad governance, there is another factor that is the uncertainty for the leadership, especially the Heads of State, as to what would be their future and or fate when they are no longer in power. Therefore the need for reflecting on the relevance and substance of the status of the former Heads of State.

ICGLR, Pact on security, stability and development of the Great Lakes Region. December 2006 amended in November 2012, Chap. III, Article 20.

The second element in respect of the evolution to take into account is the phenomenon on regionalization of the very factors of the conflicts. If it is true that over the past decade, the Great Lakes Region was plagued by recurrent and violent conflicts as well as terrorism¹³, in several States, it is also true that the parties to the conflicts, more particularly the non-conventional armed groups have been successfully developing a network strategy consisting in introducing the elements of each conflict simultaneously in several States of the Great Lakes Region : means carrying guns, war outfits or funding, thus making it difficult to find a solution to these conflicts at national level. If we wish to witness the advent of a lasting peace in the States of the Great Lakes Region, we need to come up with a collective and coordinated response at Regional level. This is all about in this report.

1.3. Scope of the report

1.3.1. Objectives

1.3.1.1. Overall objective

Pursuant to the terms of reference of the consultation, the main objective of the report is to propose options on the "promotion of a larger synergy between the parliamentarian and the executive components of ICGLR through allowing the first to formulate a set of proposed actions to ICGLR for member States to have their status of former Heads of State on the one hand, and on the other hand, to put in place a set of preventive measures in solidarity with each other, with a view to fighting terrorism and neutralizing the strategies for the regionalization of armed groups."

The ultimate goal is to build a stable, peaceful and developed Great Lakes Region, in line with the Dar es Salaam Declaration issued by Heads of State and Government expressing "their collective determination to turn the Great Lakes Region to a haven for lasting peace and security for the States and the peoples, for the political and social stability, as well as for shared growth and development, indeed a space for cooperation based on convergence-focused strategies and policies within the framework of a common destiny we are determined to build, in line with our peoples' aspirations, ..."

¹³ G. Khadiagala, *Security dynamics in Africa's Great Lakes Region*. (London: Lynne Rienner, 2006), 43.

1.3.1.2. Specific objectives

Specific objectives relating to the development of a synergy between FP-ICGLR and the Summit of Heads of State and Government on the major regional problems

This dimension is not indicated in the terms of reference of the consultancy. The rapporteur however proposes that it be added for it relates to a critical aspect of the parliamentary initiative, which pre-conditions its success.

- a) To conduct a situational analysis of the institutional relations between FP-ICGLR and the Summit of Heads of State and Government;
- b) To issue recommendations regarding the means and ways for an enhanced and effective collaboration between the two institutions;
- c) To issue recommendations regarding the areas in which such a collaboration is expected;
- d) To formulate proposals for the amendment of the Pact on Security, Stability and Development in the Great Lakes Region and the Interparliamentarian Agreement establishing the FP-ICGLR.

Specific objectives relating to the status of the former Heads of State in the Member Countries of the ICGLR

- a) To conduct a situational analysis of the former Heads of State in the Member Countries of the ICGLR;
- b) To propose relevant political and strategic options, such as the integration in the domestic law and the effective implementation of the ICGLR Protocol on Democracy and Good Governance, see, if necessary, the re-reading (amendment) of the text with a view to integrating specific provisions relating to the status of the former Heads of State ; proposals to submit for adoption by the Summit of Heads of State and Government ;
- c) In default and at a minimum, to formulate a resolution on the establishment or improvement of the status of the former Heads of State in the Member States of the ICGLR.

Specific objectives relating to the prevention of terrorism and neutralization of strategies for the regionalization of armed groups

- a) To analyse the root causes of armed conflicts including terrorism, the responses provided and the perspectives for mitigating the causes of the crises and destabilisation ;
- b) To consolidate cooperation between the member States around ICGLR's objectives, laying a focus on objective such as peace and security in general and in particular the domestication of the protocols concerned, more

particularly the Non-Aggression and Mutual Defence Protocol in the Great Lakes Region and the Protocol on judiciary Cooperation ;

- c) To promote a sound policy and management of the natural resources through domesticating and implementing the ICGLR Protocol on the fight against illegal exploitation of natural resources ;
- d) To conceive and/or improve those tools in order to achieve ICGLR's goals, which should be adapted to the need for the consolidation of cooperation between the Member States of ICGLR ;
- e) To identify strategic options in order to rise up to the challenge for peace, security and terrorism and to make peace, security and terrorism areas for reinforced cooperation between the Member States and ICGLR ;
- f) To develop relevant political and strategic options to allow the Member States to dissociate religious like considerations (alleged or real) – from Secularity ;
- g) To promote enhanced cooperation with a view to iradicating the factors likely to trigger armed conflicts and to prevent terrorism,
- h) To advocate for continued cooperation between the armies of the Member States of ICGLR at the regional level with a view to annihilating the capacities of persisting extremist armed groups that continue to perpetrate massacres, genocides and other human rights violations ;

1.4. Methodological approach used in the report

This report was written out under the supervision of the Secretariat General of FP-ICGLR; it duly takes into account the studies and other reports in relation to the subjects addressed, exploits the relevant documents availed by FP-ICGLR in general, and incorporates the contributions made by national Parliaments to the Rapporteur.

The identified approach should be as practical as possible, and operational proposals should be submitted to ICGLR's institutions to be implemented. So, each of the three chapters of the report should end up with recommendations and proposals for the documents to be adopted as part of the annexure.

2. Renovating governance in the Great Lakes Region through enhanced inter-institutional cooperation

2.1. *Current status of the inter-institutional cooperation*

Though the institutions stem from the same organizations and are bound to pursue the same goals, interactions between those institutions as provided for in the 2006 Pact on Security, Stability and Development in the Great Lakes Region and the Forum of Parliaments of the member States of the Great Lakes Region are a bit more minimalistic, to date. That sounds as a surprise when we know that the chapter IV of the Interparliamentary Agreement establishing the Forum is dedicated to "Relations between the Forum, the national Parliaments, the Summit of the International Conference on the Great Lakes Region and the third parties."

Taking a closer look at it, the legal basis of the cooperation between the parliamentary Institution and the Executive Body of the Great Lakes Region is one of the weakest. It is weak should the interparliamentary Agreement and its article 15 ("Annual Reports") that stipulates "the Forum issues an annual report of its activities to the member Parliaments, with a copy addressed to the Summit of Heads of State and Government of the Member States of the International Conference on the Great Lakes Region" be taken into consideration. It can be inferred from this formulation that, on the one hand, that the Forum formal communication with the summit is reduced to a simple annual report, that this report is nothing but a report of activities, in other words, a document presenting the elements about the functioning of the Forum in the past, and at last this communication is neither a priority nor fundamental, the Summit having received a "copy."

The gap noted in the legal basis is aggravated by the silence of the Pact on Security, Stability and Development in the Great Lakes Regions. In spite of the 2012 review, the latter does not have a provision relating to the Forum or to any collaboration with it **in the areas of** Security, Stability and Development in the Great Lakes Region¹⁴.

This situation is arguably not in relation to the fact that the two institutions envisaged here have been established by separate texts, separately adopted by authorities, even if they came from the same States. It also corresponds to what is apparently the thorough logic of the ICGLR's founding instrument, the Pact that expressly provides for structures as the only organs in which are represented the national Executives¹⁵.

The bottomline is that practically speaking, the two institutions, namely the Forum and the Summit, work on parallel tracks though they deal with the same issues. Of course, they do have interactions, which, by force of circumstances, are just informal, depending on the goodwill of the Summit and personal relations of the incumbent Presidents of the Forum and the Summit.

¹⁵ The Forum is only concerned by the provisions of

¹⁶

2.2. Need for structural collaboration between the Forum and the Summit

Yet, there is necessity for good collaboration between the two major institutions of the Conference. The need is dictated firstly by the stakes. The fact that both institutions pursue the same goals in the service of the populations of the same Region within the same organization can be advantageous for the accomplishment of the goals if they could join forces to advance the implementation of the Pact. Moreover, this element could facilitate ownership of ICGLR's decisions and actions by the populations in the member States.

However, the need for collaboration arises from the very principles that founded the ICGLR. In fact, it is worth recalling that one of the fundamental values promoted or upheld by the Conference is defined as democracy and good governance. Member States thus pledge in the Protocol on democracy and good governance which, we should recall, is part and parcel of the Pact, "to respect and to promote democracy and good governance, in line with the Protocol on democracy and good governance, and in particular : (a) to respect and promote democratic principles and norms ; (b) to establish institutions for the promotion of good governance, the rule of law and respect for human rights, through constitutional systems resting on the separation of powers, political pluralism, regular organization of free, democratic and credible elections, participatory management, transparent and responsible management of businesses, the institutions and the public properties.¹⁶ The program on democracy and good governance comes in to extend this commitment to acting in a way that would promote "the values, principles and norms that rest on democracy, good governance and respect for human rights." It should be further noted in the same document that the members States identify among the actions to implement, the following two:

- a) Establishment of regional mechanisms that contribute to the reinforcement of the rule of law in the Great Lakes countries, to the promotion of human rights and to the fight against impunity;
- b) Consolidation of the democratisation process through reinforcing the capacities of the institutions, promotion of the political participation of all the sections of the society, development and implementation of the communication and information strategies.

Admittedly, up to now, both the Summit and the Forum's interpretation of the provisions is that they generate obligations for the member States only,¹⁷ however, the texts are not against the requirements being also applied to the institutional order of the Conference. ICGLR with the objectives set for itself would gain more if the principles of democracy and good governance should be applied in this framework, building on the postulate expressed by the Presidents of the Parliaments of the

¹⁶ The Pact, article 6.

¹⁷ With regard to the Forum, the Presidents of Parliaments of the Member States declare in the inter-parliamentary Agreement, "they are determined to work for the promotion of democracy and good governance within the Member States of the International Conference on the Great Lakes Region." Preamble of the Agreement. We are the one who highlight.

member States, namely that "Parliaments (...) can play a major role and make a significant contribution for the promotion of peace, security, stability, mutual understanding and friendship between the African people as well as solidarity, fraternity and good neighborliness between the States of the Great Lakes Region."¹⁸.

2.3. *Ways to explore for a better collaboration between the Forum and the Summit*

Collaboration between the Forum and the Summit must, in any event, take into account the legal and political nature of the ICGLR. It could not be aligned with the model of national democracies, nor yet with model of organizations said for integration, which means in the first case, the power is sovereign and initial, i.e. it is not attributed by another entity ; and in the second case, the member States of the organization gave out part of their sovereignty in well determined areas. As a result, in the cases of national democracies, with the Parliament representing the sovereign, it can fully exercise the powers vested in the representatives in such a regime, ranging from the power to make laws to the power to closely monitor government's actions through using their power to initiate and contribute texts, making amendments, etc. which are part of the legislation-making power. With regard to the organisations in charge of the integration, the precept which traditionally govern the recognition of a large power to the parliamentarian institution stipulates that these organizations being endowed with competences by democratic States, the management of the business corresponding to those competences should be done inasmuch as possible in compliance with the democratic standard of the delegates, the States.

ICGLR cannot pretend in anyway to have the power to act like a State or to serve as an integrating organization, it should rather present itself as an inter-government organization. Like in any other similar organization, Member States did not transfer turn over part of their powers or competences to it. In other words, the States did not release the tiniest part of their sovereignty which means they retained all their sovereignty. As a result, the institutions being part of the ICGLR do not have any power or competence to exercise, stemming from the member States. They simply represent frameworks for cooperation between the said member States, sometimes in keeping with their executive dimension, some other times with their parliamentary dimension. Establishing consensus as a mode for ordinary adoption of decisions, both by the Summit of Heads of State¹⁹ and Government and by the Forum of Parliaments²⁰, is an indicator of the preeminence of States which means, a decision can be binding on either of them provided they did not make any objection.

¹⁸ Preamble of the inter-parliamentary Agreement.

¹⁹ The article 23, paragraph 7, of the Pact makes the provision that " The decisions made by the Summit are reached by consensus. Failure to reach a consensus, they are made by qualified majority of eight of the twelve member States present and voting if they bear on issues pertaining to the procedure, or the absolute majority of the member States present and voting when they relate to procedures related issues". It should be noted that in practice, the rule of the consensus prevails for all the decisions that bear on the substance.

²⁰ The article 6, paragraphs 7 and 8 of the inter-parliamentary Agreement is formulated as follows : " 7. The Plenary Assembly takes its decisions by consensus or, in default, at the majority of two thirds (2/3) of the Parliaments present and voting on substantive issues. 8. The decisions made by the Plenary

In this type of organization, the parliamentary component would not be able to exercise its full powers vested elsewhere in the Parliament. And for good reason : Pursuant to the international law standards, the lawmaker in such an organization is the body representing the national Executives, in this particular case, the Summit of Heads of State and Government, assisted by the inter-ministerial Committee. It has the responsibility to adopt the binding decisions on the member States.

To the best of our knowledge, the possibilities for an active collaboration between the Forum and the Summit are not annihilated. Two issues come into play, which will make the Forum play an advisory and concrete role.

- **First possibility: to acknowledge expressly to the Forum the effective power to take initiative.** It is the possibility for the parliamentary institution of the Great Lakes Region to take up issues it believes to be of interest to the Region, to look into those issues and to make proposals for decisions or actions by the Summit. To make sure of the good use of the capacity to take initiative, and to avoid emptying the power of taking initiative of its substance - via recommendations – the Pact confers it to the ministerial Committee; its exercise could be submitted to two conditions, one of which having to do with the substance stipulating that the Forum should not initiate texts or propose actions except for cases when the stakes are important, up to it to justify the relevance. The other condition having to do with the procedure stipulates that the proposal issued by the Forum is not directly transmitted to the Summit; it should rather be directed to the inter-ministerial Committee that executes the transmission after looking into the parliamentary proposal, with the possibility of recommending amendments and/or beefing it up. It should be highlighted that the proposal so configured helps to make the Forum play an active and constructive role, while safe-guarding the prerogatives of the Summit, which remains the only institution to decide, and the inter-ministerial Committee that continues to play its role of making recommendation to the Summit.
- **Second possibility: to allow to the Summit of Heads of State and Government the possibility to refer to the Forum of Parliaments and make proposals or give one's opinion.** The first case has to do with a solicited initiative and, in the second case, it deals with a consultation. In both cases, it is the responsibility of the Summit to appreciate the opportunity for referring the case to the Forum. To leave to the practice the necessary time to be familiar with the case and to avert the risk of blocking the decision-making process, it should be provided cases when the solicited opinion is a simple opinion, that doesn't bind the Summit, but which can be made public.

Assembly on issues relating to the procedures, including on the issue to know if an issue is substantive or procedural, and are made by the absolute majority of the Parliaments present and voting.” The rule on the consensus is also applied. There also, the rule of consensus is applied in a near absolute way.

The rapporteur recommends that both possibilities be established cumulatively.

2.4. *Desirable formalization of collaboration between the Forum and the Summit*

For reasons mentioned above, more particularly the weakness of the legal basis, collaboration between the Forum and the Summit in line with the modalities described previously could not be implemented without **due revision of the founding texts**. As both institutions are governed by separate texts, **it would be advisable that the amendments concern both the Pact and the Inter-parliamentary Agreement**.

To avert possible conflict to arise from the interpretation, **it is recommended that the provisions on the amendment be written in identical terms**.

At last, to avert the implementing difficulties, **it is recommended that the process for the revision of either of the text be started only after an agreement in principle has been reached between the Forum and the Summit**. This agreement in principle could be secured through resolutions adopted by either of the institution, whether separately or not.

3. Improving governance in the Great Lakes Region through promoting the status of former Heads of State

3.1. *Justification of the status of former Heads of State*

The question is to know whether it is good or not to give a status to the former Heads of State is raised at the universal level. Different answers are given to this question. The same applies to the approach perspectives. Traditionally, more particularly in the former democracies of the Northern hemisphere, the status of former Heads of State rests on an idea that is summarized in the following maxim : " to the former Heads of State, the Nation is grateful." It is indeed recognizing the services rendered to the Nation by elevating those who, at the end of their term of office should resume their status of ordinary citizen, with a special dignity. Of course, this dignity is not equivalent to the one of the incumbent Head of State, but there should be some benefits attached to it. The status is therefore conceived, first and foremost, as a deserved privilege. Another idea comes in to complement the first one and to justify such a privilege: that through the former Heads of State lies the dignity attached to the office formerly assumed that is at stake, which implies the social decline of former Heads of State would imply the decline of the State per se.

Those supporting arguments are obviously worth applying to both Africa and the Great Lakes Region. However, some specific motivation adds up to it. As rightly highlighted by Mr. Bollé, " there should be a status for former African Heads of State to secure the emerging democracies and anchor or promote the principle of the limitation of the number of mandates."²¹ . The idea of securing the emerging democracy needs our attention. In fact, it becomes essential insofar as transfers of power are prompting conflicts in Africa more than elsewhere and are often followed by acts of violence, including armed conflicts. Many cases are reported in the continent, including in the Great Lakes Region ; to echo the thought of Sandrine Perrot in this regard : " post presidentials to be" conceived as " being put off or simply disconnected, " : former Heads of State are being hung, arrested, or sent into exile²² . Likewise some exits from the high office are followed by putsches and assassinations²³ . Such circumstances do finally generate, rightly or wrongly, a climate of mistrust and generalised suspicion : as a result, those in power do not want to hand over power for fear of being subjected to the violence mentioned earlier, and the former Heads of State see themselves suspected as trying by all means to retain the power. The bottomline is that such suspicions as well as the ensuing preventions are persistent, and not unfounded in any way, this being favored by the state of total deprivation the former Heads of State may find themselves in.

²¹ Stéphane Bollé : "To Former Heads of State, the Nation is grateful." <http://www.la-constitution-en-afrique.org/>

²² Sandrine PERROT : " Is there life after power ? The future of the former African Heads of State.", Talence, CEAN, works and documents, 1996, pp. 9 and the following.

²³ Ibidem, pp. 4 and the following.

Advocating the establishment and adoption by Member States of ICGLR of a standard for the status of former Heads of State would contribute, in light of what was described earlier, to both peaceful governance and transfer of power as well as promoting peace and security in the Great Lakes Region.

3.2. *Establishment of the status of former Heads of State in the Great Lakes Region*

Subject to complementing the research on this issue, it emerges from the table below that establishment of the status of the former Heads of State is generally accepted by the majority of the member States of ICGLR. In the majority of the cases, the schemes towards the establishment combine the Constitution and the organic or ordinary law. The functions relating to the Constitution and the law or, to put it otherwise, the equilibrium between the Constitution and the Law that would lead to the characterisation of the status differ from one country to another. Some Constitutions would just establish the principles for such a status and would simply refer to the Law to determine the elements. Such is the case in Burundi, Uganda and Rwanda. Sometimes, the Constitution would establish the principle and determine the elements for the status but would refer the case to the Parliament to give the content and effect to the status, Such is the case for Central African Republic. There are also cases when the fundamental Law, besides establishing the status in its principle, lists a number of benefits to be allocated to former Heads of States with immediate effect, the law-maker is urged to allow for complementary provisions if necessary. Such is the case in Angola and the Republic of Congo.

Two particular features of the legal consecration are worth reporting. Firstly, it is noted that in all the Constitutions, explicitly or implicitly (case of the Constitution of the Republic of Congo), access to the status is subjected to fulfilling some requirements: enjoying full civil rights (CAR), leaving the office with no criminal responsibility (Angola, Burundi, Uganda, Rwanda). Secondly, it emerges that if the constitutional consecration is important, the Lawmaker automatically has an important role to play in any case. The Constitution alone is not enough to conceive and implement the status.

With regard to the content of the status of the former Heads of State, no definite conclusion can be drawn before looking into the different existing laws dealing with the matter at hand, which was not done before. For now, we need to restrict ourselves to note based on the constitutional provisions that the specter of the benefits recognized is quite large, ranging from protocol benefits to allocations for retirement, other benefits including staff and security. In any case, the financial implications to be availed by the public finances will vary from one State to another.

In conclusion, the last observation about this situation analysis ; it would be interesting to observe, especially with the review of the laws dealing with the status, if the constitutional consecration was followed in all the cases for an effective

implementation, and if the former Heads of State are indeed enjoying the benefits as provided by the fundamental Laws.

Member States	Constitution	Law
Angola	<p>Constitution of 21 January 2010, article 33 :</p> <p>" 1. The former Heads of State enjoy immunities provided for in the Constitution for members of the High Council of the Republic.</p> <p>2. In the best interest of the nation, on the issue of the dignification of the presidential office, former Heads of State are entitled to the following rights :</p> <p>a) official residence ;</p> <p>b) body guards ;</p> <p>c) official car ;</p> <p>d) administrative staff ;</p> <p>e) other benefits set out in the law.</p> <p>3. The status provided for in the present article is not applicable to the former Heads of State dismissed from office following criminal responsibility, under the present Constitution."</p>	
Burundi	<p>Constitution of 28 February 2005, article 120 :</p> <p>" Upon expiration of the term of office, the Head of State is, except for case of conviction for high treason, entitled to a retirement allowance and other privileges and facilities determined by the law.'</p>	
Central African Republic	<p>Constitution of 30 March 2016, article 50 :</p> <p>" A law sets out the benefits to be allocated to the Head of State and organizes the modalities for the allocation for retirements benefits to the former Heads of State enjoying their civil rights."</p>	Bill
Republic of Congo	<p>Constitution of 6 November 2015 :</p> <p>« TITLE XVIII</p> <p>ON THE STATUS OF FORMER LEADERS</p> <p>Article 224: Former Presidents are, at the end of their term of office, entitled to protection from the State for themselves and their properties.</p> <p>With regard to their retirement allocation, life retirement allocation will be allocated to them on a monthly basis the amount of which to be established through regulatory mechanism.</p> <p>Other benefits and modalities on the protection of the former Heads of State are determined by the law.</p>	

	<p>Article 225: Former Speakers of parliaments, former Prime Ministers, with the exception of convicted for abuse of authority, shall benefit from the Nation's recognition. The law determines the nature and forms of such recognition.</p> <p>Article 226: The law determines other former leaders who are eligible for the Nation's recognition and the benefits due to them."</p>	
Democratic Republic of Congo	<p>Constitution of 18 February 2006, article 104, sub-section 6 :</p> <p>Article 104</p> <p>" Duly elected former Heads of State are de facto life senators."</p>	Law of 4 July 2018
Kenya	-----	-----
Uganda	<p>Constitution of 16 February 2006, article 106, paragraph 2 :</p> <p>" Parliament shall, by law, make provision for the grant of benefits for a President who ceases to hold office otherwise than by being removed under article 107(1) (a) or (b) of this Constitution ».</p>	
Rwanda	<p>Constitution of 26 May 2003, article 115 :</p> <p>" An organic law fixing the benefits to be granted to the President as well as to former Heads of States. However, Heads of State having been convicted for high treason or gross and deliberate violation of the Constitution, will not be entitled to any benefit after they cease to hold office."</p>	
Sudan	_____	
South Sudan	_____	
Tanzania	_____	
Zambia	_____	

3.3. Elements of ICGLR action

The preceding elements should determine the scope of ICGLR's intervention on the issue of the status of former Heads of State. There is no problem with the principle of such intervention for it would be conceivable for ICGLR, concerned with promoting good governance and restoring peace and security in the Region, to show no interest in such a highly important issue.

But, if it is not at the level of the principle, the question is definitely concerning the modalities on the relevant intervention of the regional organization.

With regard to the preceding, what political and strategic options to retain for an action of the ICGLR? The terms of reference of the present report presents some

ways out, « such as, for example, the integration in the domestic law and the effective application of the ICGLR Protocole on Democracy and Good Governance, even, if necessary the re-reading (amendment) of this texte with a view to integrating the specific provisions relating to the status of the former Head of State ». These tips are not obviously exclusive.

3.3.1. Action for the effective implementation of the Protocol on Democracy and Good Governance

The action for the effective implementation of the Protocol on democracy and good governance is not apparently a way out to prioritize. As a matter of fact, in its current situation, this protocol does not deal with the issue of the status of the former Heads of State and no provision apparently offers a lever of clear action to influence the course of things in the members States. It should be recalled that through this text, the member States commit more particularly to :

- a) To respect and promote the democratic principles and norms ;
- b) To put in place institutions for the promotion of good governance, the rule of law and respect for human rights, through constitutional systems grounded on the separation of powers, political pluralism, the organization of regular free, democratic and credible elections as well as the a participatory, transparent and responsible management of the business, institutions and public properties.

Obviously, we could be tempted to stage an action for a status of the former Heads of State or for them to enjoy this status on the preceding item b), given that the said status constitutes one of « the institutions for the promotion of good governance » mentioned in this item b). But this report thus established not being obvious, the action of ICGLR\ would be fragilized. The best thing to do would be to include in the Protocol relevant, clear and precise provisions.

3.3.2. Amendment of the Protocol on democracy and good governance

As indicated above, the amendment of the Protocol aims first and foremost to provide a clear and unquestionable basis to the action of ICGLR with a view to promoting an effective guarantee of the status of the former Head of State in the member Countries.

The exercise should however take into account two constraints. The first on the general economy of the Protocol per se. When writing it, the member States decided for announcing in no unambiguous term their commitments, and therefore their obligations, but also to hold on to the general prescriptions. Including into the protocol detailed provisions regarding the status of the former Heads of State would have some inconvenience in breaking the text equilibrium, at the level of the form as well as the substance. The second constraint deals with the very substance of the status of the former Heads of State and how it is adressed in the rights of the

member States. More precisely, this being for the majority of the cases in those States, about partially constitutional matter, and given that the content of the domestic law varies from one State to another, would compell that rules about details should not be raised by ICGLR. For if such rules happened to be raised, they might violate both the Constitutions and traditions or national concepts whose legitimacy should not be questioned. **It is therefore recommended that efforts be made to formulate the amendment to the Protocol in a more concise way possible holding on to the general obligations, given that it would be the responsibility of the institutions and national authorities to determine the modalities on the implementation of those obligations, in full compliance with the major rules of the domestic law as well as internal law as well as traditions or national concepts.**

The amendment would technically consist in adding one point (c) to the text.

Wirh respect to the content of the amendment, two requirements are apparently respected. Above all, to be consistent with the other provisions of the Protocol, **it would be important to adopt a formulation in terms of member States' commitment.** Then, with respect to the commitments of the States that are not in the same position in respect of the subject under consideration – the status of the former Heads of State – it would be fair to offer an aternative that would more precisely consist in:

- For the States whose domestic law provides for the establishment and and implementation of the status of former Heads of State, to **commit to adopt the required texts and/or to take practical actions for their effective application ;**
- For the States whose domestic law is silent on the status of former Heads of State, **to commit to introduce a legal basis into the domestic law in order to implement it, otherwise, to take actions to establish such a status, as measures for the implementation of the Protocol on democracy and good governance.** The last option should not raise in issue in the States where the international law is part and parcel of the domestic law, having preeminence over the law.

3.3.3. Assisting States to implement the provisions on the status of the former Heads of State

Arguably, the action in favor of the establishment or effective implementation of the status of the former Heads of States may meet with obstacles at national level or should need support. It is the Forum's responsibility to help the member States to overcome the obstacles and to provide necessary support. In this regard, the Forum should support such action with the following instruments that could be mobilized by member States or separately, depending on the needs:

Recommendation

The first instrument is a Recommendation on the adoption and implementation of the status of the former Heads of State in the member States of ICGLR. This recommendation should be conceived above all as an instrument to assist the States in implementing what would become the item (c) of the Protocol on democracy and good governance. It would state in an operational manner the obligations stemming for the member States from the new provisions integrated into the Pact and into the inter-parliamentarian Agreement, and therefore the move to adopt by the relevant national authorities. However, at the same time, this Recommendation should serve as the indicator to evaluate the implementation at the national level both by the Summit of Heads of States and Government and the Forum.

The content of this Recommendation will be developed later.

Technical Manual

The Recommendation, political instrument, should be extended through a technical Manual to be drafted by an expert under the supervision of the Secrétariat Genral. The objective of such a manual would be as follows:

- To document all the legal provisions determined at national level on the status of the former Heads of State, to record and present identified solutions. The manual should cover not only the ICGLR member States but also the third States, African or beyond;
- To document the obstacles met in the Member States of the ICGLR having already provided for and/or established the status of the former Heads of State and the solutions found;
- To propose technical moves for the implementation of the ICGLR provisions on the status of the former Heads of State.

Expert's technical Assistance

It is finally recommended that legal expertise be availed to the member States who would express the need in order to support their effort to implement this status. The expertise would be funded by the Forum. The expertise would be funded by the Forum. The experts (female or male) would be chosen by FP-ICGLR Secretariat.

4. To improve security in the Great Lakes Region through preventing terrorism and neutralizing strategies for the regionalisation of armed groups

Besides securing the condition of the former Heads of State as urged in the prospect for good governance and prevention of conflicts in the Great Lakes Region, the ambition of the initiative adopted by the first extraordinary meeting of the Plenary Assembly of FP-ICGLR held in Kinshasa (DRC) on 31 January and 1st February 2018 is also to definitively address terrorism and the strategies for the regional expansion of armed groups, with a view to creating optimal security conditions in the Great Lakes Region.

Frankly speaking, what the representatives of the Parliaments of member States of ICGLR thus called for earnestly in their deliberation in March 2018, was the deepening and consolidation of a multi-facet action already engaged, from the inception, against the two scourges that are terrorism and non-state armed groups. We will see that the ICGLR institutions, in general, and FP-ICGLR in particular made remarkable efforts ever since: to have a sense of the phenomena in question, as threats against peace and security in the Great Lakes Region; to set up a legal framework to facilitate the fight against those phenomena at regional level; to conceive and operationalise collective practical tools. **Therefore, the actions prescribed by the initiative should be considered as new development in ICGLR response that is already built, a more structured development for a more concrete and effective action.**

4.1. To understand the phenomena: identification related issues

4.1.1. Phenomena to distinguish : definitions

It is worth highlighting that the phenomena targeted by the regional project of action are not necessarily related to the facts and as a result, they do not receive a priori common or intertwined decision.

Terrorism

Terrorism is the most complex phenomenon. Though universally disapproved and the international community as a whole is mobilizing itself to prevent or combat it, it has not yet been given to date a general definition. The proof is that the nearly twenty international dedicated instruments aiming the repression of acts that constitute special manifestations of terrorism and their definition is restrictive. The other proof is the fact that the elaboration of the general international convention for the prevention and repression of terrorism, with one of the stakes being precisely the definition of the phenomena, is difficult to implement successfully.

To guarantee cohesion in the Forum's approach, reference is here made to the definition established by the first Report Simiyu Werunga that was approved by the Executive Committee of FP-ICGLR that terrorism consists in the threat or illegal use

of force and violence by non-state actors with a view to achieving political, economic, religious or social objectives through fear, constraint or intimidation²⁴. More concretely and in a more operational perspective in the present report, it should be borne in mind the following definition, given by the African Union Convention on the prevention and fight against terrorism²⁵, according to which, are characterized acts of terrorism:

- a) any act or threat likely to put in danger life, physical integrity, people or group of people's liberties ; acts likely to cause damages to public or private properties, to natural resources, to environment or to cultural assets, acts committed with a clear intent to harm :
 - To intimidate, to trigger a situation of terror, to force, to exert pressures or to bring any government, organisation, institution, population or group to engage an initiative or to refrain from, to adopt, to renounce/forsake a particular position or to act in accordance with some principles;
 - To disrupt the normal functioning of the public services, the provision of basic services to the populations or to create a situation of crisis among the populations, or to create a general insurrection in a member State.
- b) Any promotion, financing, contribution, order, assistance, incitement, encouragement, attempt, threat, conspiracy, organisation or equipment of any individual with the intent to commit the acts mentioned in the paragraph a i to iii"

The choice to make this definition the reference is deliberate and proceed from a political choice. Indeed, it is a context where, as will witness, one of the obvious weaknesses of the mechanisms for the prevention and fight against terrorism set up in the Continent is the lack of coordination between the ICGL mechanism and the AU's.

Armed groups

Defined by the Non-aggression and mutual defence Protocol in the Great Lakes Region on 14-15 December 2006 as "armed groups that do not belong to defence and security forces of member States or are not officially incorporated"²⁶, the armed groups that are also named with the term "rebellions", are entities which, owing to State institutions' weaknesses, use armed violence for political purposes (to conquer power or secede), social purpose (to defend minorities or allegedly oppressed populations), or for economic predation (to plunder resources, racket, etc.). It should

²⁴ Simiyu Werunga: " State of Terrorism and Militia Operations in the Great Lakes Region: Regional Security Policy Perspectives ", FM-ICGLR Research Study Report, [year], p.7: " Terrorism is the threatened or actual use of illegal force and violence by a non-state actor to attain a political, economic, religious or social goal through fear, coercion, or intimidation ». Definition borrowed from *Institute for Economics & Peace*, <http://www.businessinsider.com/the-state-of-terrorism-in-the-world-today-2014-11>

²⁵ Alger Convention of 14 July 1999.

²⁶ Article 1 of the Protocol : " Definitions".

be highlighted that the naming "armed groups" is relatively neutral insofar as the methods of action used by those heteroclit sets are not factored in. Yet, it is on this ground that interactions can be operated with terrorism.

4.1.2. Cross-cutting phenomena

In practical term and on the ground it is not unusual to see terrorism and the concept of armed group overlap. This is the case when the armed group is a terrorist group. Example: Boko Haram and Aqmi that are active especially in the Great Lakes Region. But such is also the case when the armed group resort, amongst others, to the terrorists' methods, or side with the Lord Liberation Army in Uganda, in South Sudan, in the Democratic Republic of Congo and in the Central African Republic, shifting from classical armed struggle with political purposes to resorting to terror. It is also the case when relations of cooperation or mutual assistance are nurtured between terrorists groups and armed groups. The first²⁷, and the second Report²⁸ Simiyu Werunga show clearly that the last specific case is on the increase in the Great Lakes Region, given the fact that the armed groups are developing transborder networking and multiple territorial anchoring strategies in several States.

4.2. Threat dimensions

4.2.1. Well identified threat by the institutions in the Great Lakes Region

The threat for peace and security that represent the armed groups and terrorists' entities for the Great Lakes Region was identified from ICGLR's inception. It constitutes, should we say, the *raison d'être* for the new regional organization. It is worth noting that as from the Dar-es-Salam Declaration on 19 - 20 November 2004, precursor act of ICGLR, the Heads of State and Government expressed "deep concern over (...) armed groups proliferation"²⁹, and commit to "prevent any direct or indirect support, arms supply and other form of assistance to armed troupes active in the region and to ban armed groups' activities from their territories, acts of aggression or subversion against member States,"³⁰ as well as "to intensify fight against transborder criminality and terrorism and, to this end, to take actions against impunity."³¹ Those concerns were reiterated in the 2006 Pact on security, stability and development in the Great Lakes Region and in many positions taken by FP-ICGLR, up to the Resolution 8 OSPS/05/2017 adopted by the 8th ordinary Session of the Plenary Assembly of the Forum held in Bangui (Central African Republic) on 7 December 2007.

²⁷ Article 1 of the Protocol: "Definition"

²⁸ Simiyu Werunga: "State of Terrorism and Militia Operations in the Great Lakes Region: Regional Security Policy Perspectives », FM-ICGLR Research Study Report, [année/year].

²⁸ Simiyu Werunga : « Dynamics and complexities of the manifestations of terrorism with a special focus on each armed group's operations in the Great Lakes Region », FM-ICGLR Research Report, [année/year],

²⁹ Dar-es-Salam Declaration, Preamble.

³⁰ Dar-es-Salam Declaration, paragraph 24.

³¹ Dar-es-Salam Declaration, paragraph 26.

Researches and investigations conducted upon request from ICGLR contributed to advance considerably the knowledge on the armed groups and terrorist entities. FP-ICGLR largely contributed to this knowledge building especially through the two above-mentioned reports Simiyu Werunga. The interest of the first report is, besides the definition of terrorism and the armed group businesses (" militia operations "), to document the different manifestations in the Great Lakes Region. The second report provides an overview of the major armed and terrorist group's active in the Region and their modes of operations³². From the case of those groups, the report shows very well how the strategy for the expansion of those groups in the Great Lakes Region are unfolding, and illustrates thus the strategies herein referred to as " regionalisation of armed groups ". As highlighted by the author of the reports : " Terrorism dynamics in the Great Lakes Region are complex and far-fetching as they encompass a range of interlocking international and regional actors. The terror and violent conflicts have tended to expand regionally and the epicenter shifts from one country to another. This is because the neighboring countries harbor the extremist groups who commit acts of terror and impunity to send their messages home. Coincidentally, conflicts and terrorism in the region have had a twin character: distinct national or local anchorage, and simultaneously fueled by or instantaneously causing regional conflicts and acts of terror. For this reason, regional and multi-dimensional approaches are both necessary for the critical analysis and mitigation of the existing conflicts."

4.2.2. High potentials for increased threat

Those groups are very active entities; if they should not meet with obstacles or should meet with scattered national strategies used to fight them, they would definitely move ahead. However, two factors should be taken into account as accelerators

4.2.2.1. External mechanisms to use in the fight and their potential effect on security in the Great Lakes Region

The first factor is rather paradoxal. It is the very densification of the fight against terrorism on the African continent which is likely to increase the danger in the Great Lakes Region, through some sort of near mechanic-pushing back effect. The real risk is that the tracked terrorist groups, loosing ground in Lybia, in the Sahel, in the non-member States of ICGLR in the Central or Eastern Africa, take the Great Lakes Region as refuge and deploy their bases there.

30 Dar-es-Salaam Declaration, Preamble

31. Dar-es-Salaam Declaration, paragraph 24

32 Dar-es-Salaam Declaration, paragraph 26

³² The report lays a particular focus on Boko Haram ; Selekas and Anti-Balakas in CAR, Allied Democratic Forces – ADF and National Army for the Liberation of Uganda - NALU) in Uganda ; Democratic Forces for the Liberation of Rwanda (FDLR) ; Lord's Resistance Army – LRA in Uganda, South Sudan, DRC, CAR) ; Maï Maï group in DRC ; Al Shabaab group in Eastern Africa.

About the mechanisms on the fight against terrorism out of the Great Lakes Region and their results: a part to be written on the basis of the following documentation:

- French Republic, Ministries for armies: "Barkhane operation," press dossier.
- Olivier Hanne : "Barkhane : success, limits and assets of an original operation in the sahelo-saharienne strip," in Res Militaris, December 2016 ;
- William Assanvo, Jeannine Ella A Abatan and Wendyam Aristide Sawadogo: "The multinational Force to fight Boko Haram: what result?," ISS n° 19, August 2016.
- UNODC (United Nations Office against Drug and crime) : "Fight against terrorism in the Sahel Region : legal framework, investigation techniques and police cooperation";
- Ladislav Nze Bekale : "African Union and problematic of terrorism : continental public policy aspect ";

It should be especially noted on the Libyan case:

The Libyan front, favored by the State collapse consecutive to the fall of the Khadafi rule, is being resorted : renewal of good neighborliness among Libyan tribes, efforts that were backed by the High Level Committee of the African Union chaired by the incumbent Chairman of the Summit of Heads of State and Government of the Great Lakes Region, His Excellency President Denis Sassou Nguesso who put an end to armed struggles between militia members associated to the said tribes ; whereas the victories on the ground by General Khalifa Haftar has the effect of pushing back progressively the armed groups, especially the djihadistes towards the Sahel zone.

4.2.2.2. Accelerator of religious radicalisation

To draft on the basis of the following documentation:

- Simiyu Werunga: " State of Terrorism and Militia Operations in the Great Lakes Region: Regional Security Policy Perspectives," FM-ICGLR Research Study Report, [year].
- Simiyu Werunga: " Dynamics and complexities of the manifestations of terrorism with a special focus on each armed group's operations in the Great Lakes Region," FM-ICGLR Research Report, [year];
- Myrto Hatzigeorgopoulos : " Islamist threat in the Great Lakes Region : Important security stake ?," Security and Strategy n° 33, January 2018;
- André Drolet: " Fight against religious radicalism: situational analysis and role of parliamentarians," Report to Francophone Parliamentarian Assembly, Luxembourg, 9 July 2017.

4.3. Building adapted response to threat

4.3.1. Different areas of the response

1) Being a regional threat, a regional strategy should be applied. This strategy must be coordinated, and linked to the strategies developed in the neighboring Great Lakes region.

2) The strategy for the regionalisation of armed groups and terrorist groups comprises several levers to act upon:

- Ideological and political lever : speeches denouncing discrimination and oppression (exploitation of bad governance) ; resorting to religious argument and radicalisation ;
- Economical and educational lever: exploitation of the endemic unemployment and extreme poverty as well as educational weaknesses gaps;
- Security lever: exploitation of the gap in the internal security and defence systems, endogenous weakness and weakness to lack of appropriate coordination between the States in the Region;
- Financial lever: looting of natural resources; construction of opaque financing networks.

3) Response should be given at legal, institutional and operational levels.

4.3.2. Elements of the response

The rapporteur shall hold on to integrating the strategy that would be recommended the elements proposed by the two reports Simiyu Werunga mentioned above, factoring in the relevant resolutions of the plenary Assembly of the Forum.

4.3.2.1. Legal elements

The major legal elements of a relevant strategy against terrorism exist. Those elements stem from, on the one hand, from international and regional treaties and agreements ratified by the States of the Great Lake Region 34 and, on the other hand, the Non-aggression and mutual defence Protocol in the Great Lakes Region, taken separately in its article article 8, entitled : " measures against armed groups."

Article 8 of the Non-aggression and mutual defense measures against armed groups

1. Through this Protocol, the member States denounce all armed groups active in the Great Lakes Region, decide not to side with any association with such groups and agree to combat all activities perpetrated by such groups.
2. Member States pledge to prevent armed groups from using their territories as basis for conducting armed attacks, from committing acts of aggression or

- subversion against sovereignty, territorial integrity and political independence of Member States.
3. Member States pledge not to give any kind of support, direct or indirect, active or passive to armed groups acting against a Member State.
 4. Member States pledge to arrest and disarm, far from their common borders, members of armed groups who would use or try to use their territories to prepare or organize armed attacks and/or organise subversive activities against other States.
 5. Member States pledge to intercept and disarm members of armed groups on the run across their common borders, without prejudice to the obligations relating to the protection of refugees and free movement of people and their properties in the Great Lakes Region.
 6. All Member State whose armed forces are hunting down armed groups in uniform should notify member States of the territories in which those groups have fled, and request those States to intercept, to arrest and disarm them.
 7. A member State not able or not willing to intercept armed groups on the run or active on its territory will be encouraged to enter bilateral agreements that sets out the conditions in which the armed forces of another member State can launch trackdown operations against armed groups provided the agreements comply with the objectives of the present Protocol.
 8. Member States ensure that all members of an armed troupe resorting to threat or use of force as a policy to attain their goals as a means to settling scores with a member State, be individually and collectively bound by acts or omissions of the said armed group.
 9. Member States agree to provide mutual assistance in the area of judiciary actions against armed groups in all the Great Lakes Region.
 10. No provision of the present article should breach the right for individual or collective legitimate self-defense in the event of armed attack or in case of failure, after notification or request, to intercept or disarm members of an armed group tracked down by the defence and security forces of a member State.
 11. Member States agree that non respect by one of them, of the obligations set out in the sub-sectiond 1 to 6 of the present article constitutes a serious violation of the present Protocole and a threat to regional peace and security, for which this member State is bound by other member Stats or should account for before the Summit of the Conference.

It should be added to the non-agression and defence protocol the texts relating to the different levers mentioned above, on the regionalization of armed groups and terrorist groups such as, the Protocol on democracy and good governance and the Protocol on fight against illegal exploitation of the natuaral resources.

This legal framework is apparently adequate and there is no need to adopt other texts. The strategy on the prevention and fight against those groups should effectively implement the commitments made through the different

texts, through inciting the States that have not yet ratified the international conventions to introduce into their respective orders the relevant provisions and/or seek to have appropriate institutions and procedures.

4.3.2.2. Operational mechanism

The objective pursued here is to reinforce the existing operational mechanism through

- Effective mobilization of the ministerial committee: regular meetings of relevant ministers (defense, security, justice, as well as ministries of economy);
- Establishment of a mutual information system, for information sharing and analysis;
- Establishment of multinational brigades for the prevention and fight at the Regional level.
- Police and jurisdictional Cooperation between member States.

4.3.2.3. Support mechanism

At this stage, we will limit ourselves to mentioning the financial element of the support mechanism. A program on the prevention and fight against armed groups and terrorist groups would require substantial financing and assistance from external partners. Besides the traditional partners, it would be fair, with respect to the aspects of the fight against religious fundamentalism to associate the States having made this fight a priority for their international policy like some Gulf States.

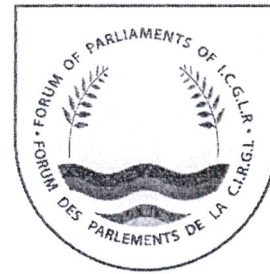
ANNEXES

1. Draft Resolution on the interinstitutional cooperation ;
2. Draft amendment on the inter-institutional cooperation;
3. Draft Resolution on the Status of former Heads of State;
4. Draft amendment of the 2006 Pact on Security, Stability and Development in the Great Lakes Region with a view to integrating the provisions on the Status of the former Heads of State;
5. Draft Resolution on the prevention of terrorism and neutralization of strategies for the regionalization of armed groups;
6. Action plan for the prevention of terrorism and neutralization of strategies for the regionalisation of armed groups.

Annexure 11

Draft Resolution on the Improvement
of Inter-Institutional Cooperation
between the International Conference
on the Great Lakes Region (ICGLR)
and the forum of Parliaments of
Member States of the International
Conference on the Great Lakes Region
(FP-ICGLR)

(PS&DGG-12)



DRAFT RESOLUTION 9SOAP/05/2018

DRAFT RESOLUTION ON THE IMPROVEMENT OF INTER INSTITUTIONAL COOPERATION BETWEEN THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION (ICGLR) AND THE FORUM OF PARLIAMENTS OF MEMBER STATES OF THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION (FP-ICGLR)

NINTH ORDINARY SESSION OF THE PLENARY ASSEMBLY OF THE FORUM OF PARLIAMENTS OF MEMBER STATES OF THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION (FP-ICGLR)

- **Considering** the provisions of Article 6 of the Pact on Security, Stability and Development in the Great Lakes Region signed on 15th December, 2006 in Nairobi, Republic of Kenya;
- **Considering** the provisions of Articles 2 and 6 of the Inter-parliamentary Accord Establishing the Forum of Parliaments of the Member States of the International Conference on the Great Lakes Region (FP-ICGLR) signed on 4th December, 2008 in Kigali, Republic of Rwanda;
- **Considering** the decision of the First Extraordinary Session of the Plenary Assembly of the FP-ICGLR held from 19th to 20th March, 2018 in Kinshasa, Democratic Republic of the Congo, to launch the Parliamentary Initiative for Peace, Security and Good Governance in the Great Lakes region with the view to, amongst other things, improving inter institutional cooperation between the parliamentary and executive branches of the ICGLR;
- **Recalling** that the ICGLR and the FP-ICGLR have been established by separate legal documents, adopted by separate authorities, namely the Pact on Security, Stability and Development in the Great Lakes Region signed on 15th December, 2006 on the one hand, and the Inter-parliamentary Accord of 4th December, 2008 on the other hand;
- **Further recalling** that none of these founding documents provides for the collaboration between the parliamentary body and the ICGLR executive body;
- **Considering** that such collaboration is necessary for the full realization of the objectives of the ICGLR as set out in the Pact on Security, Stability and Development in the Great Lakes Region signed on 15th December, 2006 in Nairobi, Republic of Kenya, the two bodies also having the mission to work for the effective implementation of these objectives;

- **Considering** that it is necessary to formalize the good practices learned from the cooperation between the FP-ICGLR and the Summit of Heads of State and Government at the same time as systematizing the said cooperation;
- **Having** considered the research report and recommendations of the Parliamentary Initiative for Peace, Security and Good Governance in the Great Lakes Region;

Adopts the following resolutions and transmits it to:

The Summit of Heads of State and Government of Member States of the ICGLR:

1. **Calls on** the Summit to formally recognize the key role played by the FP-ICGLR as it, on the one hand, provides a platform for Parliaments of the Great Lakes Region to consider issues of great interest in the implementation of the Pact on Security, Stability and Development in the Great Lakes Region, proposes decisions or actions to the Summit and, on the other hand, it allows the summit of Heads of State and Government to refer such issues to the FP-ICGLR for opinion and/or proposal.
2. **Calls on** the Summit to provide a formal legal framework for cooperation between itself and the FP-ICGLR to make necessary amendment to the founding documents of the ICGLR, especially the Pact and the Inter-Parliamentary Accord;
3. **Calls on** the Summit to agree that, pending the amendment of the founding documents, this Resolution, once approved by it, will be the legal framework for inter-institutional cooperation in the implementation of the Pact on Security, Stability and Development in the Great Lakes Region.

The ICGLR Executive Secretariat and other organs responsible for the implementation of the Pact to:

4. **Encourages** the ICGLR Executive Secretariat and other organs responsible for the implementation of the Pact, including the FP-ICGLR General Secretariat, to develop a strategy for coordination and development of the ICGLR as soon as possible; synergies based on a sharing of roles based on comparative advantages and a rationalization of resources for greater efficiency and effectiveness in their interventions.

The General Secretariat of the FP-ICGLR:

5. **Requests** the Secretary General of the FP-ICGLR to monitor the implementation of this Resolution and to report to the Plenary Assembly of the FP-ICGLR;
6. **Remains** seized of the matter.

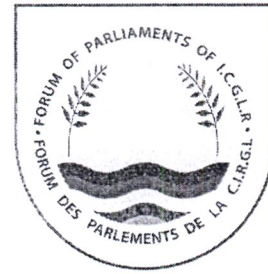
Brazzaville, 6th December, 2018

President of the FP-ICGLR

Annexure 12

**Draft Resolution on the Prevention of
Terrorism and the Neutralization of
regionalization strategies of Armed
Groups in the Great Lakes Region**

(PS&DGG-14)



DRAFT RESOLUTION 9 OSPA/07/2018

**RESOLUTION ON THE PREVENTION OF TERRORISM AND THE
NEUTRALIZATION OF REGIONALIZATION STRATEGIES OF ARMED GROUPS
IN THE GREAT LAKES REGION**

**NINTH ORDINARY SESSION OF THE PLENARY ASSEMBLY OF THE FORUM
OF PARLIAMENTS OF THE MEMBER STATES OF THE INTERNATIONAL
CONFERENCE ON THE GREAT LAKES REGION.**

The Plenary Assembly of the Forum of Parliaments of the Member States of the International Conference on the Great Lakes Region (FP-ICGLR),

- **Whereas** the provisions of Article 6 of the Pact on Security, Stability and Development in the Great Lakes Region signed on December 15, 2006 in Nairobi, Republic of Kenya;
- **Whereas** the provisions of Articles 2 and 6 of the Inter-parliamentary Accord Establishing the Forum of Parliaments of the Member Countries of the International Conference on the Great Lakes Region signed on December 4, 2008 in Kigali, Republic of Rwanda;
- **Considering** the decision of the First Extraordinary Session of the Plenary Assembly of the FP-ICGLR held from 19th to 20th March, 2018 in Kinshasa, Democratic Republic of the Congo, which launched the Parliamentary Initiative for Peace, Security and Good Governance in the Great Lakes region with the objective, inter alia, to establish a framework for the prevention of terrorism and the neutralization of regionalization strategies of armed groups in the great lakes region;
- **Deeply concerned** about the security situation in general and, in particular, by the resurgence of terrorist acts, particularly related to religious radicalization, as well as by the development of a regionalization strategies for armed groups in the Great Lakes region;
- **Considering** the commitment made by the Heads of State and Government in the Pact on Security, Stability and Development in the Great Lakes Region (2006), in particular for the promotion of common policies and strategies to ensure sustainable peace and security throughout the Great Lakes Region,

within the framework of the Action Programme for Peace and Security in the Region;

- **Convinced** of the importance and the need for immediate, concrete and strong action, building on existing tools, for the construction of a common operational mechanism within the framework of the Action Programme for Peace and security in the Great Lakes region;
- **Welcoming** the work of the Committees on “Peace-and Security” and “Democracy and Good Governance” of the FP-ICGLR which met from 13th to 15th November, 2018 in Khartoum, Republic of the Sudan, and the Executive Committee held from 31st July to 1st August, 2018 in Brazzaville, Republic of Congo, for proposing the establishment of a regional mechanism for the fight against terrorism and regionalization strategies of armed groups;
- **Welcoming** the work of the General Secretariat for facilitating the research on Parliamentary Initiatives for Peace, Security and Good Governance in the Great Lakes Region;

Adopts the following resolutions:

1. **Calls upon** the governments and national parliaments of the ICGLR Member States to make a firm commitment to improve the security situation through the institutions responsible for peace and security in order to transform our region into a zone of peace and stability;
2. **Recommends** to the Summit of Heads of State and Government of ICGLR Member States to:
 - create a structured regional mechanism for preventing and combating terrorism and regionalization strategies for armed groups;
 - establish a regional intelligence centre on terrorist activities, the existence of armed groups, the proliferation of small arms and light weapons and transnational criminal organizations, and which will serve the research, education and advisory services by Member States to fight against terrorism and armed groups;
 - take concrete measures to enforce Member States' commitments to combat armed groups, in particular those contained in the Protocol on Non-Aggression and Mutual Defence in the Great Lakes Region, such measures including the establishment or implementation of a collective security mechanism at the level of the Great Lakes Region as well as the possibilities of action with regard to a State that flagrantly violates those obligations.
3. **Calls on** National Parliaments and Governments of the ICGLR Member States to:
 - Take the necessary steps to improve collaboration between law enforcement agencies and armed groups;

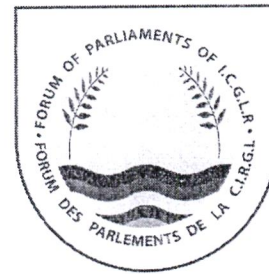
- Work towards the ratification of international protocols and instruments on the fight against terrorism, armed groups and transnational crime in all ICGLR Member States, as well as the adoption of national measures to implement ratified documents.
4. **Requests** the Bureau of the Plenary Assembly of the FP-ICGLR to monitor the implementation of this resolution, working closely with the ICGLR Troika in general and the current ICGLR Chairperson in particular;
 5. **Decides** to remain seized of the situation.

Brazzaville, 6th December, 2018
President of the FP-ICGLR

Annexure 13

**Draft Resolution on the Establishment
of a Common Framework for the
Implementation of the Status of
Former Heads of State in the ICGLR
Member States**

(PS&DGG-13)



DRAFT RESOLUTION 9 OSP/06/2018

RESOLUTION ON THE ESTABLISHMENT OF A COMMON FRAMEWORK FOR THE IMPLEMENTATION OF THE STATUS OF FORMER HEADS OF STATE IN THE ICGLR MEMBER STATES

NINTH ORDINARY SESSION OF THE PLENARY ASSEMBLY OF THE FORUM OF PARLIAMENTS OF MEMBER STATES OF THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION (FP-ICGLR):

The Plenary Assembly of the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR),

- **Whereas** the provisions of Articles 6 and 18 of the Pact on Security, Stability and Development in the Great Lakes Region signed on 15th December, 2006 in Nairobi, Republic of Kenya;
- **whereas** the provisions of Articles 2 and 6 of the Inter-parliamentary Accord Establishing the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region signed on 4th December, 2008 in Kigali, Republic of Rwanda;
- **Considering** the decision of the First Extraordinary Session of the Plenary Assembly of the FP-ICGLR held from 19th to 20th March, 2018 in Kinshasa, Democratic Republic of the Congo, to launch the Parliamentary Initiative for Peace, Security and Good Governance in the Great Lakes Region with a view, inter alia, to establishing a common framework for ICGLR Member States to adopt and/or implement the status of former Heads of State;
- **Considering** that the purpose of the ICGLR and the FP-ICGLR, as set out in the Declaration on Peace, Security, Democracy and Development in the Great Lakes Region, signed on 20th November, 2004 in Dar es Salaam, to "make the Great Lakes Region an area of peace and sustainable security, for States and peoples, of political and social stability, of shared growth and development;
- **Considering** that one of the obstacles to democratic change and one of the recurrent sources of instability in the Great Lakes Region is the uncertain future of the former Heads of State, in view of both the threats against them and the lack of protective status;
- **Convinced** that the establishment and adoption by the Member States of the ICGLR of a common framework, defining a standard of guarantees and

protection for former Heads of State would contribute both to a more democratic governance, to a alternation in power, peace and security in the Great Lakes Region;

- **Having taken note** of the recommendations contained in the report of the relevant research, including the incorporation into domestic law and the effective application of the ICGLR Protocol on Democracy and Good Governance, on the one hand, and the amendment of its text with a view to incorporating specific provisions relating to the common framework for a former Head of State status, on the other hand;

Adopts the following resolutions and requests, with respect to:

The Summit of Heads of State and Government of the ICGLR Member States:

1. **Calls on** the Summit to undertake a revision of the Protocol on Democracy and Good Governance, in order to factor in, on the basis of the Report accompanying this Resolution, provisions corresponding to the common framework for the adoption and/or national implementation of the status of former Heads of State;
2. **Requests** the Summit to recommend to the ICGLR Member States the integration and effective implementation of the revised Protocol into their domestic laws;
3. **Calls upon** the Summit to take genuine measures to assist Member States in the process of effective implementation of the Common Framework, whether for the adoption of a Statute or for the adjustment of the existing status building on the common framework.

The Executive Secretariat and the FP-ICGLR.

4. **Urges** the ICGLR Executive Secretariat and other structures responsible for the implementation of the Pact, including the FP-ICGLR to work together on the preparation of a reference document for the revision of the ICGLR Protocol on the Democracy and Good Governance, including the proposals for amendments and improvement of the common framework for the adoption and/or implementation of the status of former Heads of State;

The General Secretariat of the FP-ICGLR

5. **Requests** the General Secretariat of the FP-ICGLR to undertake capacity-building programmes for key actors in Member States on the status standard of former heads of State;
6. **Requests** the General Secretariat of the FP-ICGLR to monitor the implementation of this resolution and to report to the political bodies of the FP-ICGLR, starting with the next Plenary Assembly.

Brazzaville, 6th December, 2018
President of the FP-ICGLR

Annexure 14

Program of the visit to the SAFAT
Aviation Group in Khartoum



مجموعة صافات القابضة للطيران

SAFAT AVIATION GROUP

Visit program

Thursday /15 November 2018

NO	Event	TIME	
		From	To
1	Welcoming,	10:00	10:05
2	Introduction to SAFAT Aviation Group,	10:05	10:15
3	SAFAT Film,	10:15	10:25
4	Comment by the Delegation,	10:25	10:35
5	Comment by the head of Delegation,	10:35	10:45
6	Tour in: i. SAFAT Defiance Training College, ii. Manufacturing Center, iii. SAFAT MRO Complex- Maintenance Centers,	10:45	12:15
7	Prayer of the Dhuhur,	12:30	12:45
8	Lunch,	12:45	13:10
9	Shield SAFAT,	13:10	13:20
10	End of the program.	13:20	

Executive Office

Annexure 15

The Khartoum 2018 Declaration of the
Fourth Statutory Meetings of the
Committees on “Peace and Security”
and “Democracy and Good
Governance”



"The Parliamentary Diplomacy for Peace, Stability and sustainable Development in the Great Lakes Region".

"La Diplomatie parlementaire au service de Paix et de la Stabilité pour le Développement durable dans la Région des Grands Lacs ».

**Final Declaration of the Fourth Statutory Meetings of the Committees on
"Peace and Security" and "Democracy and Good Governance"
of the FP-ICGLR**

**13th-15th November, 2018
Khartoum, Republic of the Sudan**

The Committees on "Peace and Security" and "Democracy and Good Governance" of the FP-ICGLR,

- **Considering** the provisions of Articles 4 and 22, paragraph 1 of the Pact on Security, Stability and Development in the Great Lakes Region, signed on 15th December, 2006 in Nairobi, Republic of Kenya;
- **Considering** the provisions of Articles 2 and 6 of the Inter-Parliamentary Accord establishing the Forum of Parliaments of Member States of the International Conference on the Great Lakes Region (FP-ICGLR) signed on 4th December, 2008 in Kigali, Republic of Rwanda;
- **Having considered and deliberated**, during their Fourth Statutory Meetings held from 13th to 15th November, 2018 in Khartoum, on the items on their agenda, the Committees on "Peace and Security" and "Democracy and Good Governance":

1. **Adopted** the draft resolutions on:

- a) the political, security and humanitarian situation in the Republic of Burundi;
- b) the political, security and humanitarian situation in the Central African Republic;
- c) the political, security and humanitarian situation in the Democratic Republic of the Congo;
- d) the political, security and humanitarian situation in the Republic of South Sudan;
- e) Improving inter-institutional cooperation between the International Conference on the Great Lakes Region (ICGLR) and the FP-ICGLR;

- f) the establishment of a common framework for the implementation of the status of former Heads of State by the ICGLR Member States;
- g) the prevention of terrorism and the neutralization of regionalization strategies of armed groups in the Great Lakes region;

2. **Adopted:**

- a) the report of the Third statutory meeting of the Committee on Peace and Security held from 3rd to 4th April, 2017 in Kinshasa, Democratic Republic of the Congo;
- b) the report of the Third statutory meeting of the Committee on Democracy and Good Governance held from 16th to 17th May, 2017 in Kampala, Republic of Uganda;
- c) the report on the Parliamentary fact-finding Mission conducted from 10th to 11th July, 2018 in Bujumbura, Republic of Burundi;
- d) the report of the Observation Mission of the Legislative Elections conducted from 27th August to 6th September, 2018 in the Republic of Rwanda;
- e) the research report on the Parliamentary Initiative for Peace, Security and Good Governance in the Great Lakes Region, including its findings, conclusions and recommendations;

3. **Noted with satisfaction** the successful organization of the Legislative elections held from 2nd to 4th September, 2018 in the Republic of Rwanda which took place in a free, fair and transparent environment in accordance with the provisions of chapter 3 of the ICGLR "Protocol on Democracy and Good Governance";

4. **Was informed on** the remarkable progress made at the political, security and humanitarian levels in general, and in particular the massive return of refugees to the Republic of Burundi, and **requests** the neighboring countries hosting Burundian refugees to facilitate their voluntary return in collaboration with the Office of the High Commissioner for Refugees (UNHCR) and the Government of the Republic of Burundi;

5. **Requested** the Plenary Assembly of the FP-ICGLR to organize a reflection on the elimination of mistrust and suspicions existing between the Republic of Burundi and the Republic of Rwanda;

6. **Requested** the Government of the Central African Republic to take necessary measures, in cooperation with its partners, to accelerate the implementation of the Disarmament, Demobilization, Reintegration and Repatriation (DDRR) Programme for ex-combatants and the Security Sector Reform (SSR) and the reconstruction of a national, well equipped army and professional security services reflecting the diversity of the Central African society;

7. **Urged** the Congolese people and institutions to move forward in organizing the upcoming general elections scheduled for 23rd December, 2018 and requested the Government of the Democratic Republic of the Congo to ensure the security, transparency and credibility of the above process as it is its primary responsibility to create necessary conditions conducive to the successful holding of the next elections, in accordance with the Agreement adopted on 31st December, 2016, the Constitution, other relevant laws and regulations and the ICGLR Protocol on Democracy and Good Governance;
8. **Commends** Dr. Denis Mukwege for his dedication to the cause of victims of sexual violence in South Kivu province, in the Democratic Republic of the Congo for almost twenty years, and for the Nobel Peace Prize awarded to him;
9. **Expressed** its support for the agreements signed in general, and particularly the Peace Agreement signed on 12th September, 2018 in Addis Ababa, Ethiopia, between the Government and the majority of opposition groups in South Sudan, and particularly thanks HE Omer Al-Bashir, President of the Republic of Sudan for his contribution to the facilitation of the Khartoum talks that helped revive the peace process in the Republic of South Sudan;
10. **Expresses** its sincere appreciation to the people of the Republic of the Sudan, and in particular H.E. Omer Al-Bashir, President of the Republic of the Sudan, to the Parliament and Government of the Republic of the Sudan for the warm welcome and hospitality extended to the delegates.

Done in Khartoum, on 15th November, 2018

Honorable Claude NAHAYO
President
Committee
Democracy and Good Governance

Hon. Arinaitwe Rwakajara
President
Committee
Committee Peace and Security

