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REPUBLIC OF KENYA



TWELFTH PARLIAMENT
(Second Session)

REPORT OF THE SIXTH ORDINARY SESSION OF THE FOURTH
PAN-AFRICAN PARLIAMENT

Gallagher Convention Centre

Midrand, South Africa

7th to 18th May, 2018

Clerk's Chambers
Parliament Buildings
NAIROBI.

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Paper laid by
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Member, Fourth
Pan African
Parliament
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ABBREVIATIONS

AfCFTA:	African Continental Free Trade Area
ATT:	Arms Trade Treaty
AU:	African Union
AUABC:	African Union Advisory Board on Corruption
AUC:	African Union Commission
CERT:	Computer Emergency Readiness & Response Team
CMFA:	Committee on Monetary & Financial Affairs
COP23:	23 rd Conference of the Parties
CSOs:	Civil Society Organizations
FAO:	Food and Agriculture Organization
FTA:	Free Trade Area
ICT:	Information Communication Technology
IFF:	Illicit Financial Flows
HIV/AIDS:	Human Immunodeficiency Virus/Acquired Immune Deficiency syndrome
NEPAD:	New Partnership for Africa's Development
OAU/AEC:	Organization of African Unity/African Economic Community
PAP:	Pan African Parliament
RECs:	Regional Economic Communities
SALW:	Small Arms and Light Weapons
UN:	United Nations
UNAIDS:	Joint United Nations Programme on HIV/AIDS
UNFCC:	United Nations Framework Convention on Climate Change
UNPoA:	United National Programme of Action
WB:	World Bank

PREFACE

Mr. Speaker,

The Sixth Ordinary Session of the Fourth Pan African Parliament took place from 7th to 18th May, 2018 at the Gallagher Convention Centre, Midrand, South Africa.

Various resolutions on matters affecting the member States were adopted and recommendations made.

The Kenya delegation to this meeting comprised of the following:-

- (i) Sen. (Dr.) Abdullahi Ali Ibrahim, CBS, MP - **Leader of the Delegation;**
- (ii) Sen. Stewart Mwachiru Madzayo, MP;
- (iii) The Hon. Janet Ong'era, CBS, MP;
- (iv) The Hon. Jude Njomo, MP;
- (v) The Hon. Beatrice Koncs, MP;
- (vi) Mr. Zakayo Mogere – Deputy Director, L&P Senate;
- (vii) Ms. Caroline Kinyua – Senior Clerk Assistant, Senate - Delegation Secretary; and
- (viii) Ms. Wanjiru Ndindiri – Senior Clerk Assistant, National Assembly – Delegation Secretary.

Mr. Speaker,

This Session occasioned the first meeting attended by the delegation from Kenya following the General Elections in 2017. As such, the Members from Kenya, among seventy two other new Members, took the oath of office of a Member of the Pan-African Parliament.

Mr. Speaker,

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

Mr. Speaker,

The PAP discussed a number of topics, among them, the ongoing institutional reform process of the African Union (AU) and the implementation of the Malabo Protocol on the Constitutive Act of the African Union relating to the Pan-African Parliament.

Additionally, the PAP undertook the Elections of Members of the PAP Bureau, the PAP Committees, the PAP Regional Caucuses and the Women and Youth Caucuses.

The PAP also considered several reports including a report of the Committee on Health, Labour and Social Affairs on HIV/AIDS Plan of Action on “Achieving health targets and leaving no one behind”; report of the Committee on Monetary and Financial Affairs on the 2019 PAP budget; report of the Committee on Cooperation, International Relations and Conflict Resolution on the regional seminar on “Connecting the dots: Supporting 2030 Agenda, ATT and UNPoA implementation through increased parliamentary engagement and action in international processes”; report of the Committee on Transport, Industry, Communication, Energy, Science and Technology on a workshop on ICT; three reports of the Committee on Justice and Human Rights on repealing defamation laws to promote press freedom, action on albinism in Africa, and on the AU Year of Combating Corruption – Legislation and Leadership: Deep impact conversation with Parliamentarians about combating corruption; report of the Committee on Trade, Custom and Immigration Matters on Trade on the Final African Continental Free Trade Area (AfCFTA) Agreement and the Protocol on the Free Movement of People and African Passport as signed at the AU Extra Ordinary Summit in Kigali; report of the Committee on Education, Culture, Tourism and Human Resources on the Study Visit on the Tourism Industry in Mauritius; reports of the Committee on Rural Economy, Agriculture, Environment and Natural Resources on the

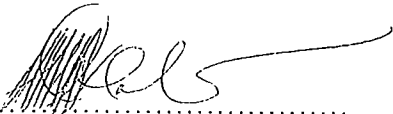
participation of the Pan-African Parliament in the Conference of the Parties (COP23) Session, 6 – 17 November 2017, Bonn, Germany and on the High-Level Event on Food and Nutrition Systems.

Finally, the PAP considered the resolutions and recommendations of the 6th Ordinary Session of the Fourth Pan-African Parliament.

Mr. Speaker,

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

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

Sign: 

Date: 16/07/2018

SEN. (DR.) ABDULLAHI ALI, CBS, M.P.

LEADER OF THE DELEGATION

INTRODUCTION

1. The Pan African Parliament is established in the Protocol to the Treaty establishing the African Economic Community. Article 2 of the Protocol provides;

“Member States hereby establish a Pan African Parliament, the composition, functions, power and organization of which shall be governed by the present Protocol.”

2. The vision and purpose of the Pan-African Parliament (PAP) can be traced to the Pan African ideals of cooperation and unity among African States. These ideals inspired the signing of the Treaty establishing the African Economic Community (Abuja Treaty) on 3rd June, 1991 and the adoption of the Sirte declaration of 1999. The Sirte declaration called for speedy implementation of the provisions of the Abuja Treaty to establish nine (9) institutions of the African Union which include-
 - a) The Assembly of the Union
 - b) The Executive Council
 - c) The Pan African Parliament
 - d) The Court of Justice
 - e) The Commission
 - f) The Permanent Representatives Committee
 - g) The Specialized Technical Committees
 - h) The Economic, Social and Cultural Council
 - i) The Financial Institutions
3. The purpose of the PAP, as set out in Article 17 of the African Union (AU) Constitutive Act (2000), is to ensure the full participation of African peoples in the development and economic integration of the continent. Also known as the African Parliament, the PAP is the legislative body of the African Union. The PAP held its inaugural session in March 2004 in Addis Ababa, Ethiopia. The seat of the Pan-African Parliament is in Midrand, South Africa. The Parliament is intended as a platform for people from all African states to be involved in discussions

and decision-making on the problems and challenges facing the continent.

Objectives of the Pan-African Parliament

4. The objectives of the Pan African Parliament are spelt out in Article 3 of the PAP Protocol and include to-
 - a) Facilitate effective implementation of the policies and objectives of the OAU/AEC and ultimately, of the AU.
 - b) Promote the principles of human rights and democracy in Africa.
 - c) Encourage good governance, transparency and accountability in Member States.
 - d) Familiarise the peoples of Africa with the objectives and policies aimed at integrating the African continent within the framework of the establishment of the African Union.
 - e) Promote peace, security and stability.
 - f) Contribute to a more prosperous future for the people of Africa by promoting collective self-reliance and economic recovery.
 - g) Facilitate co-operation and development in Africa.
 - h) Strengthen continental solidarity and build a sense of common destiny among the peoples of Africa.
 - i) Facilitate co-operation among Regional Economic Communities and their Parliamentary fora.

Members of the Pan-African Parliament

5. The PAP is made up of 250 members, with each of the 50 AU Member States that have ratified the PAP Protocol represented by five (5) members. The representatives are elected by the legislatures of AU Member States, rather than being directly elected in their own capacity. The *Protocol on the Constitutive Act of the African Union relating to the Pan-African Parliament* (Malabo Protocol) has however proposed for election of PAP Members through universal suffrage. Once ratified, membership to the PAP will be through election in respective countries similar to the election of MP to the European Parliament. PAP MPs will

also be barred from serving as MPs in their respective national legislatures as is the current situation. These are some of the changes, including the transformation of the PAP to a fully legislative organ once the protocol is ratified by the requisite membership. Kenya has not ratified this protocol.

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

Operations of the Pan-African Parliament

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

a) The Plenary

The Plenary is the main decision-making body of the PAP and passes resolutions which are then transmitted for implementation by relevant agencies of the AU and by Member States. It brings together all the elected Members, and is chaired by the President (Speaker), assisted by 4 Vice-Presidents.

b) The Bureau

The Bureau is the leadership organ of the PAP and comprises the President and the four Vice-Presidents. Each member of the Bureau represents a different region of Africa. The Bureau of the PAP is ultimately responsible for the organisation and operations of the Parliament as an institution. It is composed of the President and four Vice-Presidents representing the five regions (North, Central, Eastern, Western and Southern) of the African continent.

c) The Secretariat

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

Committees of the Pan-African Parliament

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

The PAP Committees are-

- a) Committee on Rural Economy, Agriculture, Natural Resources and Environment
- b) Committee on Monetary and Financial Affairs
- c) Committee on Trade, Customs and Immigration Matters
- d) Committee on Cooperation, International Relations and Conflict Resolutions
- e) Committee on Transport, Industry, Communications, Energy, Science and Technology
- f) Committee on Health, Labour and Social Affairs
- g) Committee on Education, Culture, Tourism and Human Resources
- h) Committee on Gender, Family, Youths and People with Disabilities
- i) Committee on Justice and Human Rights
- j) Committee on Rules, Privileges and Discipline
- k) Committee on Audit and Public Accounts

9. The general membership and composition of Committees of the PAP are regulated by the Rules of Procedure. Under Rule 22(5), a committee of the PAP comprises of up to thirty (30) members.

Calendar of the Pan-African Parliament activities

10. The key annual activities of PAP are as follows:-

- a) Meetings of the Permanent Committees and Bureau – *held in March;*
- b) Meetings of the Plenary, Permanent Committees and the Bureau -- *held in May;*

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

11. Additionally, the PAP from time to time organizes seminars and workshops on areas of interest to Members falling within the objectives of the PAP. The PAP also nominates Members to participate in AU election observation and fact-finding missions to Member States.

RECORD OF THE PLENARY PROCEEDINGS OF THE SIXTH ORDINARY SESSION OF THE FOURTH PAP

1. Opening Ceremony

The President of the Pan-African Parliament, His Excellency Roger Nkodo Dang, officially opened the Session. He welcomed Members to the Sixth Ordinary Session of the Fourth Parliament of the Pan African Parliament, noting that there were fifty three (53) Member States in attendance.

After a few introductory remarks, he declared the Sixth Ordinary Session of the Fourth Pan-African Parliament officially open.

2. Swearing-in of Members of Parliament

This Session occasioned the first meeting attended by the delegation from Kenya following the General Elections in 2017. As such, the following Members from Kenya, among seventy two other new Members, took the oath of office of a Member of the Pan-African Parliament -

- a) Sen. (Dr.) Abdullahi Ali, CBS, MP;
- b) Sen. Stewart Madzayo, MP;
- c) Hon. Janet Ong'era, CBS, MP;
- d) Hon. Jude Njomo, MP; and
- e) Hon. Beatrice Kones, MP.

3. Remarks during the Opening Session

Following the administration of oath to new Members, five invited guest speakers addressed the plenary.

Mrs. Anna Bathily from the World Bank (WB) informed the Members that her institution was the only one that had invested \$17 billion for

development activities in Africa in 2017. She hailed PAP as essential for citizen parliamentary engagement, cooperation and coordination, hence the reason for the World Bank instituting an Inter-Parliamentary co-operation program at the Pan-African Parliament which plays a crucial role in development. She highlighted the benefits of such cooperation as allowing parliamentarians to stay informed on both African and International issues; improving co-ordination among Parliamentarians in order to harmonize policies and measures in their National Parliaments, and enabling the exchange of views, experiences and best practices for impactful policies and effective programs to encourage economic growth and development.

She also noted that sub-Saharan Africa had the youngest population in the world, with over 60% under the age of 25 years. This indicates that there is a large workforce, which is also not well-trained, thus leading to high incidences of unemployment. As such, the WB was now shifting its focus to dealing with unemployment and infrastructure development. She lauded Africa for embracing unity and multi-lateralism in dealing with various issues facing it.

The plenary was also addressed by Her Excellency Hon. Auxillia Mnangagwa, First Lady of the Republic of Zimbabwe. She bid a fond farewell to the PAP family, having joined it as a Member in October 2015. She was proceeding to take up additional duties as the First Lady of her country. She appreciated the skills gained during her time as Chairperson of the Southern Africa Regional Caucus and as a member of the permanent committees.

His Eminence Ioannis, Archbishop of Zambia and Malawi and Coordinator of the Activities of the Inter Parliamentary Assembly on Orthodoxy in Africa and relations with PAP also addressed the plenary. He extended greetings and well-wishes from the Inter Parliamentary Assembly on Orthodoxy in Africa and gave a highlight of upcoming activities.

His Excellency Dr Abdou Ousseni, Speaker of the Assembly of the Union of Comoros conveyed greetings from his President to PAP. He acknowledged those who supported the Comoros in joining PAP, and was happy to witness some of the Members from his country sworn in to the Assembly. He encouraged PAP to remain strong, fully representative of the African people, ensure implementation of projects, such as free movement of people around the continent, provide national Parliaments with legislation to support continental aspirations, encourage transparency and fight corruption.

His Excellency Ngomuyayona Gamedze, the Deputy Senate President of Eswatini (Swaziland), also conveyed greetings from the Queen Mother and people of his country, and congratulated Morocco for having PAP representation for the first time in its history. He expressed his desire for a united Africa and a strong PAP.

4. Keynote address

His Excellency Dr. Moussa Faki Mahamat, Chairperson of the African Union (AU) Commission delivered the keynote address. He expressed his gratitude to the President and the people of South Africa for hosting the meeting, and various organs of the AU in the country. He stressed the need for Africa to realize the global Agenda 2063 and continue to find African solutions to African problems.

He noted that the *Malabo Protocol* was to give more legislative power to PAP but had still not been ratified by a number of states. He observed that of the more than fifty (50) legal instruments forwarded to the various countries, less than twenty (20) had been operationalized many years after their adoption by the PAP. There was therefore need to do more as a continent to pass these instruments so as to demonstrate commitment and aid in continental integration. He also cited the need to reduce reliance on financial support from international partners for AU operations so as to gain financial autonomy. He further stated that

there is currently a fund supported by a percentage of import levies supposed to be submitted by each country to support AU activities.

Dr. Mahamat stressed the need for Africa to take ownership of its peace processes by working to end wars, violence, instability and the attendant atrocities in its various countries, so as to enable development. He concluded by stating that the continent needed to adjust itself to emerging issues and review its ways of doing things accordingly, while working in synergy.

5. Election of Members to the PAP Bureau

This Session marked the beginning of a new term of the Pan-African Parliament, following a three-year period for each Session. As such, there were vacancies for the positions of the PAP Bureau, that is, the President and four Vice-Presidents, as well as Chairpersons, Vice-Chairpersons and Rapporteurs of all Caucuses and Committees. The Rules of Procedure prescribe the manner of elections for all these positions, following a formal declaration of vacant positions by the Clerk of the Pan-African Parliament.

Elections for the PAP Bureau were conducted on Thursday, May 10, 2018. The positions for election were for President of PAP, the First, Second, Third and Fourth Vice-Presidents, with each region being represented in each of the posts.

Before formally dissolving the existing Bureau and handing over the session to the Ad-Hoc Committee on Elections, pursuant to Rule 16 of the PAP Rules of Procedure, President Nkodo Dang issued a statement on activities of the PAP for the preceding three years.

i. Election of the President of PAP

For election of the President of PAP, the following three candidates had been cleared and their names forwarded by their respective Regional Caucuses to the Clerk of PAP-

- a) Hon. Chief Fortune Charumbira – Southern Africa Region (Zimbabwe)
- b) Hon. Mostafa Abdulaziz El Gendy – North African Region (Egypt)
- c) Hon. Roger Nkodo Dang – Central African Region (Cameroon)

Before voting began, the candidates were allowed to make brief statements to the plenary on their agenda, if elected into office. Members were reminded of the rules that require a candidate to garner more than two-thirds of the votes cast to be declared President.

The election was conducted via secret ballot, with two hundred and twenty four (224) Members in attendance. The results of the exercise were as follows, with no necessity for a second round vote:

- a) Hon. Chief Fortune Charumbira - 47 votes;
- b) Hon. Mostafa Abdulaziz El Gendy - 44 votes;
- c) Hon. Roger Nkodo Dang - 133 votes.

The Hon. Nkodo Dang was declared validly elected and took the oath of office as the President. He then presided over the second part of the scheduled elections for the Vice-Presidents.

ii. Election of Vice-Presidents of PAP

The President informed the Plenary that some candidates had withdrawn from the race for Vice-President, one candidate from the Central African region, due to the region now holding the Presidency, the male candidate from Cape Verde in the West African region and the female candidate from Saharawi Republic in the North African region. South African Regional Caucus did not submit a candidate for the Vice-President. Therefore the following were the candidates for Vice-Presidents from their respective regions-

- a) Hon. Stephen Masele – East African Regional Caucus (Tanzania)

- b) Hon. Sajia Djibril – East African Regional Caucus (Djibouti)
- c) Hon. Bouras Djamal – North African Region (Algeria)
- d) Hon. Haidara Aichata Cisse – Central African Region (Mali)

Before the voting began, the candidates were allowed to make brief statements to the plenary on their agenda if elected into office. Members then proceeded to vote. Members were reminded that the number of votes per nominee would determine their ranking as 1st, 2nd, 3rd or 4th Vice-President. It was noted that the Southern African region had not presented a candidate for the position of Vice-President. As such, the President ruled that this vacancy will be filled at the next Session in October 2018, and the region would hold the rank of 4th Vice-President.

The results of the elections were as follows-

a) Eastern Africa Region:

- (i) Hon. Safia Djibril - 56 votes;
- (ii) Hon. Stephen Masele - 143 votes;
- (iii) Spoilt votes - 22.

Hon. Stephen Masele from Tanzania was declared validly elected as the 1st Vice-President.

b) West African Region:

- (i) Hon. Haidara Aichata Cisse - 123 votes;
- (ii) Hon. Sanchez (withdrew from race) - 7 votes;
- (iii) Spoilt votes - 91.

Hon. Haidara Aichata Cisse was declared validly elected as the 2nd Vice-President.

c) North African Region:

(i) Hon. Bouras Djamal - 93 votes;

(ii) Spoilt votes - 128.

A question was raised on whether the candidate from Northern Africa was validly elected, given that he did not receive a majority of the votes cast, that is, 111 of 221 votes. In addition, the spoilt votes were more than those he received. Following multiple points of order, the President ruled that the elections for the nominees from North African Region and West African Region for Vice-President was for the purpose of determining the ranking of the candidates presented, since each had already been nominated or elected by their regions unopposed. On this premise, the Algerian candidate was declared validly elected as the 3rd Vice-President.

The Vice-Presidents-elect, took oath of office and made brief remarks, thanking the plenary for their part in the process.

6. Election of Members to the Regional Caucuses Bureaus

The first meeting of the Regional Caucuses were held on Monday, May 7, 2018. The Caucuses received proposals for designation of new Members to various Committees of the PAP. The Caucuses further conducted elections and forwarded the names of two nominees' one male and one female to the Plenary for voting for position of PAP Vice-President. The East African Caucus elected Hon. Stephen Masele from Tanzania and Hon. Safia Djibril from Djibouti to the plenary for final voting for the position of PAP Vice President.

At their second meeting held on Friday, May 11, 2018, the Regional Caucuses conducted elections for their Chairpersons, Vice-Chairpersons and Rapporteurs. For the East African Regional Caucus, the Hon. Janet Ong'era from Kenya who was running for the position of Chairperson, emerged the winner with 27 votes against Hon.

Abdulaziz Abdullahi from Somalia who had 25 votes. Following the elections, the Bureau of the East African Regional Caucus was constituted as follows-

- a) Hon. Janet Ong'era – Chairperson (Kenya)
- b) Hon. Fidel Rigamba - Vice-Chairperson (Rwanda)
- c) Hon. Bobby Sharma Ram – Rapporteur (Mauritius)

The new Bureau took up its role and encouraged Members to remain united and positive as the caucus moved forward. The leadership also led the Caucus in completing the tasks before it which included designation of new Members to Committees, and nomination of candidates for vacant posts in the various Committee bureaus, women and youth caucuses.

The Members of the Kenyan delegation were nominated to the following Permanent Committees:

- a) Sen. (Dr.) Abdullahi Ali - Cooperation, International Relations
and Conflict Resolution
- b) Sen. Stewart Madzayo - Audit and Public Accounts
- c) Hon. Janet Ong'era - Rural Economy, Agriculture,
Environment and Natural Resources
- d) Hon. Jude Njomo - Trade, Customs and Immigration
Matters
- e) Hon. Beatrice Kones - Transport, Industry,
Communications, Energy, Science
and Technology

7. Further proceedings in the Caucuses and Committees

The Regional Caucuses also received nominations for the various vacant leadership posts in the Permanent Committees and the Women and Youth Caucuses. Members were encouraged to support candidates from the Eastern Africa Region during the elections in the

youth and women caucuses and the committees which were scheduled for Monday, May 14, 2018.

Subsequently, Sen. (Dr.) Abdullahi Ali was elected as Rapporteur in the Committee on Cooperation, International Relations and Conflict Resolution. The Committee on Trade, Customs and Immigration Matters was the only one that did not hold any elections due to a lack of requisite quorum; this exercise is to be carried out at the next meeting scheduled for August 2018.

The Committees were able to adopt several reports for tabling in the Assembly for debate during the plenary sessions. The contents of the reports are highlighted elsewhere in this report.

8. General Plenary Sessions

Upon commencement of the regular sessions, presentations were made and debate took place on the following topics:

- a) Political Affairs in Africa presented by Her Excellency Mrs. Samate Cessouma, AUC Commissioner for Political Affairs;
- b) Trade matters on the continent presented by His Excellency Mr. Albert Muchanga, AUC Commissioner for Trade and Industry;
- c) The Institutional Reform process of the African Union implementation of the African Union Decision 635 (XXVIII) presented by Prof. Pierre Moukoko Mbonjo, Head of the Institutional Reform Implementation Unit.

The main highlights of their presentations indicated that the AU is engaged in a robust reform process. This led to a resolution by the Heads of State and Government in July 2016 committing to the reform process, with President Kagame of Rwanda leading this charge. The main areas of focus include political affairs, realignment of AU

institutions, economic integration, and global representation of the AU, among others.

It was also noted that out of the 1,700 decisions made by the AU Heads of State and Government, only 5% have been implemented. In addition, only 22 of the 55 member states are operationalizing the import levy to fund AU operations. There was need for better functioning of the AU in its execution of decisions and financing aspects. It was also important for PAP to have a greater role in ratifying the decisions by the Heads of State and Government.

9. Presentation and debate on the report on the activities of the Pan African Parliament

The President of the Pan African Parliament tabled and presented a report on the activities of the Pan African Parliament for the period between October 2017 and April 2018. The report enumerated the statutory and non-statutory activities undertaken by PAP in the period under review. There was mention of the number of new Members who took oath of office, major activities undertaken by each of the eleven Permanent Committees, the Women, Youth and Regional Caucuses.

The report also covered the participation of PAP in African Union activities, including joint election observation missions, PAP cooperation with other Parliaments and institutions, status of implementation of the resolutions from the 15th Bureau meeting and the PAP financial report showing the 2017 budget execution and administrative matters.

Following debate in the plenary on this report, Members requested for more detailed reports, in future, of the Regional Caucuses and activities undertaken in regard to parliamentary business such as efforts towards ratification of the *Malabo Protocol* across the continent, and the specific outcomes of each, to better track the progress made. This would therefore place a focus on outcome-level reporting instead of output-level reporting against clearly articulated targets.

Members also noted the importance of highlighting peace matters and conflict resolution activities, regularly providing the state of Africa and creating better linkage between the PAP reports and the National Parliaments to obtain feedback and ease collaboration. This nexus between PAP and the people, and PAP work and the AU Agenda 2063 required to be strengthened.

10. Presentation and debate on HIV/AIDS Plan of Action on “Achieving health targets and leaving no one behind”

The plenary conducted debate on the topic “HIV/AIDS Plan of Action: achieving health targets and leaving no one behind.” In this regard, Members received presentations from the following guest speakers:

- a) Hon. Aurelien Simplicie Kongbelet Zingas, Chairperson of the Committee on Health, Labour and Social Affairs;
- b) Mr. Michel Sidibe, UNAIDS Executive Director;
- c) Dr. Speciosa Wandira-Kazibwe, Former Vice-President of Uganda; and
- d) H.E. Kgalema Motlanthe, Former President of the Republic of South Africa, one of the HIV/AIDS Champions.

The presenters highlighted the achievements made where there were more than 21 million people in Africa on treatment, than those without treatment. They also highlighted the need for countries to invest in the right areas for continued health, including in budgeting for and production of medicines in Africa instead of reliance on external donors. A recommendation was made for PAP to evaluate how many countries have a health account which determines the level of provision of required facilities and adherence to international health protocols.

It was pointed out that there was need for sustained and consistent funding of the health sector to ensure that countries achieved budgetary allocation of 15% of the national budgets to the health sector, as per the

Abuja Protocol. It was noted that at present, only around eight African countries had achieved this required funding rate of between 14-15%. In line with this, PAP was encouraged to ensure more oversight across the continent and ensure proper allocation of resources as part of the fight against corruption and illicit financial flows.

Members also emphasized the need for focus on preventive measures, in addition to ongoing efforts towards treatment. More effort was also required for advocacy and de-criminalizing HIV/AIDS to encourage people to present themselves for early treatment.

11. Presentation of the Report on the 2019 PAP Budget

The Chairperson of the Permanent Committee on Monetary and Financial Affairs presented a report on the 2019 PAP Budget.

The proposed budget for 2019 was given as US\$26,868,831, an increase of 34.5% from the 2018 budget of US\$19,964,559.

Given the challenges experienced with the implementation of the budget in the 2017 financial year, the Committee proposed several recommendations as follows-

- a) That future budgets of the PAP be drawn on Results Based Management system to allow the Bureau and Committees to carry out policy-driven programmes that are sufficiently budgeted for;
- b) That the Committee on Monetary and Financial Affairs (CMFA) be involved in the PAP and AU budgetary process from its inception to approval;
- c) That the presentation of the African Union's budget be presented to the Executive Council by the PAP President or a delegated Member of PAP;

- d) That all PAP Committees and AU Commission submit their budgets to the CMFA in a timely manner to ensure inclusion in future PAP budgets and review of the AU budget, respectively.

12. Presentation on the report on a regional seminar on “Connecting the dots: Supporting 2030 Agenda, ATT and UNPoA implementation through increased parliamentary engagement and action in international processes”

The Chairperson of the Committee on Cooperation, International Relations and Conflict Resolution presented a report of a regional seminar on “Connecting the dots: Supporting 2030 Agenda, ATT and UNPoA implementation through increased parliamentary engagement and action in international processes”.

The Chairperson explained that the objective of the seminar was to come up with a parliamentary plan of action on how parliamentarians can contribute to the implementation of the 2030 Agenda 16.4.2, the ATT and the UNPoA. This would aid parliamentarians in strengthening their responses to armed violence and proliferation of small arms and light weapons. At the conclusion of the meeting, an action plan was developed for execution by Parliaments with a focus on raising awareness, legislation and oversight in regard to matters of small arms and light weapons (SALW). A copy of this report is attached as **Annex 1**.

13. Presentation on the report of the workshop on ICT

Members received a presentation from the Chairperson of the Committee on Transport, Industry, Communication, Energy, Science and Technology on a workshop which was held jointly with the Committee of Trade, Customs and Immigration Matters on Information Communication Technologies (ICT) in March 2018. The workshop, facilitated by the Infrastructure and Energy and NEPAD Departments and the Division of Trade and Industry in the African Union

Commission, focused on issues regarding development of transport and communications infrastructure across the African continent.

- a) It was observed that improvement of ICT in Africa would aid in intra Africa trade and regional integration. The discussions and presentations were thus centred on the following areas-
- b) The state of the ICT sector in Africa and the progress in implementing the Programme for Infrastructure Development in Africa (PIDA) relating to infrastructure in the digital area;
- c) The level of digital financing in Africa;
- d) Opportunities and challenges of e-commerce in Africa;
- e) The problem of cybercrime in Africa; and
- f) The status of signing and ratification of the AU Convention on Cyber Security and Personal Data Protection.

At the end of the sessions, workshop participants made various recommendations regarding matters of e-commerce, digital financing and cyber security, which are part of the Committee report attached as **Annex 2**.

The plenary debated these issues and observed that there was need for the AU states to urgently sign, ratify and domesticate the AU Convention on Cyber Security and Personal Data Protection adopted in June 2014. In addition, the Regional Economic Communities (RECs) need to maintain their momentum in implementing various ICT projects and push for the development of continental and regional ICT strategies to pave way for national strategies, and AU member states should put in place required policy, legal and regulatory mechanisms to control cyber criminality, with the full involvement and support of the political leadership at the highest level.

The Members further recommended that the AU states should establish a national Computer Emergency Readiness and Response Team (CERT) ecosystem to promote national synergy on cyber security, knowledge-sharing and intelligence gathering on countermeasures against cybercrime injurious to States and individuals; and create dedicated national network infrastructures to promote open knowledge engagement, plus guarantee equal access to information and creation of authentic knowledge.

14. Presentation on the report on repealing defamation laws to promote press freedom

The plenary conducted debate on the report on repealing defamation laws to promote press freedom. In this regard, Members received presentations from the Chairperson of the Committee on Justice and Human Rights and a guest speaker, Romana Cacchioli, Director, PEN International.

The Chairperson informed the Plenary that the report was as a result of a joint workshop of the Justice and Human Rights Committee, Committee on Rules, Privileges and Discipline and Committee on Education, Culture, Tourism and Human Resources that took place on 7th of March, 2018. The main aim of the workshop was to familiarize members with PEN's campaign to repeal criminal defamation laws among other specific objectives. The workshop was supported by Pen International.

The Chairperson noted that many governments in Africa continue to stifle freedom of expression, open debate, political criticism and media reporting using laws that make saying, writing and publishing anything that the government considers defamatory a criminal offence.

The Deputy Director, PEN International, Romana Cacchioli informed the plenary that his organization is a global association of writers with over 100 independent PEN Centres in over 150 countries across the

world. He stated that PEN opposes any form of suppression of freedom of expression. In all regions, criminal defamation laws introduce disproportionate penalties for the expression of opinion or the publishing of an allegation and are frequently used to target journalists who uncover corruption and abuse of power by political leaders and state official.

Defamation was described as when a person's right to a good name or reputation is harmed by something written or spoken by another person about them while criminal defamation requires an aggrieved party to lodge a complaint with the police, who then investigate allegations which may be prosecuted by the state. It was observed that there are insult laws which are a sub-set of defamation and are designated to protect the honour and dignity of state officials, institutions and symbols. He noted that criminal defamation and insult laws discourage people from freely expressing themselves. Abolishing criminal defamation is therefore a means of protecting people who would hold the state to account and who fight for freedom and democracy.

The Committees observed that the effect of criminal defamation prosecution on writers is physically gruelling, demoralizing to journalists leading them to avoid investigative journalism and causing financial drain due to the high costs of legal representation.

The Committees further observed that some countries like Ghana, repealed all forms of criminal defamation from their statute in year 2001. Other countries like South Africa amended its laws on freedom of expression and reconstituted the Press Council.

The Committees recommended that criminalizing defamation is not the most effective method and instead proposed that alternative dispute resolution/investigatory avenues such as press council/ombudsman be explored. A copy of this report is attached as **Annex 3**.

15. Presentation on the report on action on Albinism in Africa

The plenary conducted debate on the report on action on Albinism in Africa. In this regard, Members received presentations from the Chairperson of the Committee on Justice and Human Rights and a guest speaker, Ms. Ikponwosa Ero, the UN Independent Expert on the enjoyment of human rights for persons with albinism.

The Chairperson informed the Plenary that a workshop on albinism at which the Committees on Justice and Human Rights and Gender, Family, Youths and Persons with Disabilities of the Pan African Parliament participated was held. Other participants were the United Nations Independent Expert on the enjoyment of human rights by persons with albinism, the Centre for Human Rights and several organisations representing persons with albinism. The objective of the workshop was to facilitate an in-depth discussion on Albinism and discuss means of action by the Pan-African Parliament.

In her remarks, the Chairperson stated that rights violations meted on people with albinism include killings, mutilations and ritual rape. She noted that the African Union Commission on Human Rights and People's Rights endorsed a Regional Action Plan on Albinism in Africa to prevent and end attacks against persons with albinism by 2021. She highlighted the steps taken by the African Union in tackling issues affecting persons with albinism including commissioning the work of the Working Group on Rights for Persons with Disabilities and the African Committee of Experts on the Rights and Welfare of Child.

The Chairperson noted that some countries like Malawi had taken measures to protect persons with albinism and was working together with Amnesty International to reform the penal code and amend the Anatomy Act to outlaw sale of body parts, amongst other strategies.

Other highlights of the presentation included highlights of problems facing persons with albinism as challenges in accessing well equipped

schools, ritualistic attacks and killings and premature deaths due to skin cancer as was presented by Hon. Isaac Mwaura, Senator and Member of Parliament from Kenya and coordinator of Albinism Society of Kenya (East Africa) during the workshop.

The Chairperson called on PAP to make a public statement condemning the human rights violations against persons with albinism and endorse the Regional Action Plan via a resolution of the PAP Plenary.

Ms. Ikponwosa Ero, United Nations Independent Expert on the enjoyment of human rights by persons with albinism informed Members that over 600 cases of attacks on persons with albinism had been reported since year 2006. The attacks were mainly fuelled by myths on persons living with albinism and poverty. She called for the plenary support in ending the attacks on persons living with albinism.

Annex 4.

16. Presentation on the report on Final African Continental Free Trade Area (AfCFTA) Agreement and the Protocol on the Free Movement of People and African Passport as signed at the AU Extra Ordinary Summit in Kigali

The plenary conducted debate on the report on Final African Continental Free Trade Area (AfCFTA) Agreement and the Protocol on the Free Movement of People and African Passport as signed at the AU Extra Ordinary Summit in Kigali. In this regard, Members received a presentation from the Chairperson of the Committee on Trade, Custom and Immigration Matters.

The Chairperson informed the Plenary that a workshop on African Continental Free Trade Area (AfCFTA) Agreement and the Protocol on the Free Movement of People and African Passport as signed at the AU Extra Ordinary Summit in Kigali was held on 8th May 2018 at the PAP precincts. The Workshop was attended by the Committee on Trade, Customs and Immigration and the Committee on Transport, Industry,

Communication, Energy, Science and Technology. Other attendees included the AUC Commissioner for Trade and Industry and the AUC Commissioner for Political Affairs.

The Chairperson informed the Plenary that the AfCFTA is one of the flagship programs under the first ten year implementation plan of the AU Agenda 2063. The AfCFTA aim is to have a people-centred development FTA that goes beyond tariff liberalization, but which increases the choice variables of the African people, an FTA that will address many of Africa's challenges including unemployment, migration, skills development, women's empowerment, industrialization, and infrastructure development, an FTA that will help Africa strengthen its trade and investment relations, an FTA that will help Africa integrate in the global value chains and strengthen Africa's geopolitical position.

He noted that the legal instruments on the AfCFTA had been signed by 44 African Union Member States. Whereas 22 ratifications are required for entry into force of the Agreement, he noted that only three Members States (Kenya, Rwanda and Ghana) have ratified the Agreement.

He observed that some challenges had been encountered in the negotiation processes including varying levels of development and priorities of countries, institutional and organizational capacities of countries, inhibiting fear or fear of the unknown that was undermining the commitment to sign and ratify the agreement among others.

He outlined the role of the Pan-African Parliament as ensuring timely ratification of the AfCFTA legal instruments once the executive branches avail them to national parliaments; encourage the African private sector to invest in trade in the AfCFTA in order to generate jobs and decent standards of living and oversight the executive on respective country actions and progress vis-a-vis the AfCFTA.

The Committee recommended that the Pan-African Parliament should organize a continental conference with national parliaments' portfolio committees on Trade, Finance and Transport on the AfCFTA and the Treaty establishing the African Economic Community relating to free movement of persons, right of residence and right of establishment. The conference will serve as a platform to familiarize members on the benefits of AfCFTA and to promote the signing and ratification and domestication of the two treaties. The Committee further implored on the Pan-African Parliament to advocate and sensitize member countries about the benefits of the AfCFTA and the free movement of persons on the continent. A copy of this report is attached as **Annex 5**.

17. Presentation on the report on the AU Year of Combating Corruption – Legislation and Leadership: Deep impact conversation with Parliamentarians about combating corruption

The Chairperson of the Committee on Justice and Human Rights presented a report on the AU Year of Combating Corruption – Legislation and Leadership: Deep impact conversation with Parliamentarians about combating corruption.

The Chairperson informed the Plenary that a one-day workshop that held on 6th May, 2018 in which the Committee of Justice and Human Rights among other Committees participated. The objectives of the workshop were to build a community of practice around AUABC, and enhance the ability of CSOs and the private sector to directly and strategically engage the AUABC and other AU organs and institutions towards a coordinated continental multi-stakeholder effort to combat corruption among others.

The Chairperson noted that the African Union declared 2018 the year of combating corruption in Africa. The declaration was a follow-up to a clarion call made by PAP, AUABC and CSOs in 2016 that identifies corruption as a major barrier to economic, social and political

development in Africa. The report called for a holistic, strategic and coordinated approach in dealing with corruption.

The Chairperson observed that ‘the African year of combating corruption’ or “project 2018” is to promote the fight against corruption and impunity across the continent. He noted that the projected outcomes are that more citizens and states across the continent will be more aware of the negative impact of corruption, that more AU and CER instruments will be domesticated and that the fight against corruption will significantly contribute to the realization of Agenda 2063.

In outlining the roles and responsibilities for Members of Parliament on illicit financial flows in Africa, the Chairperson noted that there is need to formulate or strengthen normative and legal standards, and policies at continental, regional and national levels, establish and strengthen institutions for preventing and combating illicit financial flows, push for country by country reporting on strategies that have been put in place to combat illicit financial flow and domesticating the IFF Agenda amongst other strategies.

In concluding, the Chairperson challenged Parliamentarians to be the first actors in the fight against corruption through their oversight role.

18. Presentation on the report on the Study Visit on the Tourism Industry in Mauritius

The Chairperson of the Committee on Education, Culture, Tourism and Human Resources presented a report on the Study Visit on the Tourism Industry in Mauritius, and highlighted that tourism is one of the main avenues of promoting integration and development in Africa. The Committee therefore undertook a study visit to Mauritius to understand the tourism sector in Mauritius, learn about the opportunities and challenges faced, and also meet and exchange views with the relevant committee of the National Assembly of Mauritius.

The Committee held consultative meetings with the Deputy Prime Minister of Mauritius, the Minister of Arts and Culture, the Minister of Tourism, and senior government officials from various ministries and government agencies dealing with tourism matters.

The Committee heard that Memoranda of Understanding (MOUs) are the main instrument used by Mauritius for fostering relationships with African countries, along with establishing Special Economic Zone Areas. The main factors that have led to significant progress in this industry include: presence of the right legal and executive frameworks to provide a conducive and enabling environment for the public and private sectors to operate; a strong network of infrastructure, such as roads, transport, ICT, sound financial and banking systems, hotels etcetera, which makes Mauritius a preferred tourist destination.

However, the sector still faces some challenges such as strong competition from emerging and similar destinations, poor airline connectivity on the African continent, high cost of travel, degradation of environmental assets such as pollution, coastal erosion etc. The Committee made a number of recommendations based on its findings. These are shown in the Committee report under **Annex 6**.

19. Presentation on the report on the participation of the Pan-African Parliament in the Conference of the Parties (COP23) Session, 6 – 17 November 2017, Bonn, Germany

The Chairperson of the Committee on Rural Economy, Agriculture, Environment and Natural Resources presented a report on the participation of the Pan-African Parliament in the Conference of the Parties (COP23) Session, 6 – 17 November 2017, Bonn, Germany.

It was reported the PAP delegation to the COP23 participated in various events such as the Paris Agreement implementation, climate justice, climate finance, and good practices for overcoming climate challenges, among others. The PAP also participated in the Inter-Parliamentary

Union (IPU) Day which was a side event that engaged further with parliamentarians from across the world on their role in the Paris Agreement. There was also a PAP side event on “the role of African Parliamentarians on the ratification and implementation of the Paris Agreement.” It provided an opportunity for African legislators to understand their expected role in implementation of the Paris Agreement, and help in identifying the specific actions required by them.

The delegation concluded that there was need for continued engagement on the issues of climate change, climate mitigation, passage of climate change legislation, and possible creation of a Standing Committee on Climate Change and a PAP Climate Change Forum. A copy of this report is attached as **Annex 7**.

2. Presentation on the report of the High-Level event on Food and Nutrition Systems

The second report by the Chairperson of the Committee on Rural Economy, Agriculture, Environment and Natural Resources on a High Level event on Nutrition and Food Systems was tabled without debate. It highlighted a forum convened by NEPAD and FAO to discuss the sharing of flagship nutrition programmes, policies and initiatives in Africa by stakeholder institutions. The meeting also adopted a Communique with recommendations geared towards the AU Commission, NEPAD Agency, PAP, RECs and Member States. This report is attached as **Annex 8**.

**PRESENTATION OF RESOLUTIONS AND RECOMMENDATIONS OF THE
6TH ORDINARY SESSION OF THE FOURTH PAN-AFRICAN
PARLIAMENT.**

The Clerk of the PAP presented and tabled the following Resolutions and Recommendations of the 6th Ordinary Session of the Fourth Pan-African Parliament, which were subsequently adopted by the plenary-

RESOLUTIONS

a) Resolution on achieving health targets and leaving no one behind

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament;

CONSIDERING also Article 3 of the Protocol to the treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 3 (a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the endorsement by African Leaders of the Catalytic Framework to end HIV/AIDS, TB and Eliminate Malaria in Africa by 2030, with clear targets and milestones and focusing on the guiding principles of country ownership and leadership, financial and political commitment, equal access to health services for vulnerable, key and hard-to-reach populations as well as robust surveillance and response systems;

RECALLING also the 2016 Political Declaration on HIV/AIDS and AIDS by the UN General Assembly to fast-track progress on ending AIDS by 2030 within the framework of the Sustainable Development Goals (SDGs), in particular SDG 3 relating to Good Health and well-being and SDG 5 relating to Gender Equality;

CONCERNED that access to affordable quality medicines, vaccines and diagnostics remains a major challenge for many people across Africa, therefore national investments and resource mobilization

health financing is crucial to realize the commitment made in the
aja Declaration targets of 2001 that requires allocation of 15% of
ional budget to Health;

RECOGNIZING that the UNAIDS Fast-Track approach to ending
HIV/AIDS has facilitated access to life-saving treatment for around 21
million people, representing more than half of all people living with HIV;

RECOGNIZING also that increased high-level political leadership
and engagement are needed to reach these ambitious but achievable
targets, and that Parliament as an institution, remains a central agent
of change to drive social and economic development through oversight
and legislative concerns,

STRESSING the importance of building momentum for share
responsibility and global solidarity amongst both governmental and
non-governmental entities for concerted efforts to improve the HIV/AIDS
situation, TB and other infectious diseases;

TAKING NOTE of the outcomes from the High Level Parliamentary
Meeting of 'Fast Tracking HIV/AIDS and Leaving NO-one Behind'; held
on 5 and 6 October 2017 in Midrand, attended by Members of the
Committee on Health, Labour and Social Affairs, Committee on Gender,
Trade and Finance of the Pan African Parliament in collaboration with
the UNAIDS and the African Union Commission, Finance, Trade and
Health Chairpersons of National and Regional Parliaments, Regional
Economic Communities as well as UN Agencies and Civil Society
Organizations;

ACKNOWLEDGING the efforts made over the last decade on the
African continent to come up with standard-setting and normative legal
instruments such as the SADC Model Law on HIV in Southern Africa;
the East African Community HIV/AIDS Prevention and Management Act
of 2012; the ECOWAS Minimum Legal Framework for Rights-Based

Responses to HIV/AIDS, and the African Union Model Law on Medical Products Regulation adopted in 2016;

NOW HEREBY RESOLVES TO:

1. ADVOCATE for the fulfilment of the Abuja Declaration targets and sustained investments in the health sector to achieve the AU Catalytic Framework, the Sustainable Development Goals (SDGs), AU Agenda 2063, the Fast Track targets and the elimination of mother to child transmission of HIV/AIDS;
2. UNDERSCORE the urgency to mobilize national resources by front-loading investments, particularly in the health sector and through innovative mechanisms, including national health insurance, tax and fiscal space, and corporate social responsibility;
3. ADVOCATE for the training needs and sensitization of health professionals in addressing stigma and discrimination in health facilities towards people living with HIV/AIDS, TB and Malaria;
4. SUPPORT implementation of the Plan of Action of the African High level Parliamentary Meeting on Achieving Health Targets and Leaving No One Behind;
5. STRENGTHEN partnership with the AUC and UNAIDS in order to;
 - i. FACILITATE the collaboration and exchanges among regional and national parliamentary bodies with a view to enhance the capacity of parliamentarians to monitor all policy and programme areas, as well as the budgetary and legislative activities;
 - ii. PROMOTE a reporting mechanism through the Annual Conference of African Speakers of National and Regional Parliaments on the health situation across the continent and the implementation of the Abuja Declaration;
 - iii. ADVOCATE for increased pledges from all donor countries during the Sixth Replenishment of the Global Fund to Fight AIDS, Tuberculosis and Malaria in 2019;

SUPPORT the participation of PAP Parliamentarians in World Health Organization and other United Nations Annual High Level Meetings on HIV/AIDS, TB and Malaria;

- v. ENCOURAGE AU Member States to establish mechanisms for effective oversight and accountability of African governments in engagement between the Executive and Legislative branches of government and between parliaments and civil society on the HIV/AIDS, Tuberculosis and Malaria responses;

b) Resolution on nutrition and food systems in Africa

THE PAN-AFRICAN PARLIAMENT,

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament;

CONSIDERING also Article 3 of the Protocol to the treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 3 (a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING that the African Leaders in 2014, through the Malabo Declaration and its implementation strategy and roadmap, committed themselves to reducing stunting to below 10% in Africa and underweight in children under 5 years old to below 5% by 2025, with the aim of eliminating hunger in Africa in the next decade;

RECALLING also the Rome Declaration and the Framework for Action adopted by the Second International Conference on Nutrition (ICN2), held in Rome in November 2014, is built on the premise that sustainable food systems are key to promoting healthy diets. The UN General Assembly has reinforced the call for action by declaring 2016-2025 the Decade of Action on Nutrition, this Decade coincides with Africa's intention and target to eliminate hunger by 2025;

NOTING that the Comprehensive Africa Agriculture Development Programme (CAADP) momentum needs to be sustained through effective implementation and delivery on the goals of the Malabo Declaration on Agriculture, integrating it with the 20130 Agenda on Sustainable Development Goals (SDGs) and attaining the aspirations of the Africa Agenda 2063;

ACKNOWLEDGING the commitment by AU Member States, Regional Economic Communities (RECs), Food and Agriculture Organization of the United Nations (FAO), Scaling UP Nutrition (SUN) Movement, Inter-Parliamentary Union (IPU) and other partners to strengthen the development of food and nutrition security programming, policy and advocacy;

STRESSING the importance of launching the Pan African Parliamentary Alliance for Food Security and Nutrition (PAPA-FSN) by the PAP and FAO as a regional platform where critical issues related to food security and nutrition are at the highest level of the political and legislative agenda;

RECOGNIZING the NEPAD Agency Food and Nutrition Security Flagship Programmes such as Home Grown School Feeding, Food Fortification including Bio fortification, Maternal and Child Nutrition, Cost of Hunger Studies in Africa (COHA), Capacity Development, Policy and Advocacy;

RECOGNIZING also that the IPU and the SUN Movement called for action on nutrition from speakers of Parliament of fifty eight (58) SUN Movement countries, to strengthen parliamentarians' engagement and identify ways to end malnutrition in all its forms;

RECOGNIZING further the efforts and support from governments and development partners to improve, quantitatively and qualitatively nutrition and food systems, especially of our indigenous crops and the

fact that the long term solution to Food and Nutrition Security is broad based inclusive economic development;

IN ACCORDANCE WITH Rule 5 (b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, advice make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. Collaborate with AUC, NEPAD Agency, RECs and Member States for the development and implementation of legal policies and instruments related to nutrition and food systems;
2. Encourage AU Member States to take effective measures to strengthen nutrition programs, policies and initiatives in Africa;
3. Partner with the NEPAD Agency and FAO to organize annual events during the PAP statutory meetings to sensitize parliamentarians on issues related to nutrition and food security;
4. Encourage NEPAD Agency and FAO to provide technical and financial support to parliamentarians and their respective countries in implementing key nutrition activities;
5. Monitor the effective implementation of priority nutrition and food security indicators stipulated in the SDGs, Malabo Declaration and other relevant commitments that address hunger and malnutrition in Africa;
6. Share basic and important concepts on nutrition and food systems; nutrition programmes, policies, and initiatives in Africa and present global linkages and opportunities for improved nutrition and food systems;
7. Advocate for structured, specific investments that remove barriers and make it possible for smallholder farming communities to participate in inclusive local food value chains;

c) Resolution on the African Continental Free Trade Area and the Free, Movement of Persons, Right of Residence and Right of Establishment

THE PAN-AFRICAN PARLIAMENT,

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4 (a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING FURTHER Chapter VI of the Treaty Establishing the African Economic Community (Abuja Treaty), devoted to the Free Movement of Persons, Right of Residence and Right of Establishment;

RECALLING Recommendation PAP.4/PL/Recom.02 (III) of the Pan- African Parliament on the Free Movement of People and the new African Passport and Resolution PAP.4/PLN/RES/02/MAY.17 of the Pan- African Parliament on the Free Movement of People in Africa and the African Passport;

RECALLING ALSO the African Union Agenda 2063, which envisions Africa as a continent where the free movement of people, capital, goods and services will significantly increase trade and investments amongst African countries and improve Africa's situation in global trade;

RECALLING FURTHER AU Decision *Ext/Assembly/AU/Dec.1 (X)* adopted in March 2018, in Kigali, Rwanda on the Agreement establishing the African Continental Free Trade Area (AfCFTA);

NOTING WITH CONCERN the huge income inequalities and deepening poverty levels across the continent, which have lent fertile ground for social, economic and political instability, clandestine

tions and the use of unemployed and marginalized youth by
and terrorist groups;

NOTING WITH APPRECIATION the adoption by the AU Assembly
of the Protocol to the Treaty establishing the African Economic
Community relating to Free Movement of Persons, Right of Residence
and Right of Establishment ("Protocol on Free Movement of Persons")
and its Draft Implementation Roadmap, in March 2018 in Kigali,
Rwanda;

IN ACCORDANCE WITH Rule 5 (b), (c) and (d) of the Rules of
Procedure of the Pan-African Parliament, which empowers the PAP to,
inter alia, organize debate, discuss, express an opinion, make
recommendations and take resolutions on the objectives and on any
matters relating to the African Union and its organs, Regional Economic
Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. Initiate advocacy activities to expedite the signature, ratification,
domestication and implementation of:
 - i) The Agreement establishing the African Continental Free
Trade Area; and
 - ii) The Protocol to the Treaty establishing the African Economic
Community relating to Free Movement of Persons, Right of
Residence and Right of establishment;
2. Urge the Members of PAP to popularize the AfCFTA to the Members of
their respective national Parliaments and Communities in order to
promote national ownership of, benefits of the AfCFTA and the
Protocol on Free Movement of Persons in the socio-economic
development of Africa.
3. Work in collaboration with National Parliaments and their Members to
urge their respective Governments, where applicable, to sign, ratify,
domesticate and implement the AfCFTA and the Protocol on Free
Movement of Persons;

4. Regularly monitor progress on, and encourage domestic parliamentary oversight over, AU Member States' signature, ratification and implementation of the AfCFTA and the Protocol on Free Movement of Persons;
5. Work towards the harmonization of Member States' laws, policies and structures in order to facilitate the implementation of the AfCFTA and the Protocol on Free Movement of Persons;
6. To provide the Committee on Trade Customs and Immigration with adequate support for its activities aimed at advancing regional and continental integration.

d) Resolution on winning the fight against corruption: A sustainable path to Africa's transformation

THE PAN-AFRICAN PARLIAMENT,

CONSIDERING Article 17 of the Constitutive Act of the African Union on the establishment of the Pan-African Parliament to ensure the full participation of African peoples in the development and economic integration of the continent;

CONSIDERING also Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4 (a) of the Rules of Procedure of the Pan-African Parliament, which empower the PAP to facilitate the implementation of policies, objectives and programmes of the African Union and to oversee their effective implementation;

CONCERNED with the fact that corruption and illicit financial flows threaten our goals to end poverty and hunger in Africa and to achieve sustainable development in its three dimensions through promoting inclusive economic growth, protecting the environment and promoting social inclusion, strong political commitment to address the challenge posed by corruption and illicit financial flows out of Africa must be enhanced;

ACKNOWLEDGING that the African Union has elevated the importance of combating corruption, and promoting a culture of transparency and good governance by demonstrating its resolve through its declarations, treaties, policy formulations and establishment of policy organs mandated to assist in combating graft; elevating a culture of accountability and citizen participation;

APPLAUD the AU Assembly of Heads of State for acknowledging the corruption Africa faces and supporting the call to declare 2018 as a Year to combat corruption and the efforts taken by H.E. President of Nigeria for accepting to Champion the theme;

RECALLING Executive Council Decision EX.CL/1000 (XXX) of the Permanent Representatives' Committee at its Thirty Third Ordinary Session on the Report on the Report of the activities of the African Union Advisory Board on Corruption (AUABC) and the declaration that 2018 is the Year of Combating Corruption in Africa;

FURTHER RECALLING the AU Assembly Special Declaration on Illicit Financial Flows on Twenty Fourth Ordinary Session of the AU Assembly in Addis Ababa, Ethiopia, January 2015;

RECALLING the decision on the Activity Report of the AUABC on corruption Doc. EX.CL/860 (XXV) and the need for the AU Commission and Secretariat to carry out the decisions made by the Executive Council for Member States to provide the necessary support to the AUABC through voluntary contributions and providing the requisite resources from the AU budget on the urgent reforms needed at the AUABC

COMMITTING to support the AUABC by embarking on strategic legislative reforms to enable African Union Member States combat corruption, prevent illicit financial flows and recover illegally acquired assets from criminals;

IN ACCORDANCE WITH Rule 5 (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. Encourage the African Union Members States to amend the AUCPCC into a living document whose relevance is felt by the African citizenry;
2. Deploy its mandate to ensure universal ratification of the following AU legal instruments:
 - i. African Union Convention on Preventing & Combating Corruption (2003);
 - ii. African Charter on Democracy, Elections and Governance, Addis Ababa (2007);
 - iii. Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament (2014) (PAP Protocol)
 - iv. Protocol on Amendments to the Protocol on the Statute of the African Court of Justice and Human Rights, Malabo (2014)
3. Request from the African Union additional financial and technical support to ensure that campaigns for fast track the ratification and domestication of the abovementioned treaties;
4. Support the AUABC to deploy its mandate in combating corruption in Africa and continue to advocate for the mandate of the board to be strengthened, as stipulated in the various AU decisions;
5. Encourage National Parliaments to effectively monitor the nomination process of the AUABC members by ensuring that nominees fulfil requirements of integrity, credibility and competent in the subject matter of combating corruption in Africa;
6. Continue to advocate for the strengthening of the mandate of the AUABC, as stipulated in the various AU decisions and to strengthen

collaboration with the AUABC for an effective exercise of its mandate in combating corruption in Africa;

7. Support the role of African Parliamentary Network Against Corruption-APNAC in elevating and promoting the culture of transparency, probity and accountability by engaging with the Multi-Sectoral Working Group on Combating Corruption at national, regional and continental levels;

e) Resolution on Persons With Albinism in Africa

THE PAN-AFRICAN PARLIAMENT,

CONSIDERING Article 17 of the Constitutive Act of the African Union on the establishment of the Pan-African Parliament;

CONSIDERING also Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 3 (a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING FURTHER Articles 2,4 and 5 of the African Charter on Human and Peoples' Rights (African charter), which guarantee every individual the enjoyment of the rights and freedoms recognized in the Charter regardless of race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status, and entitle every individual to equal protection of the law as well as respect of their life and the integrity of their person, and prohibit torture and other cruel, inhuman and degrading treatment or punishment;

NOTING WITH CONCERN that persons with albinism in the region continue to face prejudice, stigmatization and social exclusion, as well as multiple and intersecting forms of discrimination which impedes the enjoyment of their human rights;

NOTING FURTHER that, in the Preamble of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa (Africa Disability Protocol), adopted by Heads of State on January 30, 2018, the Member States of the African Union expressed grave concern at the harmful practices that persons with albinism often experience in particular the maiming or killing of persons with albinism in many parts of the continent;

DEEPLY DISTURBED at continuing reports of systematic attacks against persons with albinism in multiple countries, in particular against women and children and the failure of law enforcement agencies to promptly and effectively investigate and prosecute perpetrators of these attacks;

RECALLING Resolution ACHPR/Res. 263 2013 on the prevention of attacks and discrimination against persons with albinism; Resolution ACHPR/Res.349 2016 on the attacks on persons with albinism in Malawi and Resolution ACHPR/Res.373 2017 on the Regional Action Plan on Albinism;

RECALLING also Resolution 23/13 of the Human Rights Council on attacks and discrimination against persons with albinism, General Assembly Resolution A/RES/69/170 establishing International Albinism Awareness day on 13 June, and Resolution 29/06 of the Human Rights Council establishing the mandate of the Independent Expert on the Enjoyment of Human Rights of Persons with Albinism;

COGNISANT of initial steps taken and efforts made by some countries affected to develop national institutional mechanisms for the protection and promotion of rights of persons with albinism;

IN ACCORDANCE WITH Rule 5 (d) of the Rules of Procedures of the PAP, which authorizes the PAP to make recommendations and formulate resolutions on any matter relating to the African Union and

its organs, Regional Economic Communities and their respective organs, Member States and their organs and institutions;

NOW HEREBY REVOLVES TO:

1. Strongly condemn the continuing incidences of attacks and other human rights violations, including killings, mutilations, ritual rape and grave robberies against persons with albinism on the continent;
2. Endorse the Regional Action plan on Albinism in Africa (2017-2021), which lays out specific measures for addressing attacks and discrimination against persons with albinism through prevention, protection, accountability as well as equality and non-discrimination measures;
3. Urge the AU Member States to review, reform or abolish, where necessary, existing legislation, policies and practices that do not comply with international and regional human rights standards or do not effectively protect the human rights of persons with albinism;
4. Call on the AU Member States to take all measures necessary to adopt and implement the Regional Action Plan and to ensure the effective protection and promotion of the rights of persons with albinism and members of their families;
5. Urge the organs of the Pan-African Parliament to give due regard to the Regional Action Plan within their mandates;
6. Encourage State Parties to ratify and ensure the effective implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa and other relevant Protocols.
7. Take effective steps to promote regional cooperation for the prevention, detection, investigation, prosecution and punishment of cross-border crimes affecting persons with albinism, notably trafficking of persons, children and body parts;
8. Working in collaboration with civil society and other interested partners to demystify albinism, including through awareness raising campaigns across the five regions of Africa.

**f) Resolution on the establishment of the Pan African Parliament
Desk On Climate Change**

THE PAN-AFRICAN PARLIAMENT,

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament;

CONSIDERING also Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 3 (a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the African Union Agenda 2063 Aspiration 1, which envisages a prosperous Africa based on inclusive growth and sustainable development, an Africa to speak a unity of purpose in advancing its position and interests on climate change and which participate in global efforts for climate change mitigation that support and broaden the policy space for sustainable development on the continent;

RECALLING also the Sustainable Development Goals/SDGs, particularly goals 13, which require member states to take urgent action to combat climate change and its impacts;

NOTING the report on the participation of the PAP in the Conference of the Parties (COP23) session which took place in Bonn, Germany from 6 – 17 November 2017;

DEEPLY CONCERNED by climate change impact, which is disrupting national economies and affecting lives, costing people, communities and countries dearly today and even more tomorrow requires a more and focused attention at the national, regional and continental levels;

ACKNOWLEDGING further the vital role which the Pan-African Parliament and its various Committees as well as National Parliaments

can play in combating and minimizing negative effects of climate change, in particular through lawmaking and policy oversight on the Executive;

IN ACCORDANCE WITH Rule 5 (d) of the Rules of Procedures of the PAP, which authorizes the PAP to make recommendations and formulate resolutions on any matter relating to the African Union and its organs, Regional Economic Communities and their respective organs, Member States and their organs and institutions,

NOW HEREBY RESOLVES THAT:

1. The PAP desk on climate change is hereby established.
2. The PAP desk on climate change shall provide technical support to Member States and serve as a centre for monitoring, evaluating and networking on climate change activities and issues at the national, regional, continental and international levels;
3. The PAP desk on climate change shall also take the responsibility for planning, coordination and participation of the PAP at the COPS.
4. The Clerk of the PAP in consultation with the Bureau of the Committee on Rural Economy, Agriculture, Natural Resources and Environment shall select members of the climate change desk.

g) Resolution for holding the first Ordinary Session of the Fifth Parliament of the Pan-African Parliament in a Member State

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, which stipulates that the Pan-African Parliament shall accomplish, inter alia, the effective implementation of the policies and objectives of the African Union;

RECALLING Rule 34 of the same Rules of Procedure which stipulates that Parliament shall hold its sittings and those of its

Committees at its seat or at such other venue as may be determined by the Bureau upon the invitation of a Member State;

IN ACCORDANCE with Rule 5 (d) which stipulates that the Pan-African Parliament shall have the power to make recommendations and take resolutions on any matters relating to the African Union and its organs, Regional Economic Communities and their respective organs, Member States and their organs and institutions;

CONVINCED that holding of the Session in another African State shall effectively contribute to bring the Pan-African Parliament closer to the peoples of Africa and increase its visibility;

DECIDES TO:

HOLD its First Ordinary Session of the Fifth Parliament in Kigali, Rwanda in October 2018.

RECOMMENDATIONS

a) Recommendation on the Information and Communication Technologies (ICT) Sector in Africa

THE PAN-AFRICAN PARLIAMENT,

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament to ensure the full participation of African peoples in the development and economic integration of the continent,

CONSIDERING Article 3 of the protocol to the Treaty Establishing the African Economic Community Relating Pan-African Parliament, and Rule 4(a) of the rules of procedure of the Pan-African Parliament,

CONSIDERING FURTHER Article 4 (2) (a) of the 1991 Treaty Establishing the African Economic Community (AEC), which envision the advancement of continental integration through the strengthening of

the existing Regional Economic Communities (RECs) as building blocks to continental solidarity and integration,

RECALLING the programme for Infrastructure Development in Africa (PIDA) officially launched in 2011, in Kampala, and endorsed by the African Union Assembly in Addis Ababa, in January 2012, together with the institutional architecture for its implementation and the PIDA Priority Action Plan (2012-2020), which is a continental initiative, based on regional projects and programmes designed to address the infrastructure deficit that severely weakens Africa's competitiveness on the world market,

RECALLING also that the African Union overall vision for the information and Communication Technologies (ICT) sector is to "build in partnership with all stakeholders, the soft and hard infrastructure that will enable the continent to participate and lead and fundamental changes of the 21st century namely the building of a strong digital economy",

RECOGNIZING that ICTs are critical infrastructure for regional economic integration and that the Digital Revolution and Digital Economy offer a unique opportunity for Africa to transform itself and to catch up with the rest of the world in all areas, notably education, health, good governance and intra -Africa trade,

NOTING that Africans have greater access to mobile phones than to clean water and electricity and that mobile platforms have offered new opportunities for delivering information to the general public such that they can no longer be ignored,

NOTING also that cybercriminals are increasingly targeting developing countries, first and foremost because of lax enforcement of the relevant legislation in those countries and protect national networks make African countries vulnerable to cyber espionage and incidences of

cyber terrorism and leave them widely exposed to cybercrime compared to other economies,

ACKNOWLEDGING the notable work of the African Union commission and the Regional Economic Communities (RECs) since 2002 in terms of developing and implementing ICT policies and plans,

MINDFUL of RULE 5 (b), (c) and (d) of the rules of procedures of the Pan-Africa Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, advice, make recommendations and pass resolutions on African Union objectives and on any matters relating to the African Union and its organs, Regional Economic communities, Member states and their organs and institutions,

NOW HEREBY RECOMMENDS:

1. That African Union Member States should:
 - i. Urgently sign, ratify and domesticate the African union Convention on Cyber Security and Personal Data Protection adopted in June 2014
 - ii. Build an information society that respect values, rights and freedoms and guarantee equal access to information while encouraging the creation of authentic knowledge while encouraging the creation of authentic knowledge which can build confidence and trust in use of ICTs in Africa ;
 - iii. Put in place necessary policy , legal and regulatory mechanisms to control cyber criminality, and this requires the full involvement and support of the political leadership at the highest level
 - iv. Establishment dedicated national infrastructure network that connects government, industry and the research community and thus promotes open knowledge engagement, an open data system for researchers, innovation. Synergy between end users and researchers as well as information technology development;

- v. Establish an ecosystem for national computer emergency readiness and response teams to promote national synergy on cyber security, knowledge-sharing and intelligence gathering on actions taken by cybercriminals to counteract preventive efforts by governments and individuals;
 - vi. Set up effective mechanisms and strategies for reporting cybercrime to ensure adequate protection and assistance to cyber victims and witnesses. As part of the broader cyber security strategy, call centres should be established and staffed by sufficiently trained and knowledgeable personnel and be equipped with a website and a toll-free number for easy reporting of cybercrime incidents by victims and witnesses.
2. Regional Economic Communities should:
- i. Maintain the momentum in the implementation of various ICT projects;
 - ii. Promote and support the development of continental and regional ICT strategies to pave way for development of national strategies.

b) Recommendation on the Rights of Older Persons in Africa

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union on the establishment of the Pan-African Parliament to ensure the full participation of African peoples in the development and economic integration of the continent;

CONSIDERING also Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4 (a) of the Rules of Procedure of the Pan-African Parliament, which empower the PAP to facilitate the implementation of policies, objectives and programmes of the African Union and to oversee their effective implementation;

CONSIDERING the international treaties protecting the rights of older people, including Article 18 (4) of the African Charter on Human and People's Rights; Article 7 and 10 of the Protocol to the Charter on Human and Peoples' Rights on the Rights of Older Persons; Article 22 of the Protocol to the African Charter on the Rights of Women in Africa

RECALLING Recommendation 1 of the African Union Policy Framework and Plan of Action on Ageing (2002), which states that "Member States recognize the fundamental rights of Older Persons and commit themselves to abolish all forms of discrimination based on age; that they undertake to ensure that the rights of Older Persons are protected by appropriate legislation";

MINDFUL of the rapid rate at which the population of older persons is increasing throughout Africa, and estimates that Africa will experience an increase in the ageing population from 64.4 million in 2015 to 220 million by 2050 and the vulnerability of persons older than 60 years old with a wide range of issues such as health care, disparities based on geographic location and social insurance needs;

RECOGNIZING that African traditional family structures embrace intergenerational partnerships and solidarity among generations, and respecting the value of older persons' support and caretaking roles and that older women face multiple and intersecting forms of discrimination, including ageism, sexism, disability and the rural/urban divide, and the disproportionate role of older women in providing care and support for those infected and affected by HIV/AIDS, including orphans and vulnerable children;

IN ACCORDANCE WITH Rule 5 (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, expression an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS:

1. The AU Member States to ratify the Protocol to the African Charter on Human and People's Rights relating to the Rights of Older Persons and guarantee protection for older persons with disabilities, including access to specialized care and assistive devices, as well as universal product design to ensure inclusivity;
2. The AU Member States to support the work of the African Commission on Human and Peoples' Rights, in particular, its Working Group on the Rights of Older Persons and People with Disabilities;
3. The AU Member States to adopt a gender perspective on policy and planning processes at all levels, taking account of intersecting forms of discrimination that affect older women including ageism, sexism, disability and the rural/urban divide;
4. The AU Member States to prevent, punish and eradicate all forms of violence against older persons and reject and eradicate all harmful cultural practices that cause ill-treatment and abuse of older persons in the public and private spheres;
5. The AU Member States to adopt universal social pension schemes that benefit retirees and older persons who do not have the opportunity to contribute to social security provisions;
6. The AU Member States to design and implement comprehensive healthcare policies for older persons, including sexual and reproductive healthcare, and facilitate access to health services and medical insurance cover, within available resources;

The AU Member States to prioritise preferential assistance for older persons in natural disasters and conflict situations, including civil strife or wars;

7. The AU Member States to adopt measures to ensure that older persons who take care of orphans and vulnerable children are provided with financial, material and other support, including social or other benefits designed for children;
8. The AU Member States to ensure the participation of older persons in making decisions about their own well-being, and to guarantee their involvement in social and political life by facilitating training and education programmes for older persons, including information, communications and technology skills in rural areas;
9. The AU Member States to engage with the media, civil society organizations and academic institutions, in raising awareness to change negative attitudes and promote positive images of older persons and promote volunteering opportunities for young people to interact, engage and support older persons in the family, the workplace and society at large.

RECOMMENDATION BY THE KENYAN DELEGATION

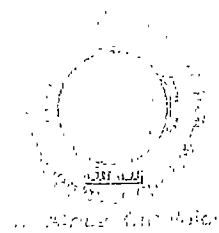
The Kenyan Delegation to the Pan-African Parliament urges the two Houses of Parliament to note this report and the resolutions and recommendations there in.

...END...

ANNEXURES

1. Report on a regional seminar on “Connecting the dots: Supporting 2030 Agenda, ATT and UNPoA implementation through increased parliamentary engagement and action in international processes”.
2. Report of the Committee on Transport, Industry, Communication, Energy, Science and Technology on a workshop on ICT
3. Report of the Committee on Justice and Human Rights on repealing defamation laws to promote press freedom.
4. Report the Committee on Justice and Human Rights on action on albinism in Africa.
5. Report of the Committee on Trade, Custom and Immigration Matters on Trade on the Final African Continental Free Trade Area (AfCFTA) Agreement and the Protocol on the Free Movement of People and African Passport as signed at the AU Extra Ordinary Summit in Kigali.
6. Report of the Committee on Education, Culture, Tourism and Human Resources on the Study Visit on the Tourism Industry in Mauritius.
7. Report of the Committee on Rural Economy, Agriculture, Environment and Natural Resources on the participation of the Pan-African Parliament in the Conference of the Parties (COP23) Session, 6 – 17 November 2017, Bonn, Germany.
8. Report of the Committee on Rural Economy, Agriculture, Environment and Natural Resources on the High-Level Event on Food and Nutrition Systems.

PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS



Connecting the Dots: Supporting 2030 Agenda, the Arms Trade Treaty (ATT)
and the United Nations Programme of Action on Small Arms (UNPOA)
implementation through increased parliamentary engagement and action in
international processes

2-3 March 2018

Regional Seminar, Pan-African Parliament, Midrand, Johannesburg, South
Africa

Preparatory step to the UNPoA 3rd Review Conference

PARLIAMENTARY ACTION PLAN

Part 1 – Introduction and purpose

The state of the world underlines the need to prioritise the prevention and reduction of armed violence. Today's world is marked by violence and armed conflict, as well as global terrorism and organized crime. Armed conflicts and violence, regardless of its scale, are perpetuated by the uncontrolled availability of small arms and light weapons (SALW), which increases the need for concise and effective steps to address its proliferation as to achieve peace and sustainable development.

In Africa, countries are severely affected by the uncontrolled proliferation and trafficking of SALW. Conflict, proxy wars, and inter-communal strife characterize many regions in Africa. According to a recent study¹, the concentration of most of Africa's estimated 100 million uncontrolled small arms and light weapons (SALW) is found in crisis zones and other security-

¹Oxfam, The Human Cost of Uncontrolled Arms in Africa Available in
https://www.oxfam.org/sites/www/files/eng/like_attachments/p_human_cost_uncontrolled_arms_080317_en.pdf



challenged environments having devastating consequences for the security of women, men, girls and boys.

Most conflicts in Africa involve non-state actors who use uncontrolled arms. Since non-state actors (such as militias, warlords and extremist groups) have no legal authority to purchase or bear arms, they resort to illicit means of arms acquisition – mainly through diversion from state stockpiles, black markets and trafficking, as well as locally produced arms. In sum, the flow of uncontrolled arms in Africa exacerbates conflicts, fuels violence and causes severe human, economic and social costs for the continent.

The “Connecting the Dots” project and seminars aim to build on the on-going efforts towards 2030 Agenda Sustainable Development Goal 16.4, the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPoA) and the Arms Trade Treaty (ATT) universalization and implementation, putting special focus on providing parliamentarians with the adequate tools to support the process at the national and regional level. It seeks to use the momentum that the 2030 Agenda, the UNPoA and the ATT have created, in order to gather parliamentarians from focus countries in an effort to facilitate the exchange of experiences, challenges and best practices that surround the legislative work on the three instruments.

Based on the analysis and recommendations set out in the Policy Brief on the same topic, this Parliamentary Action Plan is outlining main priorities and actions needed to reinforce parliamentary ownership, participation and understanding of the ATT and the UNPOA,² within the framework of SDG 16. It should serve as a tool for parliamentary action in the field of armed violence reduction and prevention and consider other relevant instruments.³

The present Parliamentary Action Plan is a result of the seminar discussions identifying main conclusions from the participants’ perspectives.

² Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPOA)

³ Consider the Firearms Protocol, as it is a legally binding instrument, as well as the Agenda 2030 Sustainable Development Goal 16.4 and the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPOA).

This Plan focuses on parliaments' role in strengthening the response to armed violence and SALW proliferation and has been designed to:

- Support the universalization and/or effective implementation of the ATT and the UNPOA, addressing synergies between the instruments within the framework of Agenda 2030, SDG16;
- Guide parliamentarians in their work related to the ATT and UNPOA within the framework of SDG 16, to ensure that the legislative response is both nationally appropriate and consistent with the aims of the instruments;
- Suggest mechanisms for effective oversight of government;
- Recommend methods to strengthen links between the executive and legislative branches of government and between parliaments and civil society on the armed violence prevention and reduction agenda – strengthening the social contract.

Three action areas have been identified and are based on the key roles of a parliamentarian;

1. Awareness raising
2. Legislation
3. Oversight

This Plan will be condensed with the other Plans approved in the Latin American and Asian seminars which are part of the “Connecting the Dots” initiative. They will provide, from the parliamentary perspective, an input to the Preparatory Committee and the Third Review Conference of UNPoA in March and June 2018 in New York.

Part 2 – Recommendations on Universalisation and Implementation of 2030 Agenda SDG 16, the UNPoA and the ATT

Based on the three key roles of a parliamentarian; legislation, oversight and awareness raising, below follow the most important recommendations for actions to be taken. This serves as point of departure to reach maximum results when it comes to implementation and universalisation of 2030 Agenda SDG 16, the UNPoA and the ATT, as well as fulfilling state

obligations on international treaties considering vital aspects such as transparency and accountability. In all efforts, it is fundamental to include the gender equality perspective, the role of women and youth, as well as other relevant international instruments on conventional arms control.

Awareness Raising

- Pursue sensitisation on the SDG 16, UNPoA, and ATT, among fellow parliamentarians by submitting a report on the topic to respective parliamentary committees
- Pursue sensitisation on the SDG 16, UNPoA, and ATT among the population
- Table questions in parliaments to relevant government institutions
- Raise motions on the topic in relation to relevant instruments
- Promote and support arms amnesty initiatives among relevant governmental entities, ensuring the protection of the population participating
- Approach media coherently to highlight SDG 16, UNPoA, and ATT
- Maintain interaction with the population at grassroots level, in coordination with peacekeeping forces, if applicable

Legislation

- Ensure that relevant Treaties and instruments related the topic of SALW control are signed by governments
- Ensure ratification and domestication of relevant Treaties and instruments related to the topic
- Ensure relevant national legislative initiatives are taken, including protection of civilians
- Support harmonisation efforts of relevant legislation at African level
- Ensure criminal laws safe-guarding the well-being and protection of civilians
- Ensure strengthening of regional legislation related the topic
- Guarantee the domestication of regional and international laws
- Safeguard the implementation of existing legislation
- Promote cooperation between countries

- Promote the introduction and approval of a Model Law on behalf of the Pan-African Parliament
- Include the gender equality perspective consistently

Oversight

- Ensure implementation of relevant legislation on the topic
- Maximize the oversight of the Government by relevant Parliamentary Committees
- Periodical review of relevant legislation on the topic
- Encourage oversight by the Parliament
- Encourage oversight by Civil Society Organisations
- Empower the role of the population as whistle-blowers regarding the illicit flow and use of SALW
- Encourage the population to voluntarily surrender SALW in their possession
- Ensure adequate operation and function of the SALW Commissions

Part 3 – Partnerships and resources⁴

The efforts of parliamentarians and the Parliamentary Forum in promoting increased or enhanced parliamentary action on ATT, UNPOA and SDG 16.4 can be multiplied if working in partnership with organisations with similar or overlapping interests. It is therefore recommended that the Parliamentary Forum and its members seek partnerships and structured dialogue with a range of actors.

Parliamentary action constitutes a unique effort to create the missing link between the local and national level. Parliamentarians have an important role in identifying and highlighting good practice at the local level in order to inform national policies and legislation and to promote good practice internationally.

⁴ The Plan is inspired by action plans and tools created by other international parliamentary organisations such as the Inter-Parliamentary Union and Parliamentarians for Global Action.

Other Parliamentary networks

Inter-Parliamentary Union (IPU)

Pan-African Parliament (PAP)

East African Legislative Assembly (EALA)

Economic Community of West African States Parliament (ECOWAS Parliament)

Southern African Development Community Parliamentary Forum (SADC Parliamentary Forum)

Africa - Caribbean - Pacific - European Union Joint Parliamentary Assembly (ACP-EU Joint Parliamentary Assembly)

Parliamentarians for Global Action (PGA)

The Parliamentary Forum on Small Arms and Light Weapons (PFSALW)

Intergovernmental structures

United Nations Development Programme (UNDP) - Rule of Law, Justice, Security & Human Rights Team

ISACS Inter-Agency Support Unit

United Nations Office for Disarmament Affairs (UNODA)

United Nations Regional Centre for Peace and Disarmament in Africa (UNREC)

United Nations Office on Drugs and Crime (UNODC) – Global Firearms Programme

Civil Society Organisations

Control Arms Coalition

International Action Network on Small Arms (IANSA)

International Physicians for the Prevention of Nuclear War (IPPNW) – Armed violence and health perspective

Women's International League for Peace and Freedom (WILPF) – Gender perspective related to SALW and Women Peace and Security

7.0 THE OPPORTUNITIES AND CHALLENGES RELATED TO E-COMMERCE IN AFRICA

Mr. Chiza Charles Chiumya from the AUC Department of Trade and Industry defined e-commerce as buying and selling goods and services and transmitting of funds or data through electronic platforms and this could be as business to business, consumer to consumer or business to consumer. Examples in Africa were the Jumia in Nigeria which started in 2012 and had spread to 23 countries, the Takelot which started in 2002 in South Africa and the M-Pesa in Kenya.

Regarding the current situation in terms of e-commerce globally, the presentation highlighted that the Sub-Saharan Africa was lagging behind with 20% having access to internet compared to the global rate averaging at 40.7%. Leading countries in Africa were Morocco with highest number of users at 56%, Seychelles 54.3%, South Africa 49%, Tunisia 46.2%, Kenya 43.4%, Nigeria 42.7%, Mauritius 40.1% and Cape Verde 40.3%. Progress was also seen in the adoption of e-Government by most AU Member States, mostly in the issuance of passports and visas, customs documentation, simplifying business licensing applications and vehicle licensing, among others. Increased use of ICT was also seen in Customs.

The presentation highlighted that there were greater opportunities for e-commerce as most African people have access to mobile phones and people are conducting banking on their mobile phones. There were also opportunities for economic inclusion as there is reduced cost of doing business. For instance, one might not need a physical space to start a business. The presenter pointed out that though e-commerce was blamed for curtailing jobs, there were opportunities for door to door delivery of goods and a boom for packaging industry.

The challenges highlighted in the presentation were lack of internet connectivity in most rural areas, high internet costs and interoperability and convertibility of currencies in Africa. There was also lack of awareness among small enterprises. There was a possibility of losing tax revenue as most goods came in small packages. The issue of physical addresses was also a challenge as postcodes were still confined to cities. There were currently no global rules on e-commerce.

8.0 THE PROBLEM OF CYBER-CRIME IN AFRICA

The presentation was made by Mr. Abdou Rahman Mboob from NEPAD. According to the United Nations, cybercrime covers any illegal behaviour directed by means of electronic operations that targets the security of computer systems and the data processed by them. Cybercrime, especially through the Internet, has grown in importance as the computer has become central to commerce, entertainment, and government. The types of cybercrime include: Identity theft and invasion of privacy; Internet Fraud – 419 Scam; ATM Fraud; Wire Fraud; File Sharing and Piracy – Napster & the Recording Industry Association of America; Counterfeiting and forgery; Child Pornography;

Hacking; Computer Viruses; Denial of service attacks (DoS); Spam, steganography, and e-mail hacking; and Sabotage. According to a widely accepted estimate, cybercrime costs the world economy the sum of US \$ 500 billion, more than the GDP of South Africa (350.6 billion dollars) and slightly less than that of Nigeria (521.8 billion dollars), the continent's largest economy. Hundreds of millions of cyber-attacks take place every year in Africa. Banks and offices are being targeted by hackers with increasing frequency.

According to Microsoft's estimate, in 2014 about one half of all adults connected to the Internet were victims of cybercrime. This costs the world economy 500 billion dollars; 20% of all small and medium-sized enterprises (SMEs) have been hit. As far as the African continent is concerned, there are fewer available data - this shows the absence of measuring tools and of control of cybercrime.

The presenter highlighted that African cyberterrorists don't have the same powerful means at their disposal as their opposite numbers elsewhere in the world, but they are harmful nonetheless. These last few years, a few terrorist groups have started to make their presence felt on a supranational level.

The cybersecurity challenges Africa is facing are among others:

- Low level of security provisions sufficient to prevent and control technological and informational risks;
- Lack of technical know-how in terms of cybersecurity and inability to monitor and defend national networks, making African countries vulnerable to cyberespionage, as well as to incidences of cyberterrorism;
- Inability to develop the necessary cybersecurity legal frameworks to fight cybercrime. A survey of 21 countries conducted by ECA found that while many countries had proposed legislations, the level of deployment of security systems in both the private and the public sectors to combat cyber-crime was low.

9.0 THE AU CONVENTION ON CYBERSECURITY AND PERSONAL DATA PROTECTION AND ITS STATUS OF SIGNATURE, RATIFICATION AND DOMESTICATION BY MEMBER STATES

The African Union Convention on Cyber Security and Personal Data determined the security regulations necessary for the establishment of a credible digital space for electronic transactions, personal data protection and combating cybercrime.

The Convention defined the commitments of AU Member States at the sub-regional, regional and international levels to build the Information Society. It also aimed at defining the objectives and broad orientations of the information society in Africa and strengthening existing legislations on Information Communication and Technologies (ICTs) of Member States and the Regional Economic Communities (RECs). The establishment of a regulatory framework on cyber security and personal data protection took into account the requirements of the respect for the rights of citizens, guaranteed under the

fundamental texts of domestic law and protected by international human rights Conventions and Treaties, particularly the African Charter on Human and People's Rights.

Fifteen ratifications were required for the African Union Convention on Cyber Security and Personal Data Protection to enter into force. Currently, nine countries: Benin, Cabo Verde, Comoros, the Republic of the Congo, Guinea Bissau, Mauritania, Sierra Leone, Sao Tomé and Príncipe and Zambia, had signed the Convention. Only two countries (Senegal and Guinea) had ratified it.

10.0 DISCUSSIONS AND RECOMMENDATIONS

10.1 Discussions

During discussion, it was observed that though there were notable developments in putting up terrestrial cables, the main challenge in most African countries was in-country internet distribution infrastructure. Internet charges were still very high and this was due to the fact that submarine cables were privately owned. There was also need to develop internet exchange points to facilitate intra-Africa connectivity. Lack of development in the energy sector was also seen as a hindrance to realising the potential for digital financing in most countries. A digital gap was noted between Africa and other regions as demonstrated at the World Trade Organisations where developed countries were already pushing for new rules on e-commerce while Africa was not yet geared for such negotiations. There was need to first open discussion in Africa to adequately prepare for discussions at the global level. There was also a gap among African countries.

In the absence of laws to regulate e-commerce transactions, Members noted that there was no conflict resolution mechanism. They saw greater opportunities for intra-Africa trade since physical barriers associated with traditional trade systems are circumvented. There were concern that ICT was not a priority for most governments as there were no agencies responsible for ICT in most countries.

11.0 RECOMMENDATIONS

At the end of the presentations and the discussions, the participants to the workshop made the following recommendations:

11.1 Specific recommendations on e-commerce

Noting that Africa is in the right direction when it comes to e-commerce, the Members recommend that:

- Regional Economic Communities (RECs) should maintain the momentum in implementing various ICT Projects;

- Customs Administrations of the African Union Member States should seize the opportunity to use mobile technology to disseminate information;
- Regional Economic Communities (RECs) should push for the development of continental and regional strategies to pave way for national strategies.

11.2 Specific recommendations to the enhancement of digital financing

Considering that ICTs have empowered people in Africa and this Digital Revolution and Digital Economy offer unique opportunity for Africa to transform itself and to catch up with the rest of the world in all areas notably education, health, good governance, intra Africa trade, the Members of the two Committees recommend the following:

- AU Member States should ensure that broadband is available, affordable, and there is sufficient bandwidth for new Internet services;
- African Governments should create an environment to:
 - Ensure legal and policy clarity for local content developers, hosting providers, and data centres;
 - Ensure that there is a means to buy and sell services, both within the country (potentially using mobile money) so that international payments are feasible;
 - Adopt Cybersecurity laws and procedures that help to create trust online;
 - Develop Digital ID that enable access to relevant online services including financial, healthcare, and others;
 - Develop Skills training aimed at employees of traditional sectors so that they can get online and join the Internet economy.

11.3 Specific recommendations on cybersecurity

The following recommendations have been made on the cybersecurity issue:

- AU Member States should build an information society that respects values, rights and freedoms and guarantees equal access to information, while encouraging the creation of authentic knowledge which can build confidence and trust in the use of ICTs in Africa;
- AU Member States should put in place required policy, legal and regulatory mechanisms to control cyber criminality and this requires the full involvement and support of the political leadership at the highest level;
- There should be dedicated national network infrastructures that can connect government, industry and the research community for the benefit of promoting open knowledge engagement, an open data system for researchers,

innovation, end-users and researchers' synergy and information technology development;

- AU Member States should establish a national Computer Emergency Readiness and Response Team (CERT) ecosystem to promote national synergy on cybersecurity, knowledge-sharing and intelligence gathering on countermeasures against cybercrime injurious to States, as well as to individuals;
- A dedicated call centre for reporting cybercrime should be set up with the aim to assure cyber victims that there is a place that they can turn to report such crimes and receive assistance. As part of the broader cybersecurity strategy, the call centre should be staffed by sufficiently trained and knowledgeable personnel and have a website and a toll free number to enable victims to report a cybercrime with minimal inconvenience;
- Considering that cyber criminals are increasingly targeting developing countries, first and foremost because the relevant legislation in those countries isn't enforced as strictly as it should be, the AU Member States should urgently sign, ratify and domesticate the AU Cybersecurity Convention adopted in June 2014;
- Members of Parliament, lawyers, the judiciary, intelligence/military, civil society, media, young people and members of the public as key stakeholders should all be involved in efforts to deal with cybersecurity at the earliest available opportunity. It is important to engage all stakeholders to ensure the necessary buy in and that they understand the issues and processes involved.

12.0 CLOSING REMARKS

In his closing remarks, the Chairperson of the Committee on Transport thanked the presenters for their rich presentations and the relevant responses given to the concerns of members of the Committee. He also thanked the members of the two Committees for their insightful contributions.

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Annex 3
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REPORT OF WORKSHOP ON REPEALING CRIMINAL DEFAMATION LAWS
TO PROMOTE PRESS FREEDOM

7TH MARCH 2018
MIDRAND, SOUTH AFRICA



1. Introduction

The Committee on Justice and Human Rights, Committee on Rules, Privileges and Discipline and Committee on Education, Culture, Tourism and Human Resources held a joint workshop supported by Pen International on the 7th of March 2018. The workshop was a follow up to a brief presentation that was tabled before the joint meeting of the same committees in October 2017.

2. Background

In many countries in Africa, governments continue to stifle freedom of expression, open debate, political criticism and media reporting using laws that make it a crime to say, write or publish anything that they consider defamatory or insulting.

These laws are usually vague and sweepingly broad, opening them to such wide interpretation that they act as an ever-present constraint, particularly on investigative journalism and other aspects of the media's capacity to perform its public watchdog role.

The threat of criminal sanctions that the laws provide inevitably deters media investigations into and reporting of issues governments consider sensitive or embarrassing, such as high-level corruption, official malpractice or law-breaking, thereby facilitating official secrecy and undermining accountability. In many cases, where journalists, editors or publishers have refused to be cowed into self-censorship by these criminal defamation laws, they have been subject to arrest, detention, prosecution and long drawn out trials, and sometimes imprisonment for months or even years.

3. Aim and objectives of the workshop

The aim of the workshop was to familiarise members with PEN's campaign to repeal criminal defamation laws.

The specific objectives are:

- To provide an overview of criminal defamation and insult laws,
- To explore the impact these laws have on press freedom and freedom of expression,
- To discuss the importance of ethical journalism.
- To present an updated resolution based on the Midrand Declaration and the campaign "Press Freedom for Development and Governance: Need for Reform", for discussion and approval by PAP.

4. Overview PEN campaign on repeal of criminal defamation laws in Africa *Romana Cacchioli, Deputy Director, PEN International*

4.1 PEN International is a global association of writers with over 100 independent PEN Centres in over 150 countries across the world. PEN stands for the principle of unhampered transmission of thought within each nation and between all nations, and oppose any form of suppression of freedom of expression. PEN campaigns for a free press, opposes arbitrary censorship in times of peace and opposes mendacious publication, deliberate falsehood and distortion of facts for political and personal ends. It has supported campaigns for the repeal of criminal defamation and the reform of punitive civil defamation laws globally.

4.2 Research demonstrates that defamation laws are widely used around the world by those in positions of power to silence critics. Politicians, public officials and representatives of corporations are the actors who most often target and seek to silence their critics with these laws.

4.3 In all regions, criminal defamation laws introduce disproportionate penalties for the expression of opinion or the publishing of an allegation, and are frequently used to target journalists who uncover corruption or malfeasance and abuse of power by political leaders and state officials.

4.4 Members of civil society also face similar reprisals when expressing themselves in the public sphere, including on social media. The result is the stifling of reporting and public debate and difficulty in holding power to account

4.5 In Africa, PEN International is working closely with UNDEF, DOX-Africa and the African Commission on Human and Peoples' Rights.

5. Legal overview criminal defamation and insult laws; regional application of these laws, and why they should be repealed; response of African regional institutions, including Konaté judgment

Simon Delaney

5.1 Defamation where a person's right to a good name or reputation is harmed by something another person says or writes about them. The civil remedy for defamation is compensation for the lowering of a person's standing in the eyes of others. Access to this remedy is broad and open to any injured party.

5.2 Criminal defamation in contrast requires an aggrieved party to lodge a complaint with the police, who then have a responsibility to investigate the

allegations which may be prosecuted by the state. The crime of defamation is thus akin to theft in that it is the state that intervenes to restore an owner's property.

5.3PEN is asserting that defamation is a crime involving two persons, not the whole of society and should therefore be dealt with as any other civil dispute. It is unnecessary to engage the whole machinery of the state to adjudicate and enforce a punishment for a crime between two persons.

5.4Also, there are insult laws which are a sub-set of defamation. Insult laws are designed to protect the honour and dignity of state officials, institutions and symbols. The problem with insult laws and criminal defamation broadly is that too many people are caught in the net and discourages people from freely expressing themselves for fear of the consequences.

5.5Laws on criminal defamation and insult are widely used by democracies in Africa but were not invented by democracies in Africa. Most of them were inherited colonial powers and they were meant to punish African freedom fighters and liberation movements challenging colonialism. Today, these laws are used in a manner and similar way to how they were used during colonial rule: to stifle dissent and silence those who challenge the status quo.

5.6Abolishing criminal defamation is therefore a means of protecting people who would hold the state to account, who fight for freedom and democracy. The position of PEN is that even if you don't agree with what people say, their rights, including the right to speak freely, should nevertheless be upheld.

6. Sharing of findings from PEN's report on criminal defamation laws, highlighting the impact of these laws on writers, with focus on Zambia, Uganda, South Africa and Sierra Leone.

Danson Kahyana, President, PEN Uganda

6.1 In Uganda research was conducted on writers who had been persecuted and imprisoned under criminal defamation laws. The findings showed that defamation has a chilling effect on writers and journalists. An example is the case of the late Ronald Ssemuusi, who wrote a story about government officials who stole solar panels intended to pump water to the community of Kalangala. Ssemuusi was detained, and in all likelihood because of poor legal representation, lost the case, was imprisoned and died shortly thereafter. His life was destroyed figuratively and literally as a result of being prosecuted for criminal defamation.

6.2 The effect of criminal defamation prosecution on writers are;

- The legal process is physically gruelling as it involves multiple court appearances.
- It is demoralizing: many journalists preferred to shift focus to soft-stories, e.g. sports entertainment rather than investigative journalism; they also reported engaging in self-censorship (with one quitting journalism altogether).
- It has financial drain, due to the high costs of legal representation.

6.3 Defamation can be compared to pouring broken glass on a playing field and asking the players to be careful as they play – this negatively affects the performance of the players and the overall quality of the game itself.

6.4 Criminal defamation inhibits democracy and fosters an environment that is not conducive to the free exchange of ideas. Some countries like Rwanda and Ghana have already decriminalized defamation and their democracy is thriving.

7. Decriminalisation and lessons learnt from Ghana

Tade Ipadeola

7.1 In 2001, Ghana repealed all forms of criminal defamation from their statute books, becoming the first country in Africa to do so.

7.2 In Sierra Leone, the Public Order Act serves to criminalize the written and spoken word, which has had a chilling effect on journalists. What the government and writers have agreed in Sierra Leone is that they will work towards a timeline to remove all of these laws from the books.

7.3 Because of the defamation laws, African journalists often have to leave their countries of origin in order to report robustly.

7.4 Ghana attests to how far a country can progress in a mere 20 years, moving from criminal defamation to a situation where civil oversight regulates the industry. These laws infantilize Africans because they don't trust our citizens to make informed and educated decisions informed by every segment of society.

7.5 Countries that decriminalize defamation have more open, freer societies; countries that do not are more repressive and do not tolerate citizens speaking their mind freely and fully, debating issues and making informed decisions regarding issues pertaining to their future and well-being

8. Ethical journalism/role of press regulatory bodies

Latiefa Mobara, Executive Director, Press Council of South Africa

8.1 In 1963, the Newspaper Press Union of South Africa set up the Press Board of Reference to regulate the press in an attempt to curb the apartheid government from setting up a statutory body. Since then, the Press Council has undergone several changes in terms of its name and structure, and at all times its main focus was on how to prevent undue government interference of the media.

8.2 In 2011, a review of the Press Council was held following resolutions from the African National Congress at its national congresses in 2002 and 2007. In these resolutions, the ANC called for a change in media ownership and control and to address concerns that the Press Council and its processes were toothless and ineffectual. In August 2011, the South African National Editors' Forum and the PMSA, which was the industry body, set up the Press Freedom Commission.

8.3 The current Press Council, which was reconstituted in 2013, is the result of that report. It is rooted in the Freedom of Expression clause of our Constitution, Section 16 of the Bill of Rights of South Africa.

8.4 The Press Council has among its aims and objectives the following:

- To uphold and promote the Constitution of the Republic of South Africa by preserving the right to freedom of expression and freedom of the press; and
- To promote and develop ethical practice in journalism and to promote the adoption of and adherence to high ethical standards by the South African press.

8.5 The Press Council has adopted this two-pronged thrust because it sees freedom of expression as a pillar of our democracy, and at the same time accepts that we need high ethical standards in our journalism to elevate our public discourse and the texture of the democracy.

8.6 The Press Council has established and maintains a voluntary, independent mediation and adjudication mechanism – the Public Advocate, the Press Ombudsman and the Panel of Adjudicators – to deal cost-effectively and quickly with complaints from the public about journalistic ethics and conduct at publications that subscribe to the Code.

8.7 The Council has dealt with over 2500 complaints from members of the public, government and the private sector. This points to a growing awareness of the Press Council's role and the ease with which the public can access its office to lodge complaints.

8.8 All subscriber publications and their editors comply with sanctions imposed by the office. Over the past five years a few publications have had to republish apologies or corrections because they failed to comply with the sanctions from the Ombudsman or the Appeals Panel of adjudicators.

8.9 The Press Council, which in another organization might be called a board, is chaired by retired Judge Philip Levinson, formerly deputy Judge President of KwaZulu-Natal. It has six media representatives and six public representatives. The judge and the public representatives together ensure that the non-media voice in the Council is louder.

8.10 Subscriber publications pay membership fees to the council depending on their size and ability to pay.

9. Discussions

9.1 Research evidence shows that jailing journalists is not working or beneficial to concerned parties or the citizens of Africa. Therefore, it shouldn't be allowed to continue. This does not mean that journalists shouldn't account for their wrongs. The most important thing is to find ways that safeguard ethical journalism while also protecting freedoms because it's counterproductive to stifle freedom of expression to muzzle journalism.

9.2 When you put in place adequate measures to train and regulate journalists who over-reach, you extend the quality and volume of available media products and processes. You also strengthen the credibility of said journalistic outputs.

9.3 There is risk between decriminalizing defamation and upholding press responsibility. However, many research findings show us that civil intervention is more productive than state machinery. Also, the training of journalists and other stakeholders can also be used to upskill those whose practices are ethically questionable – all these measures can help us deal with the regulation of the media and upholding ethical standards.

9.4 PAP has already examined this issue and made a declaration five years ago, "Midrand Declaration on Press Freedom in Africa." The declaration resolved

three key things: to launch a campaign, establish an award and freedom of expression index.

10. Recommendation

PEN recommended and urged investment in alternative dispute resolution/investigatory avenues such as press council/ombudsman to be empowered to award compensation, compel a retraction or withdrawal of defamatory utterance. Criminalizing defamation is not the most effective method as it tends to involve the state in matters that can be easily solved by parties to the dispute through other means or legal processes.

11. Conclusion

The removal of criminal defamation laws will benefit press freedom because the media will be operating without constraint in society. It is also preferable to have more freedom than less. The presence of bad journalists shouldn't be a constraint because there will always be cases of bad apples; however, there are more good journalists than bad ones. Silencing one bad journalist sets a bad precedent for others who would be inclined to engage in self-censorship (for fear of being investigated, having their homes raided, the possibility of being sent to prison – all of which undermines the quality and volume of public debate). This would contribute to the stifling of public debate and ultimately reduce the space for civic debate.

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REPORT OF THE WORKSHOP: "ACTION ON ALBINISM IN AFRICA."

MIDRAND, SOUTH AFRICA

9 MARCH 2018



1. Introduction

The United Nations Independent Expert on the enjoyment of human rights by persons with albinism in collaboration with the Centre for Human Rights and several organisations representing persons with albinism held a workshop with the Committee on Justice and Human Rights and the Committee on Gender, Family, Youths and Persons with Disabilities of the Pan-African Parliament. The workshop which took place on 9 March 2018 during the Committee sessions of the Pan African Parliament was aimed at facilitating in-depth discussions on issues faced by persons with albinism on the continent and discussing ways in which the Parliament could foster further engagements among states and regional bodies on the issue.

2. Background

- 2.1 Whilst albinism-related stigmatization and discrimination are universal phenomena, in African countries, persons with albinism experience human rights violations of a much higher magnitude, including extreme acts of violence. These takes the form of killings, mutilations, ritual rape and robberies. The acts are motivated by erroneous myths that body parts of persons with albinism can bring wealth and good fortune when used in various rituals.
- 2.2 To date 600 killings reported in more than 27 countries in Africa. Despite various campaigns and public outcry on the issue, African countries continue to register attacks perpetrated against persons with albinism.
- 2.3 In May 2017, the African Commission on Human and People's Rights endorsed the Regional Action Plan (RAP) on Albinism in Africa to prevent and end attacks against persons with albinism by 2021. The Regional Action Plan is the first regional initiative in Africa to comprehensively address discrimination and stigmatization against ritual attacks and trafficking of body parts.
- 2.4 The Regional Action Plan is the result of broad consultation undertaken in the region under the auspices of the United Nations Independent Expert on the enjoyment of human rights by persons with albinism. The Regional Action Plan is meant to foster concrete actions and bring about change. To date, five countries have developed national action plans that could foster the Regional Action Plan, namely, Kenya, Malawi, Mozambique, Nigeria and Tanzania. There is still more work ahead to support national States in addressing the causes and the immediate needs of persons with albinism across the region.
- 2.5 In this regard, the African Union has taken significant first steps to tackle the issues affecting persons with albinism through the work of the Working Group on Rights Persons with Disabilities of the African Commission on Human and Peoples' Rights and the African Committee of Experts on the Rights and Welfare of the Child. Furthermore, the recently adopted Protocol to the African

Charter on Human and Peoples' Rights on the rights of persons with disabilities contains a specific provision meant for persons with albinism.

The Aim and Objectives

- 2.6 The aim of the workshop was to facilitate an in-depth discussion on Albinism and discuss means of action for the Pan-African Parliament. The specific objectives were as follows;
- To endorse the Regional Action Plan via resolution
 - To create guidance to African States on the issue of harmful practice particularly in the area of witchcraft and human rights and/or the area of trafficking in body parts which is often missed in national laws.

3. Opening Statement

Facilitated by Ms. Ikponwosa Ero, United Nations Independent Expert on the enjoyment of human rights by persons with albinism (via Video).

- 3.1 Ms Ero opened her presentation by apologising for not being physically present at the meeting due to other commitments but hoped to be present at the next plenary meeting in May. Ms Ero informed parliamentarians that since 2015 (when she was given her mandate to address issues that persons with albinism faced), she had received over 600 reported cases of attacks dating back to 2006.
- 3.2 There are myths that fuel attacks on persons living with albinism and these beliefs are often linked with witchcraft, which is difficult to deal with due to its secretive nature. 600 attacks were too many particularly in light of the small population of persons with albinism on the continent, and these were only the reported cases, as many are not reported due to secrecy of witchcraft and often time's involvement of family members in the attacks.
- 3.3 One of the root cause of these attacks was poverty. The Red Cross has issued a report showing that the body parts of persons with albinism are exorbitantly priced on the black market. As such, most disadvantaged persons see selling the body parts of people with albinism as a lucrative business.
- 3.4 She concluded by stating that a decade of ongoing attacks, is too long for any people group especially people who are hyper-visible and a numerical minority on the continent to endure and that this could be ended with the support of the Committee.

4. Highlights of problems and regional scale

Hon. Isaac Mwaura, Senator (and Member of Parliament) of Kenya and coordinator of Albinism Society of Kenya (East Africa)

- 4.1 Honourable Mwaura, a member of the Kenyan Senate with albinism, emphasized the discrimination that persons with albinism face. He highlighted that many African languages lack a term for persons with albinism which

indicated that many never survived birth, and that many believed that albinism was a result of women sleeping with white men.

- 4.2 Often persons with albinism are not taken to school or are not accepted into schools. If they access education, they often end up in badly equipped schools that cannot offer facilities that can aid their learning. The poor education mean that they are discriminated against in employment, resulting in a vicious cycle of poverty for persons with albinism.
- 4.3 Besides the deplorable phenomenon of killing people with albinism for ritualistic purposes, many of them end up dying prematurely due to skin cancer caused by the hot African sun. Sunscreen, reading glasses and special amenities are not affordable to persons with albinism due to the fact that many come from poor backgrounds; this further perpetuates the cycle of poverty.
- 4.4 In the East African region alone, over 230 persons with albinism have been reported to have lost their lives or experienced serious grievous harm which resulted in the loss of body parts.
- 4.5 In order to curb these attacks, African governments needed to take concrete action through promulgating laws that can nip these acts. All African states need to be involved due to the cross-border nature of the attacks.
- 4.6 Victim rehabilitation is essential as well as the sensitization and capacitation of judicial systems in order for there to be effective prosecution and sentencing of perpetrators.

5. Case Study

Mr Franck Hounsa Houetehou, President of Divine Connexion Worldwide, Benin (West Africa)

- 5.1 Mr Houetehou opened his speech by sharing his personal experience of discrimination as a result of being a person with albinism. He recounted experiences that showed abuse and lack of access to facilities that could assist him to learn at school.
- 5.2 People with albinism are discriminated on the basis of visual impairment at school. Although teachers were expected to protect learners with albinism, they were often the ones that subjected these learners to discrimination. This is done either by making fun of the learners' low vision or punishing them.
- 5.3 The classroom atmosphere can be tormenting to most people with albinism. In most cases, the colour and the size of the print used on blackboards and on test papers makes it difficult for learners with albinism. This affects their comprehension and ability to complete tests on time.
- 5.4 Most people are still cynical to the plight of persons with albinism as they are often unmoved by the murders, mutilations and exhuming and vandalising

the graves of people with albinism for magic portions and the extraction of organs.

6. Case study.

Mr Overstone Kondowe, President of the Association of Persons with Albinism in Malawi (Southern Africa)

- 6.1 Close to 200 cases of attacks on persons with albinism were reported in South Africa, Swaziland, Uganda, Zimbabwe, Mozambique, and Malawi in the last five years.
- 6.2 These attacks have resulted in many persons with albinism withdrawing from social and economic activities due to fear of becoming a victim.
- 6.3 Despite the UN Convention on the Rights of Persons with Disabilities (CRPD) being ratified by many countries in Africa, the obligations on state parties to protect persons with albinism from violence, and to identify, investigate, prosecute and effectively punish perpetrators was not being fulfilled by most countries.
- 6.4 In Malawi there are low conviction rates of perpetrators of these attacks (this is illustrated by there being 132 cases in Malawi since 2013 yet only 33 have been concluded, with no murder case being concluded).
- 6.5 Leaders need to learn from countries like Kenya as they have done extremely well to protect and empower persons living with albinism.
- 6.6 Traditional healers are one of the biggest culprits in the human rights violations visited on persons with albinism. As such, governments should consider regulating and monitoring the work of traditional healers specifically in relation to the beliefs they have in relation to persons with disabilities.

7. The situation in Malawi, and the effects of Amnesty International's interventions

Mr Deprose Muchena, Director of Amnesty International – Southern Africa Regional Office

- 4.0 Albinism is a genetically inherited condition that is passed from parents to child. The condition results in a lack of melanin causing lack of pigmentation of the skin, vulnerability to bright light and to the sun, which can lead to skin cancer. There is no cure for the absence of melanin.
- 4.1 The work of Amnesty International has been to document the conditions in which persons with albinism live in by working with police authorities, however many cases go unreported due to them seeing no results on previously reported cases. In Malawi, only 38 of the reported cases have

been successfully prosecuted. Moreover, Malawi does not have an effective demography counting system thus estimates are used.

- 4.2 There are many people with albinism in Malawi who suffer the triple burden of the stigma, persecution and sometimes sexual assault. Amnesty International has documented a report entitled 'We are not animals to be killed or sold.' This documentary demonstrates the extent of the problem in Malawi.
- 4.3 The report has been presented to President Mutharika of Malawi and his cabinet in June 2016. After this consultation with the government, the following changes were noted;
 - The legislative agenda by government to reform the penal code and make the sentencing regime much tighter.
 - Amendment to the Anatomy Act to outlaw sale of body parts.
 - Enactment of a practice direction by the Chief Justice so that cases that involve persons with albinism are handled by Magistrates as part of the problem in Malawi is that 85% of criminal cases are dealt with by just 4 senior magistrates who have legal qualifications, the rest of the magistrates do not have a legal qualification and are police prosecutors which results in people who have committed heinous crimes being set free.
 - Working with the United Nations and the Association of Persons with Albinism in Malawi on the development of a manual of all crimes against people with albinism.
 - A training programme that is underway with police prosecutors and Magistrates so that human rights dimensions are strengthened in dealing with these cases.
- 4.4 Amnesty International has since urged President Mutharika to encourage other presidents of SADC to take decisive actions through a declaration to ending attacks at the next SADC session in Namibia. The problem needs the region to work together as the problem in Malawi could be seen spreading to neighbouring countries.

8. Investigative mission to Tanzania, findings, updates and interventions that ought to be carried out

Mr. Benyam Dawit Mezmur, Chairperson of African Committee of Experts on the Rights and Welfare of the Child (ACERWC)

- 8.1 ACERWC monitors the rights of children in 48 African countries. These children are often abandoned by their families because they were born with albinism.

- 8.2 In the ACERWC's investigation mission to Tanzania, they looked at role modelling. The mission they realised that role modelling was being used in a negative way as the personal achievements (which should not be undermined) of persons with albinism are often emphasised to an extent where the vulnerabilities of persons with albinism were forgotten.
- 8.3 These achievements should not be portrayed as achievements being made in accordance with the system. Children with albinism would achieve so much more if they were given the same platform as other children. It was not merely about individuals but also about the environment that they work in.
- 8.4 Children with albinism were being dealt with in the same way as other children with HIV/Aids, children without parents etc. but this cannot work as you cannot deal with these issues in the same way.
- 8.5 Although there was progress in Tanzania it was very slow and more need to be done in the education sector to involve children with Albinism.

9. Best Practices from Kenya in terms of concrete actions at the national parliament regarding the rights of persons with albinism.

Hon. Mr Isaac Mwaura

- 9.1 Kenya stands out in the promotion of the rights of people with albinism because of the efforts of civil society organisations such as the Albinism Society of Kenya. These organisations deal with issues of self-definition and role modelling.
- 9.2 Following the example of Kenya, it is crucial for governments amend their disability laws or have a completely different legislation for persons with albinism. Such a system will enable persons with albinism to go to court whenever their human rights are violated.
- 9.3 Kenya has used the following methods and approaches to streamline role modelling and representation of people with albinism:
- The creation of a film with international actor, Lupita Nyong'o.
 - The creation of Mr and Miss Albinism in order to allow persons with albinism to define themselves as beautiful.
 - The public appointments of two senior officials with albinism (Mr Mwaura himself as well as a female Judge whose appointment is good not only for persons with albinism but for gender equality as well).
- 9.4 This representation was an eye opener and allowed people to see persons with albinism in a different light.

- 9.5 Kenya has set aside a budget for the provision of sunscreen lotion, prescription glasses, protective clothing and cancer screening. Also, Kenya has embarked on activities to create awareness about albinism and assist them with employment opportunities.

10. Discussions

- 10.1 The participants learnt that “Albinism” is a disability, because it is a congenital condition. The problem is not the disability but how one is treated differently because of it. Persons with albinism suffer from colourism, which is the greatest discrimination.
- 10.2 As for the correct and accepted way of addressing such persons, the word ‘albino’ is offensive. An ‘albino’ is an object. Persons with albinism (PWA) is the correct term to use.
- 10.3 Malawi has developed a handbook for prosecutors to guide them with dealing with crimes related to persons with Albinism. The criminal justice system has many people who are not knowledgeable about the issues of persons with Albinism, which leads to many arguing their way out with their lawyers.
- 10.4 When the legislation is tightened in one country the perpetrators move to the next territory where legislation has not been tightened. It needs to be addressed as a continent.
- 10.5 In some countries in Africa, some of the people living with Albinism are doing a lot of good and attracting positive attention that educates populations about people with Albinism. There are some who are very competent actors and sportsmen.

11. Recommendations

Ms Innocentia Mgijima, Programme Manager (Disability Unit) Centre for Human Rights, University of Pretoria (on behalf of the UN Independent Expert)

- 11.1 The following recommendations were presented;
- a) The PAP must make a public statement condemning the human rights violations against persons with albinism.
 - (a) Endorse the Regional Action plan via a resolution of the PAP Plenary.
 - (b) Invite the United Nations independent expert to address the plenary session in May 2018 and engage in dialogue with members of the Pan African Parliament
 - (c) Allow for a photo exhibition to be displayed during the plenary session to raise awareness amongst parliamentarians.

12. Conclusion

Grave concerns about the treatment of persons with albinisms were revealed. The denial or curtailing of the human rights of persons with albinism is a serious problem that needs to be resolved. It was also agreed that the Committee on Justice and Human Rights together with the UN Expert on Albinism should develop a resolution that will be presented to the PAP Plenary in May 2018.

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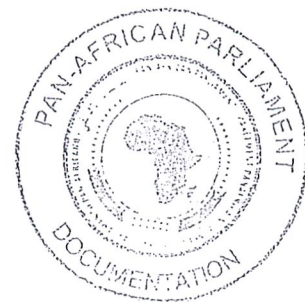


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COMMITTEE ON TRADE, CUSTOMS AND IMMIGRATION MATTERS

REPORT OF THE WORKSHOP ON THE AFCFTA AGREEMENT AND THE
PROTOCOL ON THE FREE MOVEMENT OF PEOPLE AND THE
AFRICAN PASSPORT AS SIGNED AT THE AU EXTRA ORDINARY
SUMMIT IN KIGALI

MIDRAND, 08 MAY 2018



I. INTRODUCTION

During the Sixth Ordinary Session of the Fourth Parliament of the Pan-African Parliament, the Permanent Committee on Trade, Customs and Immigration Matters held a half day workshop on: "The Final African Continental Free Trade Area (AfCFTA) Agreement and the Protocol on the Free Movement of People and the African passport as signed at the AU Extra Ordinary Summit in Kigali on 21st March 2018". The workshop was held on 8th May 2018 at PAP precincts, Midrand, Republic of South Africa.

The objective of the workshop was to create awareness and strengthen the capacity of Members of the Pan-African Parliament on the provisions and various benefits of the CFTA and Free movement of people especially in the socio-economic development of Africa.

1.1 Participants

The Members of the following two permanent Committees participated in the workshop:

- Committee on Trade Customs and Immigration matters;
- Committee on Transport, Industry, Communication, Energy, Science and Technology.

II. WORDS OF WELCOME AND OPENING REMARKS OF THE WORKSHOP

Hon. Dr. Tapiwa Mashakada, Chairperson of the Permanent Committee on Trade, Customs and Immigration Matters officially welcomed the Commissioner for Trade and Industry and the Commissioner for Political Affairs of the AUC.

He pointed out the importance of trade and immigration in the development process of the continent and noted that in these two sectors, Africa faces many challenges that, if met, would allow these sectors to play their full role as catalysts for regional integration and development.

II. SUMMARY OF THE PRESENTATIONS

The presentations were made by H.E. Mr. Albert Muchanga, AUC Commissioner for Trade and Industry and H.E. Mrs Samate Cessouma, AUC Commissioner for Political Affairs.

2.1 Presentation on the African final Continental Free Trade Area (AfCFTA) Agreement and the role of the Pan-African Parliament in promoting the ratification and domestication of the Agreement

This presentation was made by H. E. Mr. Albert Muchanga, AUC Commissioner for Trade and Industry. The Commissioner indicated that AfCFTA is one of the flagship programs

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under the First Ten Year implementation Plan of the AU Agenda 2063. The AfCFTA that is desired for the Continent is:

- A people centred developmental FTA, that goes beyond tariff liberalization, but which increases the choice variables of the African people;
- An FTA that will help to address many of Africa's most significant challenges, including: youth unemployment, migration, skills development, women's empowerment, industrialization and infrastructure development;
- An FTA that will help Africa to strengthen its trade and investment relations and thereby unleashing its business potential including its Services sector;
- An FTA that would help Africa integrate in the global value chains and strengthen Africa's geopolitical position vis-à-vis the rest of the world.

Since the launch of the AfCFTA Negotiation processes in June 2015 by the AU heads of State and governments, there has been considerable progress both on the institutional and technical dimensions.

The legal instrument signed by 44 African Union Member States on 21st March, 2018 contains:

- Agreement establishing the AfCFTA;
- Protocol on Trade in Goods;
- Protocol on Trade in Services;
- Protocol on Rules and Procedures on the Settlement of Disputes.

The next steps that need to be taken in order to make the AfCFTA deliver are among others, the ratifications and advocacy process to secure membership by all AU Member States, the implementation and practical application of the tariff liberalization modality on the designation of Sensitive products and Exclusion lists, as well as the implementation and practical application of the Services modality on choice of priority sectors.

A minimum of 22 ratifications are required for entry into force of the Agreement. Currently, three Member States (Kenya, Rwanda and Ghana) have ratified the Agreement establishing the AfCFTA.

The Commissioner emphasized that, despite the numerous achievements made since the launch and the signature of the AfCFTA Negotiation processes, there have been some challenges. So far, 46 challenges have been identified. Some of these challenges are:

- Varying levels of development and priorities of countries;
- Institutional, organizational, capacities of countries;
- Sensitive issues such as Level of ambition, Services Regulations, etc;
- Varied public-private sector engagement – ownership by beneficiaries;
- Capacity and efficiency of the new AfCFTA Secretariat;
- Inhibiting fear or fear the unknown that could undermine commitment to sign on and ratify;
- tariff reductions could bring with them the threat of declining fiscal revenues;
- Opposition to AfCFTA from those benefiting from the status quo or deliberately aiming to undermine the AfCFTA;

The roles of the Pan-African Parliament in this dynamic, historic and transformative project are outlined as follows:

- As legislators in their respective countries, Parliamentarians are expected to ensure timely ratification of AfCFTA legal instruments once the executive branches avail them to their National Parliaments;
- As elected representatives in their respective constituencies, Parliamentarians are also expected to encourage the African private sector in their countries to invest and trade in the AfCFTA in order to generate jobs and decent standards of living for their electors, and
- As Members of the oversight Institution over the Executive branch of their respective governments, Members of Parliaments are expected to demand from their respective Executive branches, regular updates on their respective countries' actions and progress vis-à-vis the AfCFTA.

In conclusion, the AUC Commissioner for Trade and Industry indicated that AfCFTA offers policy credibility and enhanced market access to investors from both Africa and the rest of the world. AfCFTA is good for Africa and Africans because it will generate benefits and improve living standards.

2.2 Presentation on the Protocol to the Treaty establishing the African Economic Community relating to free movement of persons, right of residence and right of establishment and the role of the PAP in promoting the ratification and domestication of the Protocol

H.E. Mrs Samate Cessouma, AUC Commissioner for Political Affairs indicated that the Protocol on the free movement of persons, right of residence and right of establishment,

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like other legal instruments establishing the organs of the African Union, has its origin in the Charter of the Organization of African Union, the Plan of Action and the Final Act of Lagos of 1980, the Abuja Treaty of 1991 establishing the African Economic Community and the Constitutive Act of the African Union. The African Union vision based on the Agenda 2063 aspirations is to have an integrated, prosperous and peaceful Africa, led by its own citizens, and representing a dynamic force on the international arena. This vision is divided into 12 flagship projects including the Continental Free Trade Area and the free movement of persons and the African passport. These two flagship projects were signed by several Heads of State and Government in Kigali, Rwanda on March 21, 2018.

The Continental Free Trade Area certainly offers the opportunity for ordinary African citizens to trade across borders. It contributes to people-centered development and thus facilitates the integration of the continent. The continental African free trade area goes hand in hand with the free movement of persons, the right of residence, and the right of establishment.

The Protocol to the Treaty establishing the African Economic Community relating to free movement of persons, right of residence and right of establishment has seven parts. The objective of this Protocol is to facilitate the implementation of the Treaty Establishing the African Economic Community by providing for the progressive implementation of free movement of persons, right of residence and right of establishment in Africa. The free movement of persons, right of residence and right of establishment in Member States must be guided by the principles guiding the AU as provided in article 4 of its Constitutive Act.

The protocol clearly provides room for countries to implement it at their own pace since each country and even region has achieved integration at different levels. However, progress must be monitored. It also provides for clear roles and responsibilities for the Member States, AUC and RECs in order to ensure that it actually facilitates movement of people on the continent.

The AUC Commissioner underscored that to facilitate the cross-border travel of people, the Heads of State and Government of the African Union, at their 27th summit held in July 2016, in Kigali, Rwanda, launched the African passport. This launch reflects the desire and commitment of African Leaders to ensure that African people have the ability to move freely, to visit, to trade, to study, to work, to reside or to establish themselves anywhere in the 55 States of Africa by respecting the laws of the host country. At the end of their decision, the African Union Commission was requested to provide technical assistance to Member States to enable them to produce and issue the African passport to their citizens. In this regard, the AU Commission is developing "guidelines" in consultation with Member States. The decision-making bodies of the Union will be seized of the proposals resulting from the consultations, and taking inspiration from the good practices of certain Regional Economic Communities.

She further highlighted that the implementation of the Protocol by Member States cannot be effective unless the Pan-African Parliament is involved and by trickle effect, National Parliaments in Member States.

The work around the full implementation of the Protocol on free movement will be an achievement on the long run based mostly on sustained synergies and collaboration among all stakeholders be it the legislative, the RECs, the AUC or the individual Member States. An implementation roadmap for the draft Protocol to the Treaty establishing the African Economic Community relating to free movement of persons, right of residence and right of establishment has been adopted. The Commissioner highlighted that if the roadmap is effectively implemented, the AU can reach its objectives on the free movement of persons in Africa.

The Commissioner suggested a few areas of consideration by the Pan-African Parliament going forward:

1. The PAP members have a privileged position of seeing all matters from a global, continental, regional and national perspective as well as having an ability to act and influence at national level for the fast-forwarding of all matters related to the protocol. This entails initially the signature, ratification and domestication of the Protocol by Member States. Where necessary the AUC is available to accompany members of the PAP Committee on Trade, Customs and Immigration Matters including the support at National Assemblies for the ratification and domestication processes to take place.
2. The PAP Members have a unique role pertaining to the harmonization of laws, policies and structures in order to facilitate the implementation of the protocol;
3. It is further enhanced by the role attributed to Member States on the same in article 26 pertaining to coordination and harmonization of the protocol on free movement, giving room to the AUC's role in article 29 of the same protocol that seeks to ensure that there exist follow-up mechanisms. The PAP Members within their relevant house committees at national level, can ensure that budgets that are voted have taken into consideration this work, as well as integrating the free movement agenda into national development plans, structures and systems;

The Commissioner indicated that the AUC commits to the popularization of the said protocol in Member States in collaboration with Members of the Pan-African Parliament. This will entail working with PAP Members in public fora to champion the cause and keep it at the Centre stage of national debates in member countries.

In conclusion, she emphasized that the Protocol on free movement is not only crucial for the development of the continent but it gives an opportunity to the Pan-African Parliament to tangibly put in place frameworks that will ensure integration, growth, development and sustainability of this continent and leave a legacy for future generations. The action plan

III. DISCUSSIONS AND RECOMMENDATIONS

3.1 Discussions

During discussions, it was observed that the transport sector which is necessary for intra-African trade is neglected. There is a need for Africa to invest in the transport sector as it will facilitate intra-African trade. There is also need to engage Medias in the various African Regions to explain to the people of Africa the benefits of the Continental Free Trade Area. It has been noted that the AfCFTA Agreement will not interfere with existing Agreements of RECs as the Regional Economic Communities were involved in the process from the beginning.

The Members of the two Committees highlighted the impact of the Protocol on free movement of persons and the African Passport, on African countries. It has been observed that some Regions are not favorable for the free movement of persons on the Continent.

3.2 Recommendations

The following recommendations:

1. The Pan-African Parliament should organize a Continental Conference with National Parliaments portfolio Committees on Trade, Finance and Transport on the African final Continental Free Trade Area Agreement and the Protocol to the Treaty establishing the African Economic Community relating to free movement of persons, right of residence and right of establishment. This Conference will be a platform for National Parliaments to be aware of the benefits of the Treaties and to engage them for the promotion of the signature, ratification and domestication of the two treaties.
2. Member States should focus on the implementation of the Continental integration through the free movement of persons, goods and services on the Continent, which can help to boost the intra-African Trade;
3. The Free Movement of persons in Africa is very difficult and there is a need to take into account the political will of the Heads of States for this to become a reality on the Continent;
4. The Pan-African Parliament should advocate and sensitize African countries about the benefits of the AfCFTA and the free movement of persons on the Continent and facilitate their ratification and domestication.

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COMMITTEE ON EDUCATION, CULTURE, TOURISM AND
HUMAN RESOURCES

DRAFT REPORT OF THE STUDY VISIT ON THE TOURISM
INDUSTRY IN MAURITIUS; OPPORTUNITIES AND CHALLENGES

18 - 22 SEPTEMBER 2017

PORT LOUIS- MAURITIUS



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ACKNOWLEDGEMENT

On behalf of the President and the Bureau of the Pan African Parliament, the PAP's Committee on Education, Tourism, Culture and Human Resources wishes to express its gratitude and appreciation to H.E. the Speaker, the Clerk, the Assistant Clerk of the National Assembly for facilitating and supporting the study visit of the Committee on Education on the tourism industry in Mauritius.

1. INTRODUCTION

The PAP's Committee on Education, Tourism, Culture and Human Resources held a consultative meeting in May 2016 for the Committee to consult and explore the possible means to further enhance its role. The consultative meeting agreed that the Committee on Education can play a more vital role in the development process on the continent given its important mandate. However, the meeting noted with deep concern that activities of the committee during the past period focused only on the segment of education and that the other segments i.e. tourism, culture and human resources were not given enough attention. Therefore, the Committee on Education resolved to undertake a series of activities related to its mandate. Therefore, as part of its work plan for the Year 2017, the Committee on Education decided to start with a study visit on the tourism industry in Mauritius which was scheduled for the period **18 – 22 September 2017**.

2. BACKGROUND & CONTEXT

The tourism sector in Mauritius has been one of the pillars of what economists throughout the world have called the Mauritian economic miracle which occurred from the 1980s up to the end of the 20th Century. After having suffered from serious international economic upheavals, this sector is once more booming. The reason for this is a well-planned touristic policy by both the Government and the local private sector.

In Mauritius, tourism is built on know-how and rigorous planning. The results are there to prove that tourism is an important sector that contributes positively to the development process of any country. The picture below of the results are extraordinary and gives Mauritius the reputation of a miracle maker:

2.1 Economic statistics relating to tourism in Mauritius

The Mauritian National Statistics Agency predicts that touristic arrivals to Mauritius in 2016 should be close to 1.23 million visitors. This annual figure is close to the equivalent of the figure of the total population of Mauritius. The tourism sector is one of the main pillars of the economy of Mauritius and it employs directly or indirectly about 100,000 Mauritians. The number of tourists who travelled to Mauritius in 2015 had reached 1,151,723 travelers, with a recorded increase of 10.9% as compared to the touristic arrivals recorded in 2014. In January 2016, 118,551 tourists landed on the Mauritian soil, against 103,606 in 2015, this being an increase of 14.4% in touristic

arrivals. The Mauritian Ministry of Tourism had predicted an increase of 10% in touristic arrivals in Mauritius in 2016 as compared to the previous year.

The following statistics show the importance of tourism in this small African island country of Mauritius;

- 1- The overall contribution of Travel and Tourism to the GDP was 25.5% in 2014 and should increase by 3.6% in 2015, and further by 3.7% per annum, being 24.5% of the GDP in 2015.
- 2- In 2014, the overall contribution of Travel and Tourism to employment, including indirect employment and the exploitation of visitors generated 24.5% of the overall exports in 2014. This figure should increase by 3.9% in 2015, this being a growth of 3.5% per annum from 2015 to 2025.
- 3- In 2014, investment in Travel and Tourism constituted 6.0% of the overall investment. It should increase by 2.0% in 2015, and further by 5.1% per annum during the next ten years to 6.7% of the overall investment.

Mauritius has surprised economists with its economic success in the period after its independence. The country which was once threatened by Malthusian preaching, now has the know-how which is at the heart of its success, including the undeniable success in its tourism sector. Therefore, it would be an excellent and a fruitful initiative for African countries to learn many valuable lessons from the Mauritius touristic miracle.

3. RATIONALE OF THE STUDY VISIT

One of the strategic objectives of the Pan African Parliament is to promote integration and development in Africa. The PAP has been actively involved with other relevant development partners to accelerate this process. Furthermore, many specific activities were included in the annual work plans of the permanent committees of the PAP toward achieving these strategic objectives; one among them being the undertaking of a study visit.

The Committee on Education plans to undertake this study visit in order to assess the status quo of the tourism industry in Mauritius, to learn about the opportunities available to the country and what are the challenges facing the country in this area. The study visit to Mauritius represents a case study which can help the committee to draw some conclusions; not regarding tourism in Mauritius alone, but also in other African countries. After all, the assessment process would allow the committee the opportunity to consider the role that the tourism industry can play in the development process in Africa.

In view of the above, the PAP through its Committee on Education intends to undertake this study visit to engage with its counterpart committee in the

National Assembly of Mauritius and with other relevant stakeholders in the country to assess the level of the tourism industry.

4. OBJECTIVES OF THE STUDY VISIT

The objectives of the study visit were; among others:

- 1) To assist the Committee to understand the status quo of the tourism industry in Mauritius;
- 2) To allow the Committee the opportunity to engage with the relevant committees of the national assembly of Mauritius;
- 3) To inform the Committee on the opportunities and challenges facing the tourism industry in Mauritius;
- 4) To enable the Committee to make a valuable and informed contribution to the current debates on the tourism industry in Africa;
- 5) To table a report of its findings.

5. PROGRAM OF THE STUDY VISIT TO MAURITIUS

The program of the study was developed to assist the Committee on Education to attain two main objectives which are to make a general assessment of the tourism industry in Mauritius and to enhance the visibility of the PAP and the Committee on Education through undertaking specific activities. In this regard, the program of the five-day study visit included two different sets of activities that undertook to achieve the key objectives of the study visit.

The first set of activities related to the first objectives of the study which included; working sessions on the tourism industry with relevant authorities in Mauritius from both the public and private sectors, in addition to field tours to main tourism sites in the country. The main objective of this part of the program was to collect the necessary information and to have a first-hand experience on the modus operandi of managing the tourism sector.

On the other hand, the second set of activities of the program included courtesy calls and consultative meetings with selected relevant authorities in the country. This was in order to allow the Committee on Education the opportunity to interact and engage with various stakeholders of the tourism sector on its mission to Mauritius, provide an update to the PAP and to have a general discussion on other related issues concerning the two parties and the continent.

The section to follow provides brief highlights on the two sets of activities that were undertaken under the program of the study visit of the Committee on Education to Mauritius.

6. COURTESY CALLS AND CONSULTATIVE MEETINGS

As part of the program of the study visit of the Committee on Education to Mauritius, the Committee paid courtesy calls and held brief consultative meetings with the following:

- 1- Mrs. S. B. Lotun, Clerk of the National Assembly of Mauritius;
- 2- H. E. Hon. Sanjeev TEELUCKDHARRY, Deputy Speakers of the National Assembly of Mauritius
- 3- H. E. Deputy Prime Minister of the Republic of Mauritius;
- 4- H. E. Hon. Prithvirajsingh Roopun, Minister of Arts and Culture (former Member of the PAP) and
- 5- Mayor of Port Luis, Capital of Mauritius

6.1 Meeting with the Clerk and the Deputy Speaker

On the *18th September 2017*, the first day of the program of the study visit, the Committee on Education visited the building of the National Assembly of Mauritius and paid courtesy calls and held consultative meetings with Mrs. Lotun, Clerk of the National Assembly and H. E. Hon. Sanjeev TEELUCKDHARRY, Deputy Speakers of the National Assembly.

The committee on Education had the opportunity to take a tour to the National Assembly building where members of the Committee visited the Plenary and other main halls of the National Assembly. The Committee on Education also received a brief historical background of the establishment of the Assembly, as well as its current political and administrative composition. The Committee was further informed that in the journey of the National Assembly, this is the first time that the Speaker and the Clerk of the Parliament are both women which reflects the strong gender trends in the country. Members of the Committee highly commended Mauritius for acknowledging the important role of women in building such a prosperous country, thereby confirming that women always have a valuable contribution to make in society.

During the courtesy calls and brief meetings with the Clerk and the Vice Speaker of the National Assembly of Mauritius, the Committee on Education, on behalf of the President of the PAP, extended its gratitude and appreciation to the National Assembly of Mauritius for hosting and facilitating its mission. The Committee also discussed the key objectives of the study visit with them, the composition of the delegation and the expected outcomes of this visit. Furthermore, the Committee acknowledged that Mauritius had set a good

example in promoting sustainable and eco-tourism and that all African countries should learn and benefit from this.

On the other hand, both the Vice Speaker and the Clerk of the National Assembly appreciated the initiative of the Committee on Education to conduct such a study visit which could be of mutual benefit for all African countries including Mauritius, the hosting country, as it would allow all the relevant authorities the opportunity to share their experiences and also reflect on the shortcomings on how to further improve the tourism industry in the country.

His Excellency the Deputy Speaker provided the Committee on Education with valuable information about the tourism sector in the country and the different laws and policies that aim to advance the sector. According to him, the tourism sector witnessed a significant increase in the number of tourists who visit the country annually which is around 2 million, thanks to the efforts of the government in improving the infrastructure and providing various incentives to investors. However, compared to other countries such as Singapore which is smaller than Mauritius but manages to attract 65 million tourists annually, one can say that there is still a long way to go for Mauritius.

After the meeting with the Clerk, the National Assembly hosted the Committee on Education to a luncheon where the members enjoyed delicious Mauritian food.

6.2 Other courtesy calls and consultative meetings

Meeting with H.E. the Minister of Arts and Culture

On the 19th September 2017, the Committee on Education paid a courtesy call to H. E. Hon. Prithvirajsingh Roopun, Minister of Arts and Culture of the Republic of Mauritius. Hon. Roopun was also a former member of the Pan African Parliament. H.E. the Minister of Arts and Culture warmly welcomed the Committee and expressed his happiness to meet his colleagues from the PAP. He also requested that the members of the delegation convey his personal regards to H. E. the President of the PAP and all members of the PAP and the staff of the Secretariat.

The Minister then highlighted the important role of the Ministry of Arts and Culture to any country; noting that this depends on the priorities of the respective countries. He further indicated that ministries of arts and culture are not direct income generating ministries although they play an important role in facilitating the promotion of many attractive activities, in particular for the tourism sector. As visitors and tourists come to enjoy not only the tourist sites in the country but also the culture, tradition and food.

The Minister further briefed the committee on the main world heritage sites available in Mauritius indicating their historical background and its cultural and heritage value to the country and to the world. He further elaborated on the measures taken by his Ministry to maintain these sites. He also informed the members that his Office had made all the necessary arrangements for the Committee to visit these sites during their study visit.

The Committee on Education discussed intensively with H. E. the Minister of Arts and Culture about the importance of cultural tourism. In this regard, the meeting agreed that African countries should uphold their culture which can play a critical role in advancing the tourism sector. The meeting further agreed that this can help African countries to alleviate poverty not only through economic and regional integration, but also through tourism which can maximize economic benefits.

Meeting with H.E. the Deputy Prime Minister

At the end of the program of the second day, the Committee on Education paid a courtesy call to H.E. the Deputy Prime Minister of the Republic of Mauritius. H.E. the Deputy Prime Minister warmly welcomed the delegation, expressing his happiness to receive a high-level delegation from the PAP.

The meeting of the Committee on Education with H. E. the Deputy Prime Minister was a very fruitful and interactive meeting. Members of the Committee discussed with H.E. the Deputy Prime Minister the political situation in Mauritius, the role of the tourism sector in the development process; major challenges that are facing the tourism sector in Mauritius and other African countries; notably air connectivity, terrorism, and natural crisis, among other many challenges. The meeting further emphasized on the pivotal role that regional integration can play in overcoming most of the challenges facing the tourism sector including the promotion of a single regional visa that allows African citizens entry in all countries, the need for a structural and legal reform to the tourism sector and most importantly; sharing best practices between all African countries.

At the end of the meeting, members of the Committee on Education expressed their gratitude and appreciation to H. E. the Deputy Prime Minister for allocating special time out of his busy schedule to meet with them and for his much appreciated valuable insights on all issues related to the mission of the Committee.

7. WORKING SESSIONS ON TOURISM INDUSTRY AND FIELD TOURS

The Committee on Education held working sessions with the Minister of Tourism, senior officers from the Ministry of Foreign Affairs, Regional

Integration and International Trade, officers in the Public Authorities of the Tourism sector and the Association of Tourism.

7.1 Working session with the Ministry of Foreign Affairs

As part of the program of the study visit, the Committee on Education also held a working session with officers from the Ministry of Foreign Affairs, Regional Integration and International Trade.

The main focus of this working session was to discuss the 2012 Mauritius African Strategy which aims at enhancing Mauritius relations with Africa. The presentation on this strategy highlighted the key instruments of the strategy and the main challenges facing Mauritius to achieve the objectives of the strategy which are mainly related to the geographical location of the country, lack of air connectivity and human resources

With regards to the key instruments, the presentation indicated that Memorandums of Understanding (MoUs) are the main instrument to foster relationships with African countries. Mauritius has signed MoUs with Seychelles, Zambia, Madagascar, Comoros and Ghana. A MoU with Cote d'Ivoire has been finalized but not yet signed. The second instrument is the establishment of Economic Zone Areas (EZA). The main objective of the economic zone areas is to provide facilities and incentives for investors in specific areas on the principle of mutual benefit for the two countries. So far, Mauritius has established two economic zones in Senegal and Ghana. Furthermore, the economic zone area with Ghana includes a new project to promote tourism in Ghana where Mauritius will assist in building resorts and providing training in hotels and hospitality services.

The working session further briefed the Committee on measures taken by the Ministry of Foreign Affairs to boost the tourism industry in Mauritius. Notably the removal of visa restrictions to all African countries and facilitating conferences and meetings of regional and international organizations are to be held in the country. It is also indicated that the Ministry is considering the application of one regional visa for SADC and COMESA regions. However, there are still some logistical difficulties to finalise this issue.

At the end of the working session, the Committee on Education thanked officers from the Ministry of Foreign Affairs for the presentations and for the valuable information provided. They further encouraged the Ministry of Foreign Affairs to continue its efforts to further boost the tourism industry in the country as this would further improve economic development in the country.

7.2 Working session with the Ministry of Tourism and Association of the Tourism

The two working sessions organized with the Ministry of Tourism and the Association of Tourism provided the Committee on Education with key information related to its study visit on the tourism industry in Mauritius. Before the working sessions with the senior officials from the Ministry of Tourism, the Committee on Education paid a courtesy call to H. E. the Minister of Tourism in Mauritius who warmly welcomed the Committee and thanked them for taking the initiative to undertake the study visit. The section to follow highlights key take away points of the two working sessions with the Ministry of Tourism and the Association of Tourism.

Basic information

The total size of Mauritius is 1 860 km² and its coastal area is 330 km. Mauritius is located 2000 km away from the African Continent with a population of 1,3 m. English is the official language.

Ministry of Tourism

The Ministry of Tourism in Mauritius is the ministry in charge of managing the tourism sector. Its vision is to make Mauritius a leading and sustainable island destination. The Ministry also aims to (1) propel the tourism sector as a key engine of growth, (2) enhance the visibility of Mauritius as a top-class tourist destination in traditional, emerging and new markets; (3) broaden the tourism product portfolio to include ecotourism, spa and wellness, cruise tourism, cultural tourism, business tourism and sporting events and (4) to promote Mauritius as a clean and safe tourist destination.

The organizational structure of the Ministry includes three key departments which are: (1) Mauritius Tourism Promotion Authority, responsible for the promotion of the destination (2) Tourism Authority, in charge of licensing and regulating Tourism activities and (3) Tourism Employees Welfare Fund, in charge of ensuring the economic and social welfare of employees of tourism enterprises.

The Ministry also adopts various policies to promote the tourism sector in Mauritius. All these policies focus on ensuring the sustainable development of the tourism industry, ensuring the local communities benefit from tourism development and increasing the visibility of Mauritius in emerging markets namely India, China and Russia.

Tourism product development in the country is based on 3S, namely; Sea, Sand and Sun as core tourism products although the country has made inroads into other niche products such as Golf, Wellness, Shopping, Medical

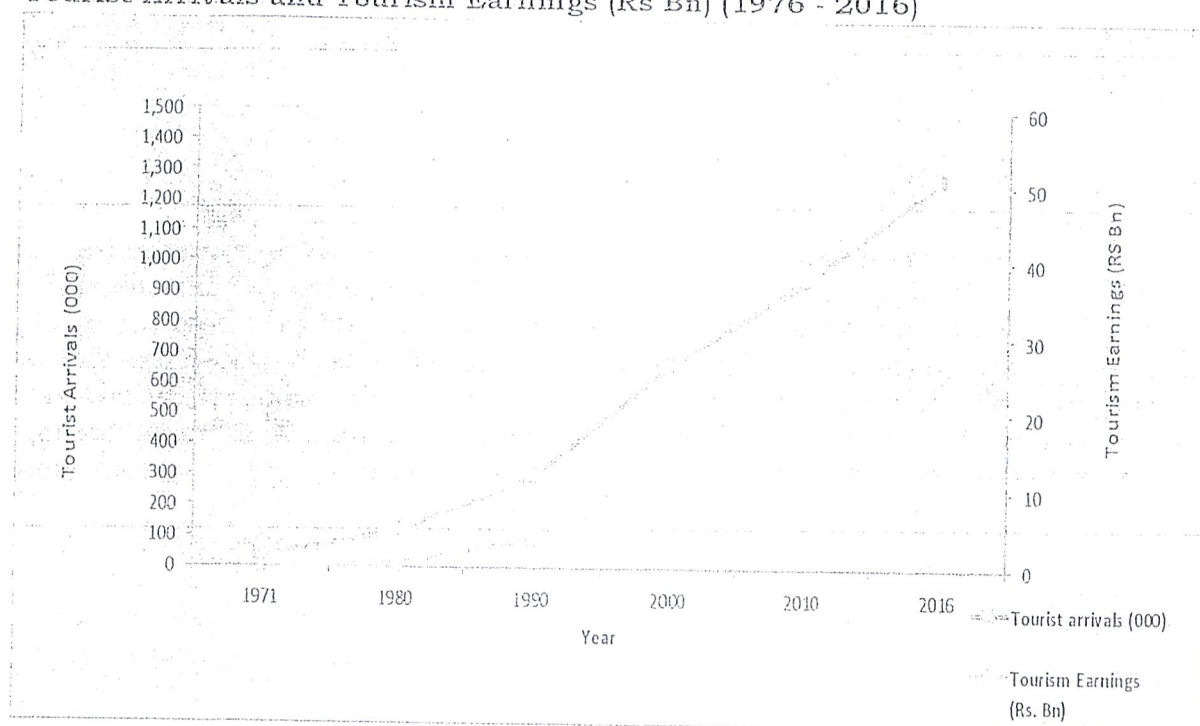
and Sports tourism amongst others. The tourism model in Mauritius is based on 4 axes: Accessibility, Attractiveness, Visibility and Sustainable Development.

Tourism and economy

The Tourism Sector has played a key role in the development of Mauritius and remains one of the main pillars in developing the economy through its multiplier effect and propensity to create employment and attract foreign investment (FDI).

The Tourism Sector which accounted for 4% of GDP in the 1990's has been constantly increasing to reach 7,8% in 2016. The figure below shows tourist arrival and tourism earnings from 1976 - 2016.

Tourist Arrivals and Tourism Earnings (Rs Bn) (1976 - 2016)



Accessibility

In terms of accessibility, results show that there has been gradual liberalisation of air access with a revision of the air access policy, introduction of new carriers and the introduction of new routes. In this regard, the country has become one of the new air corridors for East Africa.

The Air Corridor was launched on the 12 March 2016 with the objective of connecting Africa to Asia. The traffic increased by 12.8% IATA 15/16 v/s IATA 16/17. Operations to Tanzania and Mozambique commenced in 2016. The

Mauritius – Singapore Corridor creates the right frequency to the Chinese market. The East Africa Operation will be served from the Nairobi hub. The number of expats in Nairobi provides a market potential for Mauritius as a tourist destination. A market survey would need to be undertaken to understand the opportunities available. The KLM Operation will support traffic between Mauritius and Kenya for those who are interested in a “Bush- Beach” option.

Attractiveness of the tourism sector attributes to the facts that Mauritius is home to two **UNESCO World Heritage Sites**; **Le Morne Cultural Landscape** and **Aapravasi Ghat**, inscribed in 2008 and 2006 respectively. Other tourism attractiveness includes a wide array of nautical and land-based activities, heritage and historical sites, and a clean and secure destination.

Challenges

Challenges that are facing the tourism sector in Mauritius include:

- 1) Intense competition from emerging and similar destinations like Maldives, Seychelles and Sri Lanka;
- 2) High cost of travel such as air tickets and taxes;
- 3) Decrease in tourism earnings and expenditure;
- 4) Maintaining a high level of service through the adequate training of human capital;
- 5) High labour turnover due to attractive salary offered on cruise ships; and
- 6) Increased stress on environmental assets leading to degradation such as coastal erosion, pollution, etc.

7.3 Field tours

The Committee on Education undertook field tours to the main tourism sites in Mauritius. These included visits to the two UNESCO World Heritage Sites which are Le Morne Cultural Landscape and Aapravasi Ghat. The Committee on Education also visited two five-stars hotels and other tourism related facilities.

The field tours to all these sites enabled the Committee on Education to appreciate the historical and economical value of all the tourism sites and to examine how the country is preserving and maintaining these sites; as well as discussing with the officers on the overall management of these sites including challenges.

8. CONCLUSION AND RECOMMENDATIONS

Generally, the study visit of the Committee on Education on the tourism industry in Mauritius was a very successful mission in terms of achieving its

key objectives and in terms of establishing and strengthening a stronger relationship with the National Assembly of Mauritius. The study visit also contributed positively to enhancing the visibility of the PAP in the country.

The main conclusion of the study visit regarding the tourism industry in Mauritius is that the country is making a remarkable progress in this sector. This is mainly attributed to putting in place the right legal and executive frameworks which will provide an enabling and conducive environment for all key actors from both public and private sectors. Furthermore, the study visit acknowledged and appreciated all the efforts taken by the government of Mauritius to build a strong network of infrastructure including roads, transport, information and communication technology, sound financial and banking systems, hotels and other tourism related facilities which make the country a preferred destination to many tourists from all over the world. No doubt that the political and economic stability of the country also plays a critical role towards the progress achieved not only in the tourism sector but also in all other vital economic sectors in the country.

Nonetheless, there are still many challenges facing the tourism sector in the country. This includes strong competition that characterizes the international tourism market, the geographical location of the country which impacts negatively on attracting tourism from specific areas, and poor airline connectivity on the continent. However, Mauritius has successfully managed to set a good example on how African countries build and benefit from the tourism sector to achieve sustainable development.

Finally, and based on the findings of its study visit, the Committee on Education wishes to make the following few recommendations:

- 1- Mauritius should continue its commendable efforts in the process of infrastructure development to further boost the tourism sector in the country;
- 2- Mauritius should endeavor to diversify its tourism market by reducing dependency on Eurozone and targeting new markets;
- 3- Mauritius should embark on an aggressive marketing campaign to attract more tourists from Africa and the rest of the world. Specific measures can be taken in this regard include the following:
 - Development of guidelines, norms and standards to upgrade the level of service through the classification of hotels, guidelines for restaurants, pubs, night clubs, etc.)
 - Market diversification; and
 - Promoting Mauritius as an all year-round destination.
 - Active participation in international fairs and forums.

- 4- Mauritius should facilitate and promote exchange programs for tourism students from African countries to learn and share the experience of Mauritius;
- 5- The African Union (AU) and Regional Economic Communities (RECs) should be encouraged to organize their major events such as summits and conferences in Mauritius to explore the excellent facilities available in the country and also to promote the tourism sector in Mauritius.
- 6- The AU and RECs should take into consideration the potential of the tourism sector on the development process on the continent.

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PAP/COP23

(6–17 Nov 2017)

REPORT
ON THE PARTICIPATION OF THE
PAN-AFRICAN PARLIAMENT IN THE
CONFERENCE OF THE PARTIES
(COP23) SESSION,
6 - 17 NOVEMBER 2017
BONN, GERMANY



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ACRONYMS/ABBREVIATIONS

AAI	-	Africa Adaptive Initiative
AGN	-	African Group of Negotiators
AfDB	-	African Development Bank
ARC	-	African Risk Capacity
AREI	-	Africa Renewable Energy Initiative
AU	-	African Union
AUC	-	African Union Commission
CAHOSCC	-	Committee of African Heads of State and Government on Climate Change
CO2	-	Carbon Dioxide
COP	-	Conference of the Parties
COP/CMP	-	Conference of the Parties Committee
COP/CMA	-	Conference of the Parties Committee
CSO	-	Civil Society Organisations
ECA	-	Economic Commission for Africa
INDC	-	Intended Nationally Determined Contributions
IRENA	-	International Renewable Energy Agency
IPU	-	Inter-Parliamentary Union
HFCs	-	Hydrofluorocarbons
NAPA	-	National Adaptation Programme of Action
NDC	-	National Determined Contributions
NEPAD	-	New Partnership for Africa's Development
NGO	-	Non-Governmental Organizations
PAP	-	Pan African Parliament
PACJA	-	Pan-African Climate Justice Alliance
UN	-	United Nations
UNFCCC	-	United Nations Framework Convention on Climate Change

1. EXECUTIVE SUMMARY

The 23rd Conference of the Parties (COP23) to the UN Framework Convention on Climate Change (UNFCCC) took place in Bonn, Germany from 6 – 17 *November 2017*. COP23 was envisaged to be a follow up on the actions and implementation of the Paris Agreement.

The programme of COP23 was packed with various presentations, exhibitions and discussions. The Members of the Pan African Parliament (PAP) led by H.E. the President, participated in events that ranged from the Paris Agreement implementation; climate justice; climate finance; and good practices for overcoming climate challenges; amongst others. H.E. the President and the PAP delegation also participated in the Inter-Parliamentary Union (IPU) and the African Day program at COP23. The Pan African Parliament Day which was organised on the 14th November 2017 was a good opportunity for the PAP to engage with other stakeholders including NEPAD, African Group of Negotiators and other parliamentarians from Africa to discuss the role of the African Parliamentarians in advancing the implementation of the Paris Agreement.

Participation of the PAP in COP enhances its role of advocacy for initiatives that aim to promote environmental regulations and policies and to contribute in current debates on climate change at the continental level.

The PAP led High-Level Dialogue on the Role of Parliamentarians in the implementation of the Paris Agreement during the Pan African Parliament Day and participation in other discussions enhanced the visibility of the PAP. However, the organisation of more than one side events, press conferences and other forms of participation during future COPs is recommended to further enhance the visibility of the PAP in this global gathering.

Generally, the PAP mission to COP23 was a success despite some challenges discussed in this report. Some recommendations are presented at the end of this report.

2. INTRODUCTION

Since the 1992 Earth Summit in Rio de Janeiro and the subsequent birth of the United Nations Convention on Climate Change (UNFCCC), the issue of climate

change has galvanized the world climate agenda, culminating in the adoption of the Kyoto Protocol 1997 and thereafter, the birth of Conference of Parties (COP). The developing world in general and the African Member States in particular have been at the centre of the climate change debate and have been active as Parties to the COP, while the African Union organs such as the Pan African Parliament have been active participants in the COP process alongside other African institutions and stakeholders.

Climate Change is one of the greatest challenges facing the world. In response to this challenge, the Conferences of Parties (COPs) of the United Nations Framework Convention on Climate Change (UNFCCC) have become an important space for continuing global efforts to refine and strengthen international collaborative and regulatory mechanism to improve global climate governance.

The COP 21 held in Paris in December 2015 delivered the landmark Paris Agreement that committed all countries to limit the increase in the global average temperature during this century to “well below 2°C, above pre-industrial levels” and to pursue efforts to “limit the temperature increase to 1.5 °C above pre-industrial levels.” The Intended Nationally Determined Contribution (INDC), emerged as the game changer and the unifying factor among the Parties in concluding a long cycle of negotiations with the adoption of the Paris Agreement as the roadmap in reducing global temperature rise ‘well below’ 2°C goal considered by IPCC as the threshold of averting dangerous human interference with the climate system.

The Paris Agreement provides a great opportunity to strengthen the global response to the threat of climate change, in the context of sustainable development and in decarbonizing the global economy. During the 2016 Opening Ceremony for signature of the Paris Agreement held at the United Nations Headquarters in New York on 22 April 2016, 175 Parties (174 countries and the European Union) signed the Agreement, and 15 States deposited instruments of ratification. Forty-six (46) African countries signed the Agreement during the signing ceremony. As of the 8th November 2016, out of the 103 countries that ratified the Paris Agreement, 23 are from Africa.

Following the successful COP 21 in Paris and COP 22, COP23 constitutes an important event. For Africa, COP 23 is tagged as the COP for following up on the implementation of the Paris Agreement. Furthermore, more

parliamentarians from across the globe and particularly from Africa participated in this 23rd session of the United Nations Framework Convention on Climate Change (UNFCCC-COP23), which took place at the UNFCCC home in Bonn, from 6-17 November 2017, under the Presidency of Fiji.

3. PAP PARTICIPATION IN COP23

The Pan African Parliament (PAP) has a critical role to play in the global efforts towards the mitigation of the effects of climate change. Details of the expected roles of the PAP in this regard are clearly provided in the mandate of its Permanent Committees and its strategic plan, amongst others.

The Pan African Parliament (PAP) was therefore invited to participate in the 23rd Session of the Conference of Parties (COP23) to the United Nations Framework Convention on Climate Change (UNFCCC).

The methodology adopted during the COP23 comprised active participation by both Honourable Members and Staff of the PAP in various Side Events, & Interest Group Consultative (i.e. Africa Group of Negotiators) meetings organised by different actors (UN, Non-Government Organisations and Private Sector).

A Joint Steering Committee comprising the Pan African Parliament (PAP), the African Union Commission (AUC), the African Development Bank (AfDB), the UN Economic Commission for Africa (ECA), and the New Partnership for Africa's Development (NEPAD) was constituted at COP23 to serve as a co-ordinating body tasked with operational management, logistics, publicity and joint communication relating to the AU and its organs.

Representatives of the AU Organs prepared and presented briefs to update the Steering Committee on the status of preparations and challenges encountered during the COP23 Session. The staff participated in the morning briefings of the AU Coordinating Team and also attended the morning and evening briefs of the African Group of Negotiators.

The Pan African Parliament has been participating in the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC) as an observer. Together with other stakeholders, the PAP Members have contributed to discussions and have led parliamentary

contributions and input into the role of African parliamentarians in the implementation of the Paris Agreement.

The PAP COP 23 Coordination Team prepared a programme of side events to inform and facilitate the participation of the PAP President, PAP Vice Presidents and the PAP Members. The PAP delegation participated in a number of activities which included:

- a) Africa Day Events:
- b) The IPU Conference
- c) Pan African Parliament Side Event
- d) Press conferences
- e) Bilateral meetings with various stakeholders.

3.1. SIDE EVENTS AT COP23

Side events represent the second most important activities during COPs where all involved stakeholders including member states, development partners, civil society, multi-national large companies, research institutions, academia, amongst others, extensively discuss various issues related to climate change. The side events also present a valuable opportunity for any organization not only to engage in the current debate on climate change but also to network and brand its products and services.

In total, 410 side events were organized during COP23. The side events of COP23 were classified under three broad themes namely; enhancing ambition, promoting implementation and providing support.

The table below shows the number of side events organized under each theme during the period of the conference from 6 – 17 November 2017:

Date	Number of side events	Enhancing ambition	Promoting implementation	Providing support
6-Nov-17	20	6	12	2
7-Nov-17	33	11	18	4
8-Nov-17	29	2	24	3
9-Nov-17	37	7	26	4
10-Nov-17	45	23	17	5
11-Nov-17	40	27	11	2
12-Nov-17	33	24	7	2

13-Nov-17	49	23	23	3
14-Nov-17	43	20	17	6
15-Nov-17	38	16	21	1
16-Nov-17	34	9	22	3
17-Nov-17	9	2	6	1
Total	410	170	204	36

PAP COP 23 Coordination Team managed to successfully deploy staff and members to participate in some of these side events. The Co-ordination Team further developed a Daily Information Sheet (DIS) as a tool for reporting back by participants in the side events. However, the number of side events covered during this COP23 is relatively small. This is due to the late arrival of members and to the limited numbers of staff. The main challenge in this regard was the poor response by the members to fill and submit the DIS which was aimed to track numbers of side events and any other bilateral meetings, value additions to PAP, any technical and logistical challenges and recommendations. But it is estimated that the PAP delegation participated in about 50 side events which represent only 12.1% of the total side events.

The large number of side events organized during COPs which address various technical and specialized subjects entails the participation of the PAP's Permanent Committees in these side events given its relevance to the mandate of the committees. Furthermore, participation in these side events in a constructive manner would definitely provide a good opportunity for the committees to first; build the capacity of the participants, assist in establishing a strong network of potential partners and resource persons who can be invited to provide technical and financial support; and finally it would assist in enhancing the visibility of the PAP through sharing the experience of the PAP's Committees with regard to the relevant subjects addressed during these side events.

Consequently, the report wishes to recommend that PAP considers involving all the committees including Bureaus of the Committees and the staff to participate in the side events that will take place during COPs. Committees should further develop, in collaboration with the Media Unit, special publications on its mandate, work plan and other relevant information that can be shared with the potential partners.

3.2. IPU DAY AT COP23

On the 12th November 2017, a delegation from the PAP led by H. E. the President participated in the Inter-Parliamentary Union (IPU) Day at COP23 which took place at the University of Bonn. The IPU usually organizes an annual day during COPs. The IPU Day at COP23 was well attended as parliamentarians from all over the world participated.

The opening session of the IPU Day was addressed by Ms. Jiko Luveni, Speaker, Parliament of Fiji, Ms. Claudia Roth, Deputy Speaker, German Parliament and Ms. Gabriela Cuevas Barron, IPU President. The key note speech was delivered by Mr. Frank Bainimarama, Prime Minister of Fiji, and President of COP23.

The program of the IPU Day included special presentations and an interactive panel discussion focused on taking the Paris Agreement forward, climate change science and climate-induced migration, low-carbon economy and the role of legislators in the implementation of the Paris Agreement. High level experts and researchers made the above presentations which were followed by an interactive panel discussion.

The last session of the program was allocated for the adoption of the outcome document and closing. Key messages of the outcome document included the following:

That parliamentarians from around the world would:

- 1- Welcome the fact that, the international community reaffirmed its commitment to mobilize US\$ 100 billion per year by 2020 to support international climate protection measures;
- 2- Reaffirm their determination to hold the increase in global average temperature to well below 2 degrees Celsius to above pre-industrial levels;
- 3- Be committed to ensuring that the capacity to adapt to the adverse impacts of climate change is increased and that climate resilience is fostered;
- 4- Call all states to update their initial 2020 NDCs or communicate new ones to achieve the objectives of the Paris Agreement; and
- 5- Request for concrete measures to be taken soon so that the mitigation goals set in Paris can be achieved by the second half of this century.

In the discussion which followed the presentation of the outcome document, parliamentarians expressed many valid points to be included in the final document. For example, the President of the PAP requested that the Rabat declaration which was adopted during COP22 should be reflected in the final outcome as it would enrich the final document. The meeting totally agreed with the proposal of the President of the PAP. However, due to time constraints the meeting agreed to adopt the current version of the final outcome; but the IPU should organize a special workshop to finalize all the outstanding issues in this regard.

The participation of the PAP in the IPU Day was very successful and contributed positively in enhancing the visibility of the PAP through the active participation of the members in particular the President of the PAP. Furthermore, it also allowed for a good opportunity to share the journey of the PAP and its achievements with many participants.

3.3. PAP SIDE EVENT AT COP23

On the 14th November 2017, the PAP organized its annual side event during the COP23 in the South African Pavilion. The theme of the side event was “the Role of African Parliamentarians on the ratification and implementation of the Paris Agreement.” The main objective of the Pan African Parliament side event was to provide a platform and opportunity for African legislators to generally examine their expected role in the implementation of the Paris Agreement and to identify specific actions needed to be taken by legislators with regards to the implementation of the agreement.

More specifically, the Pan African Parliament Day sought to achieve the following objectives:

- Identify challenges facing African countries in terms of aligning their national laws with a view of the implementation of the Paris Agreement;
- Discuss specific actions that are expected that African legislators need to take with regards to the implementation of the Paris Agreement;
- Discuss and share best practices related to parliamentary initiatives towards the implementation of the Paris Agreement;
- Provide a platform for all concerned stakeholders to discuss how to enable African legislators to play their expected roles with regard to the implementation of the Paris Agreement.

Hon. Jacqueline Amongin, chairperson of the PAP's Committee on Agriculture moderated the program of the side event. H.E. the President of the PAP delivered a key note speech during the side event; reminding African legislators and all participants at the side event of the urgency to take immediate actions to fight climate change. According to him, it took 21 years to negotiate the agreement which was signed in Paris in 2015; and it is therefore not realistic to continue the negotiations on the implementation of this agreement. He further urged the developing countries to fulfil their financial commitments to the climate fund as this would accelerate national efforts to adopt mitigation measures.

A high-level panel discussion was also held as part of the program of the Pan African Parliament side events. The program of the PAP side event included presentations by the African Group of Negotiators (AGN), NEPAD, Pan African Climate Justice Alliance (PACJA) and other stakeholders.

The PAP side event was well attended and attracted many participants including African parliamentarians and the youth. However, there were some logistical challenges which affected the organization of this side event; notably; securing a larger venue (the size of the South African Pavilion was relatively small (it could only accommodate around 50 persons), delays in sending invitation letters, and announcing the side event through COP channels, amongst others.

The PAP side event organized during COP23 proved that the PAP image and visibility is increasingly improving. Many stakeholders and development partners expressed their willingness to engage and support the PAP. In this regard, PAP can do better in terms of organizing its annual side events during future COPs. But this cannot be achieved without undertaking early technical and logistical planning. Some recommendations in this regard are highlighted under the section of recommendations.

3.4. Joint Activities with PACJA

The PAP and the Pan African Climate Justice Alliance (PACJA) signed a Memorandum of Understanding (MoU) in August 2016 to institutionalise the collaboration between the two parties. Based on this MoU, PAP and PACJA developed a joint COP23 program which was preceded by a Pre-COP23

Preparatory workshop for the PAP delegation to COP23. The one- day preparatory workshop took place on the 21st October 2017 at the PAP.

The program of the preparatory workshop included; focused presentations on key issues to be addressed in COP23, consideration of the joint program and the communiqué of the African Parliamentary Pre-COP23 Preparatory Workshop.

Consequently, PAP and PACJA implemented their joint program during COP23. The joint program included the organisation of a number of side events and two press conferences.

The partnership with PACJA during COP23 was a successful experience in terms of creating a new platform for the PAP to engage with civil society and to lobby for raising African concerns through this platform. It also provided a better understanding on how organisations of civil society such as PACJA advocate and lobby for achieving specific demands during COPs.

4. PAP VISIBILITY AT COP23

4.1. Bilateral Meetings

H.E the President of the PAP engaged in various bilateral meetings with different stakeholders at the national, regional and international levels during COP23. These engagements were in the form of bilateral meetings whereby the two parties discussed a wide range of issues; most notably, climate change and the role of the Pan African Parliament in the implementation of the Paris Agreement as well as the aspect of developing appropriate climate change laws and policies.

In this regard, H.E. the President of the PAP met with the following:

- I. The Speaker of Fiji, the hosting country of the COP23,
- II. Speaker of the IPU,
- III. Vice Speaker of the National Assembly of Morocco,
- IV. Chairperson of the Committee on Climate Change of the House of Representatives, Nigeria and other many institutions and partners.

All these bilateral meetings provided a good opportunity to establish and strengthen the relationship of the PAP with its various partners. Furthermore,

these bilateral meetings positively contributed to enhancing the visibility of the PAP.

4.2. Meeting with Konrad Adenauer Foundation

The delegation of the PAP to COP23 held a consultative meeting on the 17th November 2017, in Bonn, Germany with Prof. Dr. Oliver C. Ruppel, Resident Representative and Director of Climate Policy and Energy Security for Sub-Saharan Africa – European and International Cooperation. The meeting was chaired by Hon. Suilma Hay Emhamed Elkaid, 3rd Vice President of the PAP and Hon. Jacqueline Amongin, Chairperson of the Committee on Agriculture. The meeting was also attended by 18 members of the PAP delegation to COP23.

The main objective of the meeting was to explore means of collaboration between the PAP and the Konrad Foundation on issues related to climate change policy and how to fill the gap between the legislators and the executives in addition to strengthening the capacity of parliamentarians in areas of climate change. In this regard, the meeting emphasized that in order to establish a long-term collaborative framework between the two parties, a workshop should be organized during the March 2018 Committees sittings. The workshop is envisaged to identify and prioritize areas of collaboration, as well as consider a comprehensive work plan.

The PAP delegation also informed the Konrad Foundation about the proposed plan to establish a specific body at the PAP to spearhead all the issues related to climate change. The key functions of this body include gathering data on various challenges that African countries are facing with regard to fighting climate change in addition to the resources mobilized by these countries to address mitigation and adaptation measures. It is further expected that this proposed body will empower parliamentarians by providing technical data and information related to climate change which ultimately enhances their participation in future COPs and other related events at the national, regional and international levels. Furthermore, PAP, through this body, can engage positively with national parliaments to address the issue of climate change.

The meeting also briefly discussed the African Climate Legislative Initiative (ACLI). This initiative was established after extensive consultations among Parliamentarians from countries, regional assemblies, voluntary parliamentarian initiatives and the Pan African Parliament, in collaboration with the Pan African

Climate Justice Alliance. The main objective of the ACLI is to support African legislative institutions in the development and implementation of domestic and regional laws on climate change. Furthermore, the ACLI also aims at identifying areas to be given priority for legislative review and reforms based on the National Determined Contributions (NDCs).

At the end of the consultative, the PAP and Konrad Foundation agreed that this meeting paved the way to establish a strong and a long-term relationship between them. The meeting further agreed that the proposed workshop is to be organized in March 2018 which will come out with the necessary modalities to advance the collaboration between the two institutions.

4.3 Media Coverage and visibility

A press release was prepared in both French and English, and issued to various local and international media houses. The release was published on the PAP website and social media. COP 23 Events that the PAP participated in through its MPs and President were covered and shared through the PAP website and social media (Facebook and Twitter) in the form of news articles and tweets.

Working in collaboration with the Pan African Climate Justice Alliance (PACJA), PAP displayed and distributed documents from the PACJA Stall/Booth. More documents and promotion items (branded bags and pens) were distributed during the Africa Day Celebrations!

The Pan African Parliament and the Union of African Parliaments endorsed the Rabat Declaration on Climate Negotiations. The Leaders of the two institutions, backed by Moroccan leaders participating at the COP23 presented the declaration to the Fiji Authorities, to show commitment to the negotiations. This was covered widely by Moroccan Press and through the PAP Social Media.

Advocacy

Advocacy was also carried out through distribution of the Basic Documents of the Pan-African Parliament as well as the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament. Both documents were disseminated in the four official languages of the PAP. The PAP Newsletter in both French and English and a brochure carrying the communiqué of the

African Parliamentary Pre-COP 23 Preparatory Workshop and some background to the African Climate Legislation Initiative (ACLI) were distributed.

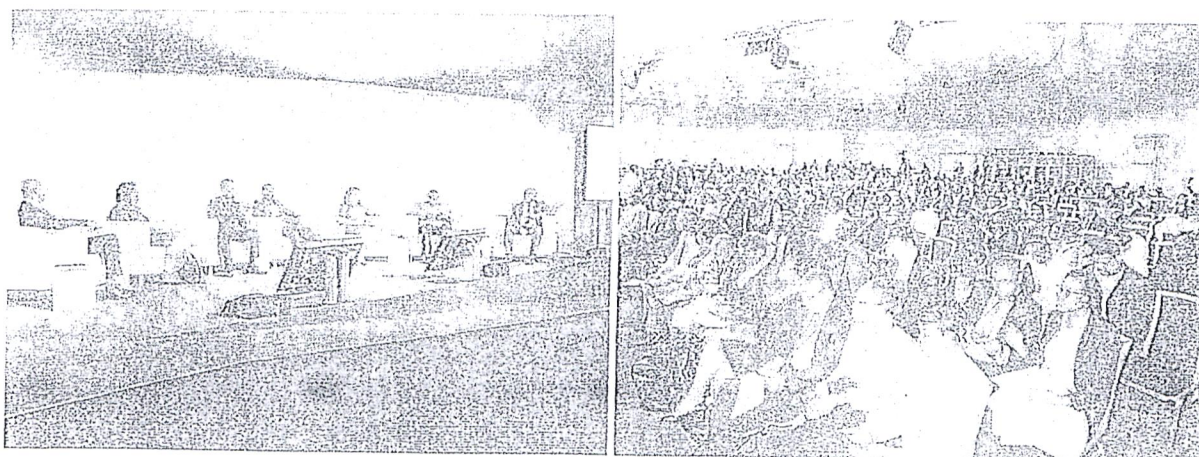
Media Coverage

Media interviews with the President were arranged for the United Nations News Channel and Hon. Jaquelin Amongin to feature on the COP 23 Promotional Video as Chairperson of the Committee on Agriculture. Two Press Conferences were organized. The first Conference focusing on Climate Finance was a collaborative effort and led by both the PAP President, Chairperson of the Agriculture Committee and the PACJA Management. The second Press Conference by the PAP Members of Parliament was on the position of the PAP in Climate Talks.

Some of the coverage received is listed below:

- 1) <https://unfccc.cloud.streamworld.de/webcast/accelerating-the-implementation-of-paris-agreement>
Accelerating the Implementation of Paris Agreement: African Civil Society and members of Parliament speaks on the urgency of Climate Finance as a prerequisite to ambitious action in African countries
- 2) <http://www.un.org/apps/news/story.asp?NewsID=58077#.Wgwua2hSxPY>
Financing for low-carbon, climate-resilient future takes center stage at UN climate conference
- 3) <https://www.euractiv.com/section/climate-environment/news/cop23-ups-pressure-on-climate-finance/>
COP23 ups pressure on climate finance
- 4) <https://www.carbonbrief.org/what-needs-happen-cop24-keep-paris-agreement-track>
COP23 video: What needs to happen by COP24 to keep the Paris Agreement on track?
- 5) <https://news.un.org/fr/story/2017/11/367552-bonn-le-besoin-de-financement-pour-les-pays-en-developpement-au-centre-de-la#.Wq60JsnTXqB>
Le besoin de financement pour les pays en développement au centre de la Conférence de l'ONU sur le climat

PAP graced Africa Day Celebrations at COP23



On Wednesday, 15 November 2017, COP23 celebrated Africa Day, a joint initiative of the African Union Commission (AUC), the United Nations Economic Commission for Africa (ECA), the African Development Bank (AfDB) and the New Partnership for Africa's Development (NEPAD). The theme of the Day was: "Partnerships to Implement the Paris Agreement: Africa's Response". The programme focused on funding, capacity-building, development and technology transfer.

President of the Pan African Parliament, H.E Roger Nkodo DANG addressed the gathering and reiterated that Africa pollutes minimally, and that there was no need to prolong negotiations; hence the Western countries should compensate the developing countries in order for them to be able to fight the effects of climate change, and implement their NDCs efficiently. The event received a wide coverage from international media.

4.3. Value addition/lessons learnt

Value addition/ lessons learnt from the participation of the PAP in COP23 include, amongst others, the following:

- 1- The meetings put PAP in a good position to being the voice of Africa on climate change interventions;

- 2- A lot more understanding about the gaps that exist in climate mitigation issues when vulnerable peoples in particular women and children in Africa and other continents are side-lined in the decision-making process;
- 3- Value of the voice of the PAP as seen in the positive way in which the message of the President was received;
- 4- Meetings/press conferences enabled PAP to add its voice to the climate change debate and in particular the demand of developing countries to meet their implementation agreements under the Paris Agreement; and
- 5- Role of the PAP in the UNFCCC/COP processes were enhanced.

5. LOGISTICS

5.1. Composition of the PAP Delegation

The PAP delegation to COP23 in Bonn, Germany was composed of 29 Members of Parliament and 9 staff. List of PAP delegation is attached as annexure 4.

5.2. Accommodation and local transport

The PAP delegation was accommodated at the Hyatt Regency Hotel in Koln city which is located 28km from Bonn, the venue of COP23. The Procurement Unit of the PAP managed to book the whole delegation in one hotel. Local transport was procured to enable the members and staff to move easily to and from the conference venue daily.

In general, the accommodation and local transport were successfully arranged albeit a few challenges.

5.3. Logistical and technical challenges

COP is a huge event with so many activities taking place simultaneously. Hence, the challenges encountered relates to the following:

- 1) Administrative and Logistics;

- I. Late procurement of accommodation made it difficult to lodge the delegation in Bonn. Therefore, the delegation had to travel daily to attend COP activities. Although this aspect was arranged properly, but a more convenient accommodation arrangements in future COPs might be a better option.

2) Technical

- II. Given the wide range of important meetings and side events, late arrival of parliamentarians did not allow them the opportunity to cover and participate in higher number of meetings and events.
- III. Budget constraints limited the number of parliamentarians and staff designated to for the PAP delegation.
- IV. The current status of the PAP as on observer is negatively affecting the PAP to benefit from various facilities during COP such as securing venue for meeting, media etc.

6. RECOMMENDATIONS

For the PAP to draw optimal benefits from participating in a number of meetings and side events that take place at COP, it is imperative to take into account, amongst others, the following recommendations:

At technical level

1. Based on the experience so far, the PAP should organize a comprehensive workshop involving African and developed countries negotiators and experts to keep PAP Members abreast with the Paris Agreement and all UNFCCC/COP processes, challenges and responsibilities;
2. Since the UNFCCC implementation processes involve all sectors vital to African progress (Agriculture, Energy, Gender, Migration, Health, Infrastructure etc.), it is important for PAP to consider (as part of the

comprehensive workshop above), the possibility of amending its rules to create a “Standing Committee on Climate Change”.

3. As an alternative to the above proposal on establishing a “Standing Committee on Climate Change,” the President of the PAP could consider forming a “President Select Committee on Climate Change” to help the President and PAP to provide focused attention on UNFCCC/COP processes and develop a concrete proposal for a way forward for PAP.
4. The PAP should consider forming as a first step a “PAP Climate Change Forum” to institutionalize PAP participation in the UNFCCC/COP processes;
5. There is a need for PAP to take a proactive coordinating role on Climate Change Legislation for Africa similar to the Continental Anti-Terrorism Legislation;
6. The PAP should set up a unit/desk for climate change to provide technical support to members and to serve as the centre for monitoring, evaluation and networking on climate change activities at the national, regional, continental and international level;
7. Due to the importance of the PAP participation and message delivery, adequate preparation including developing concise agreed press messages should precede all COP events;
8. Climate change is a cross-cutting issue that involves all the permanent committees of the PAP. All activities and side events during COP directly relate in one way or another to the work of the committees. Therefore, the Committees Unit of the PAP should be encouraged to plan and facilitate regular participation of its staff; in particular, Committee Clerk as such participation will give them an opportunity to learn and enhance their knowledge. It will further assist them to network and identify potential partners for their committees. Committees can also have the opportunity to discuss and share the role and work plan of their committees with all the stakeholders.

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MIDRAND, SOUTH AFRICA



1.0 INTRODUCTION

- 1.1 The Committee on Rural Economy, Agriculture, Natural Resources and Environment of the Pan African Parliament, the New Partnership for Africa Development (NEPAD) Agency and its development partners at the first NEPAD Agency-Pan African Parliament high level event on Nutrition and Food Systems, made the call for more action towards addressing the scourge of hunger and all forms of malnutrition on the continent on 7th March, 2018.
- 1.2 Nearly all countries in Africa experience multiple burdens of malnutrition that occur as a result of unbalanced, empty calories and poor diets (inadequate, unbalanced or excessive consumption of macronutrients that provide dietary energy found in carbohydrates, protein and fats), while consuming much less micronutrients (vitamins and minerals) that are essential for physical and cognitive growth and development. It is evident that the majority of Africans are still not consuming enough fruits, vegetables and pulses which provide the micronutrients.
- 1.3 Despite remarkable progress in economic growth and nutrition in some regions and countries in the world, the overall situation of food security and nutrition in Africa continues to lag behind global trends. Approximately one out of four persons in sub-Saharan Africa and one out of five on the continent were estimated to be undernourished in 2015

2.0 OPENING REMARKS

- 2.1 Hon. Jacqueline Amongin, Chairperson of the Committee on Rural Economy, Agriculture, Natural Resources and Environment welcomed the Members and all participants to the high level event on nutrition and food system and hoped for fruitful deliberations. She remarked that the high level forum will provide a platform for the sharing of flagship nutrition programmes, policies, and initiatives in Africa by stakeholder institutions.
- 2.2 In a speech read on behalf of H. E. Hon. Roger Nkodo Dang, President of the PAP, Hon. Mamedu Sidibe, expressed his gratitude to NEPAD and FAO for convening the event. He underscored the need to improve food and nutrition access to the vulnerable groups including children, the elderly and disabled. He highlighted the important role being played by the Pan African Parliament Alliance on Food Security and Nutrition as well as the Pan African Parliament Alliance on Malabo Declaration, Sustainable Development Goals (SDGs) as they seek to ensure that the aspirations of both the SDGs and Agenda 2063 particularly to do with access to food and nutrition are realised. He called on NEPAD and FAO to financially support the PAP in finalising the Model Law on Climate Change which will be used by all African Parliaments.

- 2.3 In his remarks, the CEO of NEPAD, Dr. Ibrahim Mayaki stated that 2018 is a watershed moment on the continent for recognising the challenge, yet centrality of nutrition in development. Africa's development strongly hinges on food and nutrition security. He further said Parliamentarians have a very critical role to play in championing the course of nutrition. However, individually and collectively, we have equally binding responsibilities to do our part in making hunger and malnutrition a phenomenon of the past within this decade, citing that nutrition was at the centre of Africa's development. He lamented the high levels of malnutrition in Africa both at the individual and community level. He also highlighted the impact of climate change and urbanization on food security and nutrition on the continent adding that solutions to the crisis are available but the political will was missing.
- 2.4 Mr. Lewis Hove speaking on behalf of the Assistant Director General of FAO, Mr Bukar Tijane. He reiterated the need for evidence need policies and underscored the importance of food trade integration and facilitation of the enactment of laws. He further noted that the provision of adequate resources is critical to attain the nutrition targets and that FAO can play a role in supporting this food systems approach. Moreover, he emphasized the importance of food systems to deliver healthy diets and nutrition for all.
- 2.5 Mr. Lewis Hove, FAO Representative in South Africa appreciated the PAP and other organizations for the continued effort and collaboration to end hunger and malnutrition in Africa. He reiterated the fact that FAO was prepared to continue the support to the Committee on Rural Economy, Agriculture, Natural Resources and Environment as well as the PAP Alliance on Food Security and Nutrition in the execution of their mandate. He encouraged Members to facilitate the enactment of laws that promote healthy diet as well as legislating for increased budget allocations to issues relating to nutrition and healthy diet.
- 2.6 Mr. Martin Chungong, Secretary General of the Inter – Parliamentary Union (IPU) noted that Nutrition and food security are eminently political issues. Parliamentarians have an important advocacy role as they are the 'bridge' between the people and their governments. He emphasized that no change for the better will be felt until these issues are prioritised, adequately funded and carefully implemented and that nutrition and food security are political issues that needed to be dealt with holistically. He encouraged Members through their legislative and oversight role to ensure that funds are channelled towards food security and nutrition. Mr Chungong also made reference to the initiatives of the IPU in dealing with malnutrition citing an initiative where all Speakers of Parliaments were requested to initiate programmes to address malnutrition. The call he said, was answered by 36 parliaments, with ten of them being African Parliaments.

- 2.7 The Rt.Hon. Nahas Angula, Convenor of the Namibia Alliance for improved Nutrition (NAFIN) and Lead Group Member of Scaling Up Nutrition Movement reiterated that a sustainable, healthy food system and good nutrition is both the starting point and the foundation of sustainable development. Malnutrition has a high cost in terms of health, educational achievement, economic productivity and the wellbeing of our people. He appreciated the significant decrease of hunger and malnutrition in Africa in the last decade but however added that hunger and malnutrition was resurfacing in areas affected by conflict, drought and famine. He called for collective action by governments, non-governmental organisations, UN agencies, development partners and the business community in addressing malnutrition in Africa.

3.0 DEBATE ON NUTRITION AND FOOD SYSTEMS IN AFRICA – SITUATION, CHALLENGES AND OPPORTUNITIES

- 3.1 Presenters in this session zeroed in on the need by governments to allocate at least 10% of the national budget to agriculture and aim to end hunger by 2025. Moreover, the Malabo Declaration which is committed to reducing stunting to below 10% in Africa and underweight in children under 5-years- old to below 5% by 2025, with the aim of eliminating hunger in Africa in the next decade, addressing the goals captured in Africa's Agenda 2063, the continental vision for transformation.
- 3.2 Parliamentarians were encouraged to exercise their oversight role and ensure that governments support AU and NEPAD efforts to mobilize more resources towards nutrition and food security. In the same vein they were encouraged to demand accountability in the areas of food security for their respective countries.
- 3.3 Emphasis was placed on the need of a 1000 days initiative which focuses on the importance of maternal and child nutrition to ensure that children have access to adequate, quality and acceptable food. In this regard, Members were urged to ensure that maternal and child nutrition is prioritised up to adolescents' stage and to prioritise home-grown school feeding programmes for better nutritional outcomes.
- 3.4 The need for capacity building around mainstreaming and the inclusion of malnutrition matters in various sectors such as finance, health and agriculture was also focused on as well as the need to reinforce Food and Nutrition Security evidence based research in Africa, particularly malnutrition with a view to generating data for decision making.
- 3.5 The FAO and NEPAD pledged to facilitate knowledge sharing among Members of Parliament from different parliaments, to provide publications that guide in

addressing malnutrition and technical support and tools to facilitate the making of laws that promote access to nutrition.

3.6 Members were encouraged to form Alliances on Food Security and Nutrition at the sub – regional and national level to complement the efforts of the PAPA – FSN. It was envisaged that the PAP could be represented at the Global Parliamentary Summit on Malnutrition scheduled for Madrid, Spain in November 2018.

3.7 The Members agreed that effort has been made to eliminate hunger and malnutrition on the continent but the results have not been convincing hence the need for members of Parliaments to strengthen their efforts and resources to address the challenges within their respective countries. They also agreed on the need for harmonized guidelines on land use and land management, an area that FAO is prepared to provide capacity building which will result in the development of a model law.

3.8 The participants recommended that in future, Ministers of Agriculture and Ministry Finance and Planning should be invited to meetings of this nature to increase investments on nutrition and to keep abreast with the legislators on areas that need critical attention regarding the food security and nutrition on the continent.

3.9 In order to realise food security, the participants agreed on the need to capacitate the rural farmers so that they produce more. One such way of capacitating them was through relaxing borrowing conditions.

4.0 DEBATE ON IMPLICATIONS FOR INVESTMENTS, FINANCING AND GOING TO SCALE ON NUTRITION AND FOOD SECURITY

4.1 The presenters highlighted the need for weather surveillance mechanism in Africa as a means to deal with droughts. The proposal was for universities and research institutes to address drought mitigation through constant research into weather patterns on the continent. That way, food security would be guaranteed.

4.2 Emphasis was placed on the need to come up with updated data and statistics on the cost of hunger in Africa so as to address the cost of hunger from an informed perspective.

4.3 The presentations also centred on solutions to child nutrition with the focus being on the recommended period for breastfeeding that ensures the child is unaffected by malnutrition. On the same point of breastfeeding, the participants lamented the failure by mothers to breastfeed, relying on breast milk

substitutes. Absence of maternity leave and support for breast feeding in the workplace were also identified as causative agents to malnutrition among children.

- 4.4 Members also lamented the fact that the rural areas of Africa are the ones that produce food but are the hardest hit by malnutrition. In this regard the International Fund for Agricultural Development (IGAD), is working with small scale rural famers supporting them financially to improve their agroindustry output and to improve their nutritional well-being.
- 4.5 Members highlighted that the demographic boom and effects of climate change in Africa contributed to malnutrition thus the need for Members to work with strategic partners such as SUN Movement to address hunger and malnutrition issues in member states.
- 4.6 It was agreed that the momentum of the High Level Event on Nutrition and Food Systems should be sustained by embedding it in the annual PAP Statutory Meetings in October.

5.0 COMMUNIQUE OF THE HIGH LEVEL EVENT

Following the above deliberations, a Communique was produced which will be tabled to the Plenary for adoption. See **Annex 1**.

ANNEX 1

COMMUNIQUE

HIGH LEVEL EVENT ON NUTRITION AND FOOD SYSTEMS

07 MARCH, 2018

MIDRAND, SOUTH AFRICA

We, the NEPAD Planning and Coordinating Agency (NEPAD Agency), the Pan African Parliament (PAP), the Food and Agriculture Organization of the United Nations (FAO) and the Scaling Up Nutrition Movement (SUN) and other partners participated at the High Level Event on Food and Nutrition Systems, held on the 07th March 2018 at the Headquarters of PAP, in Midrand, South Africa;

1. Affirm that the African Leaders in 2014, through the Malabo Declaration and its implementation strategy and roadmap, committed themselves to reducing stunting to below 10% in Africa and underweight in children under 5-years- old to below 5% by 2025, with the aim of eliminating hunger in Africa in the next decade.
2. Reaffirm CAADP momentum needs to be sustained through effective implementation and delivery on the goals of the Malabo Declaration on Agriculture, integrating it with the 2030 Agenda on Sustainable Development and attaining the aspirations of Africa Agenda 2063.
3. Further to the Rome Declaration and the Framework for Action adopted by the Second International Conference on Nutrition (ICN2), held in Rome in November 2014, is built on the premise that sustainable food systems are key to promoting healthy diets. The UN General Assembly has reinforced the call for action by declaring 2016-2025 the Decade of Action on Nutrition. This Decade coincides with Africa's intention and target to eliminate hunger by 2025.
4. Recognize the NEPAD Agency Food and Nutrition Security Flagship Programmes such as Home Grown School Feeding, Food Fortification including Biofortification, Maternal and Child Nutrition, Capacity Development, Policy and Advocacy. NEPAD is also a founding and core member and technical advisor to the Cost of Hunger Studies in Africa (COHA).
5. Appreciate the commitment by AU Member States, Regional Economic Communities (RECs), FAO, SUN Movement, Inter-Parliamentary Union (IPU)

and other partners to strengthen the development of food and nutrition security programming, policy and advocacy;

6. **Acknowledge** the importance of launching the Pan African Parliamentary Alliance for Food Security and Nutrition (PAPA-FSN) by the PAP and FAO to position the issue of food security and nutrition at the highest level of the political and legislative agendas in order to achieve the developmental objectives of Africa and (ii) to contribute to a Pan-African Parliament Alliance on Food Security and Nutrition as a regional platform for African Members of Parliament and iii) to discuss and agree on critical issues related to food security and nutrition.
7. **Recognize** that the Inter-Parliamentary Union (IPU) and the Scaling Up Nutrition (SUN) Movement called for action on nutrition from speakers of parliament of fifty eight (58) SUN Movement countries, to strengthen parliamentarians' engagement and identify ways to end malnutrition in all its forms;
8. **Aware** of efforts to improve , quantitatively and qualitatively nutrition and food systems, especially of our indigenous crops by the support from governments and development partners and the fact that the long term solution to Food and Nutrition Security is broad-based inclusive economic development;
9. **Take cognizance** of the contributions and outcomes of the High Level Event on Nutrition and Food Systems;

We, NEPAD Agency, Members of the PAP and the participants in this high level event therefore commit to:

10. **Accelerate** the implementation of the Malabo Declaration commitments for achieving nutrition and food security as a priority, the Second International Conference on Nutrition (ICN2) and the Africa Regional Nutrition Strategy (ARNS) 2015-2025 outlines the specific role of the African Union Commission (AUC) and NEPAD Agency in the elimination of hunger and malnutrition.
11. **Strengthen** the existing and the development of policies, and recommitted to end hunger and malnutrition in Africa; including child stunting.
12. **Monitoring** the implementation of priority nutrition and food security indicators stipulated in the SDGs, Malabo Declaration and other relevant commitments that address hunger and malnutrition in Africa;

13. Assess progress to achieve zero hunger at the regional and national level through the support of the parliamentarians;
14. Share basic and important concepts on nutrition and food systems; nutrition programmes, policies, and initiatives in Africa and present global linkages and opportunities for improved nutrition and food systems;
15. Advocate for structured, specific investments that remove barriers and make it possible for smallholder farming communities to participate in inclusive local food value chains;
16. Provide an opportunity for the parliamentarians to enhance dialogue and understanding of the challenges and opportunities for action and impact;

We recommend as follows:

AUC, NEPAD Agency, PAP, RECs and Member States to:

17. Develop and Implement legal policies and instruments related to nutrition and food systems;
18. Undertake to institute effective measures to strengthen nutrition programs, policies and initiatives in Africa;
19. Urge NEPAD Agency and the FAO to commit to organise annual events during the PAP statutory meeting to sensitize parliamentarians on issues related to nutrition and food security;
20. Encourage NEPAD Agency and FAO to provide technical and financial support to the demand of parliamentarians and their respective countries in implementing key nutrition activities.
21. Present this Communique during the Plenary Session of the PAP in May 2018, for its endorsement by the other Committees of the Pan African Parliament.

Adopted in Johannesburg, South Africa on 07th March 2018

