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**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**(First Session)**

**PARLIAMENT  
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**RECORD OF THE PROCEEDINGS OF THE FIRST ORDINARY SESSION  
OF THE SIXTH PARLIAMENT**

**OF THE PAN-AFRICAN PARLIAMENT (PAP)**



**Gallagher Convention Centre**

**Midrand, South Africa**

**23<sup>rd</sup> October to 12<sup>th</sup> November, 2022**

**Clerk's Chambers,  
Parliament Buildings,  
Nairobi.**

**November, 2022**

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## **ABBREVIATIONS**

<b>AEC:</b>	African Economic Community
<b>AfCFTA:</b>	African Continental Free Trade Area
<b>AU:</b>	African Union
<b>CAPA:</b>	Committee on Audit and Public Accounts
<b>DRC:</b>	Democratic Republic of Congo
<b>ECOWAS:</b>	Economic Community of the West African States
<b>OAU:</b>	Organization of African Unity
<b>PAP:</b>	Pan African Parliament
<b>RECs:</b>	Regional Economic Communities
<b>SADC:</b>	Southern African Development Community

## **PREFACE**

The First Ordinary Session of the Sixth Parliament of the Pan-African Parliament (PAP) took place from 23<sup>rd</sup> October, 2022 to 12<sup>th</sup> November, 2022 at the Gallagher Convention Centre, Midrand, South Africa. The Session was held under the African Union (AU) theme of the year – “*Building resilience in nutrition on the African continent: Accelerate the human capital, social and economic development*”.

The Kenya delegation to this meeting comprised of the following –

1. Sen. Danson Mungatana, MGH, MP – Leader of the Delegation;
2. Sen. (Prof.) Margaret Kamar, EGH, MP;
3. Hon. Esther Muthoni Passaris, OGW, MP;
4. Hon. Joseph Kalasinga Majimbo, MP;
5. Hon. Rahab Mukami Wachira, MP;

The delegation was supported by Mrs. Lillian Osundwa, Clerk Assistant, Senate; Mr. Polycarp Matara Otundo, Clerk Assistant, Senate; Mr. Erick Mokaya Nyambati, Clerk Assistant, National Assembly; and Ms. Jane Jelagat Serem, Personal Secretary, National Assembly.

The Session was graced by the following dignitaries: Hon. Ronald Lamola, Minister for Justice and Correctional Services, who represented the President of the Republic of South Africa; Rt. Hon. (Dr.) Sidie Mohamed Tunis, Speaker of the Economic Community of the West African States (ECOWAS) Parliament; Rt. Hon. Fattouh Rawhi, Speaker of the Palestine National Council; and Rt. Hon. Baroness Patricia Scotland KC, Secretary General of the Commonwealth.

During the session, the PAP undertook swearing in of new members from Burundi, Kenya, Morocco, Mozambique, Somalia and Tanzania to the Pan-African Parliament. The Delegation from Kenya was sworn in on Thursday, 10<sup>th</sup> November, 2022.

Additionally, a number of issues affecting the Member states were deliberated upon, including a Motion calling for the cessation of conflict in the Democratic

## ***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 AU.

#### **a) The Plenary**

8. 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**

9. 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**

10. 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.

#### **d) Committees of the Pan-African Parliament**

11. 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.

12. 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

13. 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.

**e) Calendar of the Pan-African Parliament activities**

14. 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.*

15. 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 FIRST ORDINARY SESSION OF THE SIXTH PAN-AFRICAN PARLIAMENT

## *Opening Ceremony*

16. The official opening of the session was conducted on 31<sup>st</sup> October, 2022 by the PAP President, **Hon. Chief Fortune Zephania Charumbira**. The opening ceremony was held at the Idriss Ndele Plenary Room and was attended by, among others, **Hon. Ronald Lamola**, Minister for Justice and Correctional Services, who represented the President of the Republic of South Africa; the **Rt. Hon. Baroness Patricia Scotland KC**, the Commonwealth Secretary-General, **Hon. Rawhi Fattouh**, Speaker of the Palestine National Council, **Hon. (Dr.) Sidie Mohamed Tunis**, Speaker of the ECOWAS Parliament, members of the diplomatic corps in the South Africa, as well as PAP Members of Parliament from fifty-two (52) Member States.

In his welcome remarks, the President of the PAP, Hon. Chief Fortune Zephania Charumbira, highlighted the rebranding of the PAP and the process to reform and restructure the Parliament to make it more efficient and relevant in the face of critical challenges of a new world order. H.E. Hon. Chief Charumbira underscored the role of the PAP in ensuring that the historical trajectory in thematic issues that affect the Continent are continuously revived to maintain continuity in Continental Legislative scrutiny.

## *Remarks and Solidarity Messages by Dignitaries during the Opening session*

### **Rt. Hon. Baroness Patricia Scotland KC, Secretary-General of the Commonwealth**

The Rt. Hon. Baroness Patricia Scotland KC, expressed her gratitude to the President and Members of PAP for inviting her to address the First Ordinary Session of the Sixth Parliament of PAP. She congratulated the newly sworn in PAP members.

**Hon. (Dr.) Ashebiri Gayo, 2<sup>nd</sup> Vice President of PAP**

Hon. (Dr.) Ashebiri Gayo, 2<sup>nd</sup> Vice President of PAP (representing the Eastern Africa Regional Caucus) graciously thanked the invited guests and stressed the need for continuous collaboration between PAP and other Institutions of its nature.

***Swearing-in of New Members of Parliament***

17. In line with Rule 9 of the Rules of Procedure of the Pan-African Parliament, newly elected Members were sworn-in during the first plenary sitting. In total, Members from six countries were sworn-in as Members of the Pan-African Parliament. The Members were from the following member States –

- |            |               |
|------------|---------------|
| 1) Burundi | 4) Mozambique |
| 2) Kenya   | 5) Somalia    |
| 3) Morocco | 6) Tanzania   |

***Keynote address by Hon. Ronald Lamola***

18. The Keynote address was delivered by the Minister of Justice and Correctional Services of the Republic of South Africa, **Hon. Ronald Lamola**, on behalf of **H.E. Cyril Ramaphosa**, the President of the Republic of South Africa.

Hon. Ronald Lamola, the Minister of Justice and Correctional Services of the Republic of South Africa, representing H.E. President Cyril Matamela Ramaphosa, officially opened the First Ordinary Session of the Sixth Parliament of the Pan-African Parliament. He commended the PAP Bureau for premising the Session on the AU theme for 2022.

Hon. Lamola appreciated the appropriateness of the theme, noting the current geo-political context characterized by uncertainty, ultra-nationalism, polarization and the compounded negative effects of climate change that have seriously impacted on the African Continent. He emphasized the fact that it was, therefore, incumbent upon Africa to move with speed to meet the challenges associated with food security and

In her remarks, the Rt. Hon. Baroness Scotland KC, painted a visionary future of PAP, underscoring the fact that, now more than ever, the future of the PAP and its members will be better and brighter despite glaring challenges.

**Rt. Hon. (Dr.) Sidie Mohamed Tunis, Speaker of the ECOWAS Parliament**

Rt. Hon. (Dr.) Sidie Tunis begun his remarks by thanking the PAP membership for the wonderful work they were doing. He expressed his gratitude to the PAP President for the warm African hospitality. He further noted that the theme of the First Ordinary Session of the Sixth PAP fully aligned with the comprehensive AU Agenda 2063.

He pointed out that climate change had led to slow growth and increased poverty in many regions, making it hard to source food.

Noting that the COVID 19 pandemic has disrupted labour markets across the region and further pointed out that conflict in various parts of the continent had led to displacement of millions, leading to starvation.

Rt. Hon. (Dr.) Sidie, encouraged the Southern African Development Community (SADC) Region to leverage on private sector engagement as a powerful force in improving livelihoods on the Continent. He concluded by emphasizing the need to continue the conversation on the importance of agriculture as a key deliverable in the sustainable development of the Continent.

**Hon. Fatou Rawhi, Speaker of the Palestine National Council**

The Speaker of the Palestinian National Council expressed his gratitude to the President and Members of PAP for inviting him to address the First Ordinary Session of the Sixth Parliament of PAP.

While congratulating the newly sworn in members, he appreciated the PAP for its support in the Palestine struggle and reminded the Continental Parliament that African countries played a significant role in ending colonialism, but should not loose guard since the fight is not over yet.

nutrition as it wades towards the fulfilment of the African Union Agenda 2063, **“The Africa We Want”**.

The Hon. Minister reiterated, on behalf of the Government of South Africa, the commitment to provide all the necessary support to facilitate the work of the PAP. In this respect, stated the Minister, the South African Government remained resolute that the issue of constructing a permanent precinct of the PAP should be finalized. Furthermore, the South African Government had made good progress in resolving the issues that had been obstacles to ensuring that the AU Organs hosted in South Africa were housed under one roof.

#### **PRESENTATION OF THE PERFORMANCE REVIEW REPORT OF THE PAN-AFRICAN PARLIAMENT**

19. H.E. President Chief Fortune Charumbira presented a Performance Review Report that assessed the tangible achievements, assessed the performance and identified strengths and weaknesses of the Institution as it sets its goals for future performance. This move was aimed at increasing the confidence of African Parliamentarians in the current leadership’s ability to effectively deliver on its commitment to **“revive, renew, reposition, and reinvigorate”** Africa’s supreme parliamentary body.
20. H.E. Hon. Charumbira underscored the need for African legislators to demonstrate the results of the work that the PAP was doing in order for them to win the support of the African citizenry. He stated that the PAP had demonstrated its relentlessness as it continued to undertake its responsibilities towards enhancing peace and security, promoting democracy and the rapid socio-economic development of the peoples of Africa. He further stated that the newly elected Bureau had committed itself to the rejuvenation and revitalization of the PAP as evidenced by the achievements that had been recorded within its short period of incumbency.

21. H.E. Hon. Charumbira explained that the results of the Performance Review Report were anchored on the four thematic objectives of the PAP 2019-2023 Strategic Plan, which include strengthening the parliamentary functions of the PAP and the enhancement of knowledge management responsibilities on the Continent.

22. The report highlighted the following key initiatives and results:-

- The entrenchment of the principle of rotation in the election of the Bureau and Bureauxes of the Sixth Parliament of the PAP;
- Hosting of the First Meeting of the Permanent Standing Committees;
- The Strategic Reorientation workshop for Members of Parliament;
- The development of Model laws;
- Participation in the 41<sup>st</sup> Ordinary Session of the Executive Council and the 4<sup>th</sup> mid-year coordination meeting of the African Union (AU) and the Regional Economic Communities (RECs);
- Hosting of the Eleventh Conference of the Speakers of Regional and National Parliaments in Africa; and
- Hosting of the 4<sup>th</sup> Meeting of Secretaries-General of African Parliaments (ASGAP).

Hon. Charumbira stated that these initiatives had yielded significant positive results for the Continental body.

23. In the ensuing debate, the Legislators made robust submissions centred on the Ratification of the Malabo Protocol, budgetary constraints faced by the Parliament and the urgent need for Parliamentarians to discuss issues aimed at improving the livelihoods of African citizenry.

**H. E. HON (GEN.) OLUSEGUN OBASANJO CALLS ON THE PAP TO HARNESS ITS POTENTIAL AND DELIVER ON ITS MANDATE**

24. The former President of the Federal Republic of Nigeria and AU High Representative for the Horn of Africa, H.E. Hon. Olusegun

- Obasanjo, urged the Pan-African Parliament (PAP) to be more visible and play a pivotal role in ensuring security, peace and stability in Africa.
25. H.E. Hon. Obasanjo emphasized the need for openness, impartiality and patience on the warring factions in the Horn of Africa Region.
  26. H.E. Hon. Charumbira appreciated the role played by the former Premiers and requested Africa to celebrate the agreement that delivered peace in the Horn of Africa, an incredible achievement that had escaped that region for the previous two years.

**13<sup>TH</sup> PAN-AFRICAN PARLIAMENT CONFERENCE ON WOMEN'S RIGHTS UNDER THE THEME: "WOMEN EMPOWERMENT AND INCLUSION IN GOVERNANCE"**

27. While addressing delegates during the conference that took place on the sidelines of the Assembly, the Rt. Hon. Nosiviwe Mapisa-Nqakula, Speaker of the National Assembly of the Republic of South Africa, underscored the fact that the 13<sup>th</sup> Conference on Women was held at an opportune moment when the world was grappling with reorganising itself to respond to the wide-ranging socio-economic impact of the Covid-19 pandemic.
28. Given that women were still under- represented in strategic Government and private sector positions, Rt. Hon. Nosiviwe observed this as a sign of bad governance and urged the global community to move beyond just demonstrating commitment and take measurable actions to rid itself of all barriers to women and girls' participation in the socio- economic development of their nations and the Continent at large.
29. In contributing to the debate, Hon. Lucia dos Passos, the 3<sup>rd</sup> Vice-President of the PAP, emphasized that the empowerment and capacity building to advance women is not only the responsibility of women but of all, inclusive of men.

30. PAP Parliamentarians were tasked to persuade their respective Governments to accelerate the implementation of gender equality laws that provide for specific quotas for women and encourage Member States that have not yet adopted such laws to do so as a matter of urgency.

### **AGENDA 2063**

31. The Session was briefed on the implementation of the first phase of Agenda 2063 Strategic Framework for Inclusive Growth and Sustainable Development, which accorded the Members of Parliament an opportunity to review Africa's development blueprint in relation to set targets and goals.

32. The PAP was apprised of the fact that it was crucial to note that the Agenda embodied a set of institutional ideas to tackle Africa's essential challenges related to integration, prosperity and good governance and that it required significant Parliamentary intervention especially as it prepares for the next ten (10) years of its implementation.

33. Members were informed that this Agenda emphasized the importance of rekindling the passion for Pan- Africanism, a sense of continental unity, self-reliance, regional integration and solidarity to the Continent. The Agenda was dynamic in the context of positioning Africa within the rest of the world development matrix consistent with the objectives underlying the establishment of the Pan-African Parliament.

### **MOTION CALLING FOR THE IMMEDIATE END OF THE DRC CONFLICT**

34. The Session noted the ongoing conflict in the Democratic Republic of Congo (DRC) Provinces of North Kivu, South Kivu and Ituri which has resulted in more than 100,000 people fleeing their homes and dozens being killed during the fight between Congolese soldiers and various rebel groups which include the M23 rebels.

35. The Plenary Assembly observed, with grave concern, the devastating effects of the conflict unfolding in the DRC, which has profound lasting negative effects to the Southern and East Africa Regions in particular and the whole African Continent in general.

In this regard, a Motion was adopted condemning this conflictual situation.

## **COMMITTEE MEETINGS AND REPORTS**

### ***Presentation on the Status of Peace and Security in Africa***

36. Hon. (Dr.) Sherif El Gabaly, the Chairperson of the Committee on Cooperation International Relations and Conflict Resolution highlighted that conflicts in Africa pose a huge threat to the Continent's economic growth and development. In his Report, he called on the African Parliamentarians to work together to ensure a peaceful and conflict-free Africa.

37. In response to the ongoing conflicts across the African Continent, the Chair pointed out that peace and security across the Continent should be transformed into a reality and that no country should be denied this basic right. He argued for this assertion as a response to the ongoing conflicts across the Continent. It was in this regard that the Committee on Cooperation, International Relations and Conflict Resolution was tasked to remain an essential ally in the efforts to combat political and civil strife and ensure the promotion of peaceful coexistence across the Continent.

### ***Report on the Proposed Model Law on Nationality and Statelessness***

38. The Committee on Cooperation, International Relations and Conflict Resolution presented a report on the proposed Model Law on Nationality and Statelessness.

39. Thereupon, Members observed that statelessness was not only an African problem but a global one and that it entailed getting accurate data on the phenomenon.
40. Members were informed that the Model Law arising out of this conversation provides a guide as best practice for States when drafting nationality laws. They were further informed that the development and adoption of this Model Law would be instrumental in preventing Statelessness, thereby enhancing human rights in Africa and contributing to peace and security on the Continent.

#### ***Report of the Committee on Audit and Public Accounts (CAPA)***

41. The Committee on Audit and Public Accounts (CAPA) presented its report to the Plenary Assembly. The Report was generated from CAPA Sittings and aimed at reviewing audit reports on the activities of the PAP. The work of the Committee leading to the Report was in accordance with its mandate as provided for in Article 3 of the PAP Resolution that established it as a Committee in October 2015.
42. The Session adopted the CAPA report urging the Internal Auditor to achieve financial probity by implementing all audit recommendations raised during the review of the status of finances of the continental Parliament.

#### **RESOLUTIONS, RECOMMENDATIONS AND THE WAY FORWARD**

43. On 4<sup>th</sup> November, 2022, the PAP adopted amendments to its Rules of Procedure by consensus pursuant to the Constitutive Act, the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament and the Rules of Procedure of the Pan-African Parliament. The principle of rotation for leadership positions across all organs of the Pan-African Parliament was duly encapsulated in the Rules of Procedure.

44. The following resolutions (*attached to this report as Annexes 1-18*) were adopted by the PAP:-

- A draft resolution congratulating the Federal Republic of Ethiopia and Tigray People's Liberation Front on the signing of the peace agreement;
- Resolution on solidarity and support to the Government and the People of the Republic of Mozambique;
- Resolution on the Pan-African Parliament's support to the East African crude oil pipeline project;
- Resolution calling for the immediate lifting of unilateral economic sanctions imposed on the Zimbabwean Government by the United States, United Kingdom and the European Union;
- Resolutions for the ratification and implementation of the additional Protocol to the African Charter on Human and Peoples' rights on the rights of women in Africa (Called the Maputo Protocol);
- Resolution on the roundtable on advancing democratic governance through the implementation of the African Charter on Democracy, Elections and Governance (ACDEG) and enhanced citizen engagement;
- Resolution on Labour Migration;
- Resolution on the African Continental Free Trade Area;
- Resolution on the Adoption of the Model Law on Food and Nutrition Security in Africa;
- Resolution on Model Police Law for Africa;
- Resolution on Elimination of harmful practices related to accusations of witchcraft and rituals attacks;
- Resolution on the promotion of ratification of the Protocol On Persons With Disability and the Protocol On Older Persons;
- Resolution on the formulation of a Model Law on Labour Migration in Africa;
- Resolution on the formulation of a Model Law on gender parity in Africa;

- Resolution on the promotion of African Union ten-year action plan to eradicate child labour, forced labour, human trafficking and modern slavery (2020-2030);
- Resolution on the formulation of a Model Law on Statelessness;
- Resolution on the development of a Model Law on Cooperatives in Africa; and
- Resolution on the development of a model legislation on Factoring in Africa.

**45.** The recommendations adopted by the PAP are contained in this report and form ***Annex 2***.

### **WAY FORWARD/CONCLUSION**

In conclusion, the First Ordinary Session of the Sixth Parliament:-

- a) Called upon PAP Parliamentarians of countries which have not yet ratified the African Continental Free Trade Area (AfCFTA) Agreement to raise awareness among their Governments to ratify the Agreement. Additionally, a call was made on Parliamentarians to sensitize their respective countries to create inter-sectoral national committees for AfCFTA led by their Ministries in charge of trade to coordinate national actions in implementation of AfCFTA and to collaborate with the AfCFTA Secretariat and the private sector;
- b) Adopted that the PAP moves with speed in crafting a Model Law that would combat gender-based discrimination and punish sexual harassment against women and girls;
- c) Resolved to increase Parliamentary advocacy and engagement for the ratification, domestication and implementation of all ILO Conventions and AU Protocols relating to the governance of Labour migration in Africa;
- d) called upon Member States to ratify AU normative instruments, particularly the Malabo Protocol;
- e) Resolved that the AU and its organs should strengthen the Electoral Observer Missions (EOMs), which should adopt a holistic approach in

- election observation to incorporate the pre-election, election and post-election developments and follow up the implementation of the recommendations to cover the gaps identified during the missions; and
- f) Called upon Member States to engage the Executive Arms of State in their respective countries to lobby for the reinstatement of a meaningful budgetary allocation to the Pan African Parliament.
- 46.** The full dossier of the resolutions and recommendations of the First Ordinary Session of the Sixth Parliament is attached for consideration by the Senate.
- 47.** During the 3-day Workshop organized by the Bureau of the PAP and which took place at the Indaba Hotel in Fourways, Johannesburg, between the 10<sup>th</sup> and 12<sup>th</sup> of November, Permanent Committees met and adopted their 2023 work-plans.
- 48.** The next Sittings of the Permanent Committees of the PAP are expected to be held in March, 2023 while the plenary sessions will be held in May, 2023.

**%%%END%%%**

## **ANNEXTURES**

### **Annex 1 – Resolutions**

1. *A draft resolution congratulating the Federal Republic of Ethiopia and Tigray People's Liberation Front on the signing of the peace agreement;*
2. *Resolution on solidarity and support to the Government and the People of the Republic of Mozambique;*
3. *Resolution on the Pan-African Parliament's support to the East African crude oil pipeline project;*
4. *Resolution calling for the immediate lifting of unilateral economic sanctions imposed on the Zimbabwean Government by the United States, United Kingdom and the European Union;*
5. *Resolutions for the ratification and implementation of the additional Protocol to the African Charter on Human and Peoples' rights on the rights of women in Africa (Called the Maputo Protocol);*
6. *Resolution on the roundtable on advancing democratic governance through the implementation of the African Charter on Democracy, Elections and Governance (ACDEG) and enhanced citizen engagement;*
7. *Resolution on Labour Migration;*
8. *Resolution on the African Continental Free Trade Area;*
9. *Resolution on the Adoption of the Model Law on Food and Nutrition Security in Africa;*
10. *Resolution on Model Police Law for Africa;*
11. *Resolution on Elimination of harmful practices related to accusations of witchcraft and rituals attacks;*
12. *Resolution on the promotion of ratification of the Protocol On Persons With Disability and the Protocol On Older Persons;*
13. *Resolution on the formulation of a Model Law on Labour Migration in Africa;*
14. *Resolution on the formulation of a Model Law on gender parity in Africa;*
15. *Resolution on the promotion of African Union ten-year action plan to eradicate child labour, forced labour, human trafficking and modern slavery (2020-2030);*
16. *Resolution on the formulation of a Model Law on Statelessness;*
17. *Resolution on the development of a Model Law on Cooperatives in Africa;*  
*and*
18. *Resolution on the development of a model legislation on Factoring in Africa.*

### **Annex 2 – Recommendations**

1. *Recommendation of the 2022 High level Parliamentary dialogue on Democracy, Human Rights and Governance in Africa under the theme of the Unconstitutional changes in Government and political transitions in Africa;*

2. *Recommendations of the 13<sup>th</sup> Conference on Women's Rights; and*
3. *Recommendation on Labour Migration in Africa.*



PAN-AFRICAN PARLIAMENT



PARLEMENT PANAFRICAIN

البرلمان الأفريقي

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Ref: PAP.6/PLN/RES/1-18/NOV.22

Original: English/French

## SIXTH PARLIAMENT

### DRAFT RESOLUTIONS

### FIRST ORDINARY SESSION

*under the African Union theme for 2022, “Building resilience in nutrition on the African continent: Accelerate the human capital, social and economic development”*

*24 October - 11 November 2022*

*Midrand, South Africa*

**RESOLUTION CONGRATULATING THE FEDERAL REPUBLIC OF ETHIOPIA AND TIGRAY PEOPLE'S LIBERATION FRONT ON THE SIGNING OF THE PEACE AGREEMENT**

*Noting* the recent positive development which resulted in the signing of a peace agreement between the Federal Republic of Ethiopia and the Tigray People's Liberation Front in the AU's facilitated mediation process in Pretoria, Republic of South Africa, on 03 November 2022.

*Further noting* that the conflict between the Federal Republic of Ethiopia and Tigray People's Liberation Front had developed into a full blown civil war, resulting in the death of thousands of people, spawning one of the worst humanitarian crisis in the world, leaving thousands death, displacing more than two million people and giving rise to a wave of atrocities, including sexual violence and starvation.

*Noting* with great appreciation that representatives from both sides of the Ethiopia's war agreed to a permanent cessation of hostilities, the disarmament of fighters, the unhindered humanitarian access to Tigray, the repairing of essential services in the region, the provision of a framework for accountability and justice, and the restoration of some semblance of stability in the country.

*Further noting* that this agreement restored the long held standing and reputation of the Federal Republic of Ethiopia as a symbol of peace and African Unity.

*Congratulating* the Federal Republic of Ethiopia and the Tigray People's Liberation Front for their maturity in choosing peace instead of war and for ensuring that they accept the African facilitated solution to the African problem.

*Congratulating* the African Union mediators led by His Excellency President Olusegun Obasanjo, former President of the Federal Republic of Nigeria for their stewardship and impartiality which became a hallmark of this peace agreement.

*Appreciating* the silent role of the Government of the Republic of South Africa for agreeing to host these peaceful negotiations, and for providing a peaceful, and conducive environment for negotiators leading to this agreement.

Therefore, the Pan African Parliament:

1. Call upon the Federal Republic of Ethiopia, the Tigray People's Liberation Front and all parties involve to respect and abide by this agreement for the betterment of the citizens of Ethiopia and the African Continent as a whole.
2. Congratulate the Federal Government of the Republic of Ethiopia and the Tigray People's Liberation Front for signing peace agreement which ended the civil war in Ethiopia.

Adopted at Midrand, 10<sup>th</sup> November 2022.

**RESOLUTION ON SOLIDARITY AND SUPPORT TO THE GOVERNMENT AND THE PEOPLE OF THE REPUBLIC OF MOZAMBIQUE**

*Notes* with concern that Mozambique, a Member of this Parliament, has been victim of terrorist actions since 2017, particularly in the Province of Cabo Delgado, which, as you know, have ruthlessly killed defenseless citizens, causing grief and pain, destroying public and private property, delaying economic and social development and jeopardising the stability and well-being of families who have been forced to leave their villages and live as displaced persons in other locations, districts or provinces.

*Notes* with deep concern that terrorist actions have been taking alarming dimensions on a planetary scale and, due to their impact, constitute a structural obstacle to the efforts that have been made by Governments towards the Africa that we all want, One Africa, One Voice, and threaten Peace and security in our Continent, basic pre-requisites for development, thus delaying the achievement of the "Sustainable Development Goals" that we aspire to.

**The Pan African Parliament:**

1. Strongly Rejects and Condemns the barbaric, horrible and cowardly acts committed by the terrorists against the People of Mozambique, particularly women, children and the elderly;
2. Condemns equally those who finance, arm and instigate terrorism and violent extremism in Mozambique and Africa in general;
3. Expresses the most sincere condolences to the Government and People of Mozambique and other countries in Africa and to the victims of terrorist actions;
4. Commends the support that Mozambique has received from African Union Member States, with regard to the occurrence of terrorist actions that, since 2017, have caused over two thousand deaths and over six hundred thousand displaced persons in the northern province of Cabo Delgado.
5. Believes that the expression of support in various areas to counter terrorism in Mozambique should extend to strengthening the combative action of its Defence and Security Forces, convinced that Mozambique will continue to have the moral, political and other relevant support to fight terrorism in Cabo Delgado.

6. Encourages the Heads of State and Government of Africa to continue to work hard in assisting the Government and People of Mozambique in fighting the scourge of terrorism and violent extremism that threatens to affect the entire SADC region;
7. Urges the PAP to debate and adopt this Motion against terrorism in all its forms, expressions and manifestations.

Adopted at Midrand, 10<sup>th</sup> November 2022.

**RESOLUTION OF THE PAN-AFRICAN PARLIAMENT TO SUPPORT THE EAST AFRICAN CRUDE OIL PIPELINE PROJECT**

*Whereas* the Constitutive Act of the African Union recognized the struggles of our forefathers in establishing our respective economic independence and promoting socio-economic development of Africa;

*Recognizing* that among the objectives of the Constitutive Act of the African Union is the promotion and defense of our common positions and issues of interest to the African Continent and its peoples;

*Further recognizing* that it is our objective to promote sustainable development at the economic, social and cultural levels and integration of African economies;

*Considering* that Article 17 of the Constitutive Act of the African Union established the Pan-African Parliament;

*Further Considering* that Articles 2 and 3 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament provides for the objectives and functions of the Pan-African Parliament as set out in the Protocol to the Abuja Treaty, and the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament;

*Aware* that the establishment of the Pan-African Parliament is informed by a vision to promote a common platform for Africa's peoples and their grassroot organizations to be more involved in discussions and decision-making on the problems and challenges facing the African Continent;

*Further AWARE* that it is our duty to contribute to a more prosperous future for the peoples of Africa by promoting collective self-reliance and economic recovery;

*Noting* that it is our collective duty to promote economic independence of our countries and hence ensure prosperity of our peoples;

*Having* regard to the agreement adopted at the 21st Conference of Parties to the UNFCCC (COP 21) in Paris on 12th December, 2015 (the Paris Agreement); the Special Reports of the Intergovernmental Panel on Climate Change (IPCC), and in particular its Sixth Assessment Report and Synthesis Report thereon; the final declaration of the

Sixth European Union-African Union Summit of 17-18 February 2022, entitled “Joint Vision for 2030”;

*Further having* regard to the European Parliament resolution on Uganda and Tanzania linked to the investments in the Fossil Fuel Project;

*Cognizant* that such a resolution is an upfront on the sovereignty of Uganda and Tanzania;

*Having regard* to the European Parliament resolution of 20th October, 2022 on the 2022 UN Climate Change Conference in Sharm El-Sheikh, Egypt (COP27); the African, Caribbean and Pacific States-European Union (ACP-EU) Joint Parliamentary Assembly Resolution adopted on 2nd November, 2022 in Maputo (Mozambique);

*Acknowledging* that climate change and its impacts must be addressed by all African States;

*Further acknowledging* the need for the World to work together to address climate change impacts;

*Noting* the negligible contribution by Africa to Greenhouse Gas (GHG) emissions, which is less than 3.8% of the World total Greenhouse Gas emissions;

*Further noting* the energy and economic poverty of Africa and how this situation makes Africa most vulnerable to climate change impacts;

*Further noting* that Africa needs support from the rest of the world in putting in place strong adaptation mechanisms;

*Cognizant* that Africa needs to develop its resources including oil and gas, to fight energy and economic poverty;

*Further cognizant* that Africa needs a different transition agenda;

*Recognizing* the need for a just transition and strong commitment from all Nations on the climate change targets and an energy transition from an agenda that is just;

*Renewing* our commitment to the Paris Agreement and the 1998 Kyoto Protocol;

Now therefore the Pan African Parliament:

1. supports the rights of the African States to develop their oil and gas resources, to enable them build resilience and support their energy transition agenda.
2. emphasizes the fact that Africa and other developing countries must have a different transition agenda that allows them to develop their resources to deal with their pressing development issues to eliminate poverty and improve resilience.
3. recognizes the need for African communities to access technology to support development of renewable energy solutions on the African Continent.
4. supports Uganda and Tanzania in its East African Crude Oil Pipeline (EACOP) Project.
5. emphasizes the need for all African countries to uphold the human rights of all people; and
6. send this Resolution to their Legislative Assemblies and Parliaments.

Adopted at Midrand, 10<sup>th</sup> November 2022.

**RESOLUTION CALLING FOR THE IMMEDIATE LIFTING OF UNILATERAL ECONOMIC SANCTIONS IMPOSED ON ZIMBABWEAN GOVERNMENT BY THE UNITED STATES, UNITED KINGDOM AND THE EUROPEAN UNION**

*Notes* that the economic, financial and trade sanctions unilaterally imposed on Zimbabwe by the United States of America, United Kingdom and the European Union since 2002 have grave repercussions, not only to the country's economy and the fundamental rights of the Zimbabwean people, but the entire SADC Region which continues to reel from the catastrophic effect of these sanctions.

*Deeply concerned* that these unjustified unilateral sanctions have grave and unturnable egregious impact to women, children and ordinary citizens of the country; Referring to the World Summit on Sustainable Development in 2015 and the unanimous adoption of Agenda 2030 for Sustainable Development which emphasized inter alia, the absolute rejection of the unilateral coercive measures by the international community.

*Further noting* that these unilateral sanctions have serious impact on Africa's Agenda 2063 Goals and Priority Areas, in particular Goal 6 which calls for Member States to strive for Africa whose development is peoples driven, especially its women and youth and caring for children.

*Supporting* the resolution of the SADC Heads of State and Government demanding the immediate lifting of economic sanctions unilaterally imposed against the Government of Zimbabwe and its people by the US and EU.

*Agrees* with the SADC Heads of State that these sanction have not only affected the people of Zimbabwe and their government but the entire region which continues to be the recipients of the negative and the atrocious effect of these sanctions.

*Acknowledging* that the Government of Zimbabwe under President Emmerson Mnangwagwa has opened a new chapter and is ready to constructively engage with the rest of the world. Therefore, the current unilateral sanctions by the US, Britain and the EU are unnecessary and they harm the innocents, counterproductive to regional efforts to achieve the SDGs.

*Recognising* and appreciating the PAP's gallant and heroic campaign in 2016, which led to the successful uplifting of economic sanctions imposed by the United States of America on Sudan since 2007.

*Noting* Africa's long-standing principle of solidarity, long standing practice which enjoins Africa to adopt common positions on issues which affect the continent, and the Pan African Parliament slogan of One Africa One Voice in resolving challenges.

Now therefore the Pan African Parliament:

1. calls for the immediate lifting of economic sanctions unilaterally imposed by the United States, United Kingdom and the European Union on the Government and people of Zimbabwe. The lifting of these unilateral economic sanctions will enable the Government of Zimbabwe to attract Foreign Direct Investment which will serve as a catalyst for economic recovery which is so needed to meet the expectations of its citizens;

Adopted at Midrand, 10<sup>th</sup> November 2022.

**RESOLUTIONS FOR THE RATIFICATION AND IMPLEMENTATION OF THE ADDITIONAL PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA (CALLED THE MAPUTO PROTOCOL)**

*Considering* the crucial role that women are called upon to play in the realization of the African Union's roadmap for development in Africa and the implementation of Agenda 2063, which aims at an integrated, prosperous and peaceful Africa, whose citizens are a dynamic force in the global arena,

*Building* on the provisions of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), which states that women's rights are recognized and guaranteed by all international human rights instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

*Considering* the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, the African Charter on the Rights and Welfare of the Child and all other international conventions and covenants relating to women's rights as inalienable, interdependent and indivisible human rights,

*Recalling* African Union programmes on women, peace and security, particularly in the context of UN Resolution 1325,

*Acknowledging* the role and commitment of the African Women Leaders Network (AWLN) within AU bodies, and in particular the Women's Caucus of PAP,

*Considering* the Kinshasa Declaration and Call for Action of the Heads of State of the African Union on Positive Masculinity and Leadership for the Elimination of Violence against Women and Girls in Africa adopted at the Men's Conference on Positive Masculinity held in Kinshasa on 25 November 2021,

*Noting* with pleasure actions to deal with gender questions under the African Union's theme for the Year, "Strengthening Resilience in Nutrition and Food Security on the African Continent: Strengthening Agro-Food Systems, Health and Social Protection Systems for the Acceleration of Human, Social and Economic Capital Development",

*Commending* the development initiatives and policies of our UN partners, such as UN Women, UNFPA and UNAIDS,

**The Pan African parliament resolves to:**

1. Support the African Union's activities to celebrate the 20th anniversary of the Maputo Protocol and the advocacy activities for the 12 States to obtain universal ratification;
2. Develop a strategy to mobilize and encourage ratification by the parliaments of the following 12 Member States that have not yet ratified the Maputo Protocol: Botswana, Burundi, Central African Republic, Chad, Egypt, Eritrea, Madagascar, Morocco, Niger, Somalia, Sudan and South Sudan.
3. Enhance the role of women parliamentarians in relation to the African Union's peace and security programmes by the involvement of PAP women parliamentarians in solidarity visits and fact-finding missions to conflict areas in conjunction with the African Union Special Envoy;
4. Ensure that each Member State establishes or strengthens the UNSCR 1325 National Steering Committee at the national level.
5. Support the involvement of the Caucus on Women in the drafting process of the Convention on violence against women, which will be enacted later, its ratification campaign at national level and its popularization;
6. Support the "16 days of activism" campaign against gender-based violence starting on 25 November, the International Day for the Elimination of Violence against Women, and continuing until 10 December, the International Human Rights Day;

Adopted at Midrand, 10<sup>th</sup> November 2022.

**RESOLUTION ON THE ROUNDTABLE ON ADVANCING DEMOCRATIC GOVERNANCE THROUGH THE IMPLEMENTATION OF THE AFRICAN CHARTER ON DEMOCRACY, ELECTIONS AND GOVERNANCE (ACDEG) AND ENHANCED CITIZEN ENGAGEMENT**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union, establishes the Pan-African Parliament to ensure “*the full participation of the people of Africa in the development and economic integration of the continent*”;

**CONSIDERING ALSO** the objectives of the Pan-African Parliament stipulated in Article 3 of the Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament, and Rule 4 (a), (b) and (c) and 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the Pan-African Parliament to facilitate the implementation of policies, objectives and programmes of the African Union and to oversee their effective implementation;

**CONSIDERING ALSO** the decision of the African Union Heads of State and Government to ratify and accede to all Organization of African Unity (OAU) and African Union (AU) Treaties by July 2020 and PAPs mandate to promote programmes of the AU and coordinate the harmonization of policies;

**CONSIDERING ALSO** the African Charter on Democracy, Elections and Governance (ACDEG) as a unique legal instrument whose primary focus is to promote and protect democracy, the rule of law, elections, good governance and human rights while fostering a conducive environment for peace and socio-economic development.

**CONSIDERING FURTHER** the reaffirmation and commitment of African Heads of State and Government through the Malabo Declaration of 28<sup>th</sup> May, 2022 on Terrorism and Unconstitutional Changes in Africa, to “*promote constitutionalism; the principles of separation of powers and independence of the Judiciary; the promotion of political pluralism with the full participation of citizens in conformity with the African Charter on Democracy, Elections and Governance (ACDEG) and the Union’s Declaration on the Principles Governing Democratic Elections*”.

**ACKNOWLEDGING** the need to sustain targeted campaigns in Member States in order to achieve universal ratification of the *African Charter on Democracy, Elections and Governance* ACDEG and other related Protocols;

**ACKNOWLEDGING FURTHER** the need to advance citizen ownership and engagement on the ACDEG and AU shared values;

**CONCERNED** that despite the centrality of democratic governance in Africa's pursuit of sustainable peace and development, the continent continues to witness signs of regression through Unconstitutional Changes in Government, the manipulation of constitutions to extend term limits and reports of dubious or highly disputed electoral processes;

**NOTING** with deep concern that even some of those Member States in Africa that have ratified the ACDEG and other related Protocols on AU Shared Values continue to be in violation of its principles;

**FURTHER NOTING** the slow uptake by Member states to ratify the ACDEG and other related Protocols on Democracy, Constitutionalism, Governance and the Rule of Law;

**RECOGNIZING** the need to sustain a campaign targeting member states with the aim of achieving universal ratification for the ACDEG and the related AU shared values instruments;

**RECOGNIZING ALSO** the need to strengthen the domestication and implementation of the ACDEG.

**CONVINCED** that engagement with member states should be informed by in-depth assessments and analysis of the capacity and political will constraints that hinder the successful implementation of the ACDEG's principles at state level;

**CONVINCED ALSO** that there is a need to further operationalise and maximise the existing citizenship engagement strategy of the African Governance Architecture (AGA) platform and that the AGA platform and civil society should continue to work together as natural partners towards a robust citizenship engagement strategy to realises the AU's vision of "*An integrated, prosperous and peaceful Africa, driven by its own citizens*".

**FURTHER CONVINCED** that the advances made in civic technology, the increased role of technology in democratic processes and the impact of the digital revolution on public participation and engagement requires stakeholders to review the ACDEG's relevance from this perspective and adjust their efforts towards implementation to reflect this reality.

**TAKING NOTE** of the roundtable engagement with the African Governance Architecture Platform Members and stakeholders on advancing democratic governance through the implementation of the African Charter on Democracy, Elections and Governance (ACDEG) and enhance citizen engagement;

**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:**

1. That the Pan African Parliament **INTENSIFIES** its engagement with Member states to ensure ratification and domestication of the African Charter on Democracy, Elections and Governance;
2. That the Pan African Parliament **INTENSIFIES** awareness raising and sensitisation of state and non-state actors on AU shared values instruments;
3. That the Committee on Cooperation, International Relations and Conflict Resolution engage with relevant stake holders to accelerate the use and deployment of civic technology in advancing democratic governance principles and engaging citizens
4. **MANDATE** the Committee on Cooperation, International Relations and Conflict Resolution to continue to engage with the technical arm of the African Governance Architecture to ensure implementation of the AGA platform programmes;

**Adopted in Midrand, South Africa  
10 November 2022**

## RESOLUTION ON LABOUR MIGRATION

### 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 PAP to facilitate regional cooperation, the development and promotion of “collective self-reliance and economy recovery”, and the implementation of policies, objectives and programmes of the African Union,

**FURTHER CONSIDERING** that the African Union was established as a single pan-African continental organization to accelerate the rapid integration and sustainable development of Africa through the promotion of African unity, solidarity, cohesion and common positions on issues of concern to the continent and its peoples; and the promotion of peace, security and stability of the continent;

**RECALLING** the mandate of PAP under Article 3 of the Protocol to the Abuja Treaty Relating to the Pan-African Parliament and its Rules of Procedure, which is to promote the principles of human and peoples' rights, facilitate the effective implementation of the policies and objectives of the African Union, strengthen continental solidarity and cooperation, and contribute to the harmonization and coordination of the legislation of Member States,

**RECALLING FURTHER** the mandate of the African Union Labour Migration Advisory Committee on the promotion and protection of the rights of migrant workers and members of their families, as enshrined in various legal instruments, and the need to facilitate the harmonization of legal frameworks on labour, social security and taxation aimed at promoting and protecting the rights of migrant workers,

**GUIDED BY** the legal instruments and policy frameworks of the African Union and the regional economic communities (RECs), as well as international instruments on labour and human rights, governance and migration administration, including the international labour standards of the International Labour Organization (ILO),

**BEARING IN MIND** the African Charter on Human and Peoples' Rights, the AU Protocol on the Free Movement of Persons, the agreement establishing the African Free Trade Area, the AU convention on cross-border cooperation (Niamey Convention) Agenda 2063, the African Union Social Policy Framework, the Ouagadougou Plan of Action to Combat Trafficking in Human Beings, especially Women and Children, and the Migration Policy Framework for

Africa and its action plan (2018-2030), *aimed at strengthening Africa's commitment to eradicating poverty, reducing inequalities within and between Member States; facilitating the orderly, safe, regular and dignified migration and mobility of people; addressing skills recognition and brain drain; promoting inclusive and sustainable economic growth, full and productive employment and decent work for all,*

**FURTHER RECALLING THAT** the AU-ILO-IOM-ECA Joint Labour Migration Programme on the governance of labour migration for development and integration in Africa (JLMP) has been approved as an instrument dedicated to the implementation of the fifth key priority area of the Declaration and Plan of Action on Employment, Poverty Eradication and Inclusive Development in Africa. The Ouagadougou +10 Declaration and Plan of Action on Employment, Poverty Eradication and Inclusive Development in Africa, adopted by the AU Assembly of Heads of State and Government in January 2015, is anchored in six key priority areas: political leadership, accountability and good governance, youth and women's employment, social protection and productivity for sustainable and inclusive growth, well-functioning and often inclusive labour market institutions, labour migration and regional economic integration, partnership and resource mobilization,

**CONCERNED** that the slow pace of implementation of international, continental and regional legal instruments on labour, human rights and migration in Africa creates a major gap in the protection of migrants, especially migrant workers,

**FURTHER CONCERNED** about the deplorable and worrying situation of migrants, including migrant workers, in many host countries and aware that reports of violations of labour and other rights of migrant workers, xenophobic attacks on migrants and arbitrary expulsions highlight the challenges to achieving decent work, equal treatment and the protection of human rights (including labour rights) in accordance with AU instruments, RECs and international instruments that many African States have ratified,

**RECOGNIZING** the crucial role it has played in the implementation of the JLMP programme,

**PURSUANT TO** Rule 5(b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers PAP to, inter alia, hold debates, discuss, express opinions, make recommendations and adopt resolutions on the objectives and any matter relating to the African Union and its organs, the regional economic communities, Member States and their organs and institutions;

**HEREBY DECIDES AS FOLLOWS:**

1. **FACILITATE** advocacy and capacity-building of PAP, regional and national parliaments on labour migration;
2. **DISSEMINATE** and popularize AU, REC and international legal instruments on migration and labour mobility;

3. **STRENGTHEN** existing collaborations and lobby other key stakeholders to advocate for the ratification and incorporation of relevant legal instruments into the national legal system;
4. **GATHER** information to monitor and evaluate the state of ratification and implementation of relevant legal instruments by Member States;
5. **PROMOTE** the ratification of international human rights and labour instruments, and the incorporation of these instruments into the national legal system of the Member States;
6. **CHAMPION** the main legal instruments of the AU, the regional economic communities and international instruments on migration and labour mobility among Member States;
7. **RELAY** its activities to national parliaments.

**Adopted in Midrand, South Africa  
10 November 2022**

**RESOLUTION ON THE AFRICAN CONTINENTAL FREE TRADE AREA**

**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 3 (a) of the Rules of Procedure of the Pan-African Parliament;

**CONSIDERING** all the legal frameworks adopted at regional, continental and international levels to facilitate trade and promote intra-African trade, in particular the WTO Agreement on Trade Facilitation and the Agreement on the African Continental Free Trade Area (AfCFTA) adopted in March 2018 in Kigali, Rwanda by African Union Decision Ext/Assembly/AU/Dec.1(x);

**TAKING NOTE** of the commitment of Heads of State and Government to boost intra-African trade, which has positive impact on the development of the African continent, and their interest in the development of the continent;

**RECALLING** AU Agenda 2063, which embodies the vision of a continent where the free movement of people, capital, goods and services will significantly increase trade and investment among African countries and improve Africa's position in world trade;

**NOTING** that 54 out of 55 African countries have signed the AfCFTA Agreement and 43 out of 55 countries have ratified the Agreement;

**ACKNOWLEDGING** the notable efforts made by African Union Member States for the signature and ratification of the Agreement establishing the AfCFTA;

**NOTING** the difficulties associated with the ratification of the Protocol to the Treaty establishing the African Economic Community on the Free Movement of Persons, Right of Residence and Right of Establishment;

**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. **URGE** PAP parliamentarians of countries which have not yet ratified the AfCFTA Agreement to raise awareness among their governments to ratify the Agreement;
2. Also **URGE** parliamentarians to advocate with their States to sign and ratify, where applicable, the Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment.
3. **CALL ON** its parliamentarians to sensitize their respective countries to create intersectoral national committees for AfCFTA led by their Ministries in charge of trade to coordinate national actions in implementation of AfCFTA and to collaborate with the AfCFTA Secretariat and the Private sector.

**Adopted in Midrand, South Africa  
10 November 2022**

**RESOLUTION ON THE ADOPTION OF THE MODEL LAW ON FOOD AND NUTRITION SECURITY IN AFRICA**

**The Pan-African Parliament,**

**CONSIDERING** that Article 17 of the Constitutive Act of the African Union (AU) establishes the Pan-African Parliament to ensure the “full participation of the African people in the development and integration of the continent”;

**NOTING** that Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament (PAP Protocol) and Rule 4 (a) of the Rules of Procedure of the Pan-African Parliament (PAP) empower the PAP to facilitate regional cooperation, development and promotion of “collective self-reliance” as well as the “implementation of the policies, objectives and programmes” of the AU;

**CONSIDERING** further that Article 11 (3) of the PAP Protocol and Rules 4 and 5 of the PAP Rules of Procedure empower the PAP to work towards the harmonization or co-ordination of the laws of Member States;

**RECOGNIZING** that the majority of African States have accepted international and regional legal instruments with provisions relating to food and nutrition security (FNS), which require Member States to take legislative and other measures with a view to progressively achieve the full realization of the right to adequate food;

**NOTING** with appreciation the progress made by African countries in providing legal protection to the right to adequate food through constitutional provisions and legislation relating to FNS;

**NOTING** further the evidence that FNS policies and frameworks that are anchored in legislation are relatively more effective and foster sustainable improvement of FNS, and the need to address structural challenges and create enabling environment for FNS, including specific policies, programmes and legislations;

**RECALLING** the Resolution of the PAP No PAP.5/PLN/RES/06/OCT.18 of 2 November 2018, which underscored the importance of a Model Law on FNS to catalyse and inform processes for the development and/or strengthening of pertinent laws in African countries, and mandated the Committee on Rural Economy, Agriculture, Natural Resources and Environment and the Pan-African Parliamentary Alliance on FNS to lead the formulation of a Model Law on FNS in Africa;

**RECALLING also** the Resolution of the PAP No PAP.5/PLN/RES/06/OCT.19 of 17 October 2019, by which the PAP Plenary adopted the Draft Model Law on Food Security and Nutrition and mandated the Committee on Rural Economy, Agriculture, Natural Resources and

Environment and the Pan-African Parliamentary Alliance on FNS to proceed with regional consultations, with a view to tabling the updated version of the Draft Model Law for consideration in Plenary;

**RECALLING** further Decision Assembly/AU/Dec.813(XXXV) by which the African Union Assembly declared 2022 as the Year of Nutrition under the theme “Strengthening Resilience in Nutrition and Food Security on The African Continent: Strengthening Agro-Food Systems, Health and Social Protection Systems for the Acceleration of Human, Social and Economic Capital Development”;

**COGNIZANT** that the development of a Model Law on FNS in Africa by the PAP can make a significant normative contribution to improving FNS on the continent, and can harmonise the African Union Member States’ delivery on the goals of the Malabo Declaration, the 2030 Agenda on Sustainable Development Goals (SDGs) and the aspirations of the African Union Agenda 2063;

**RECOGNIZING** that a Model Law on FNS can also be an effective tool for harmonisation of the food and nutrition security laws and policies governing cross-border trade in food among the African Union Member States, taking into account the crosscutting and multi-sectoral nature of FNS, as well as the diverse legal traditions of African States;

**RECOGNISING FURTHER** that a Model Law can serve as a very good source of inspiration or evidence-based guidance material for States involved in the formulation or revision of their laws relating to FNS;

**IN ACCORDANCE WITH** Rule 5 (b), (c) and (d) of the Rules of Procedure of the PAP, which empowers it to, *inter alia*, make recommendations and take resolutions on the objectives and on any matters relating to the AU and its organs, Regional Economic Communities, Member States and their organs and institutions;

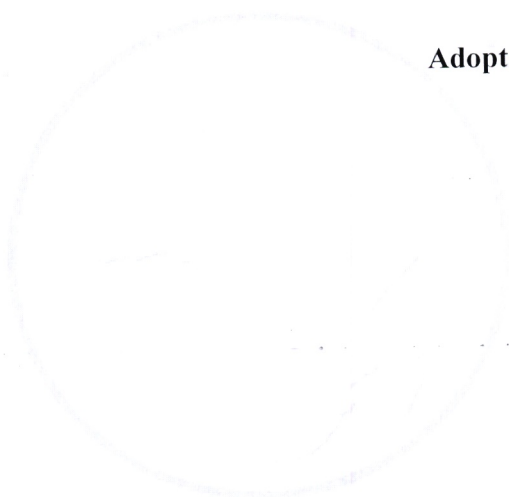
**NOW HEREBY RESOLVES TO:**

1. **ADOPT** the Model Law on Food Nutrition and Security in Africa;
2. **COMMEND** the Committee on Rural Economy, Agriculture, Natural Resources and Environment and the Pan-African Parliamentary Alliance on FNS for the effective execution of the mandate received from the Plenary;
3. **REQUEST** the Committee on Rural Economy, Agriculture, Natural Resources and Environment and the Pan-African Parliamentary Alliance to continue advocacy and other initiatives for food and security and strengthen the capacities of Parliamentarians in Africa for an enabling environment for food security and nutrition including the right to adequate food in Africa;

4. **WELCOME** the continued technical support from FAO and the fruitful collaboration between the PAPA-FSN, the Committee on Rural Economy, Agriculture, Natural Resources and Environment and other relevant stakeholders, which contributed to the successful formulation of the Model Law on Food and Nutrition Security.

**Adopted in Midrand, South Africa**

**10 November 2022**



**RESOLUTION ON MODEL POLICE LAW FOR AFRICA**

**The Pan-African Parliament,**

**Recalling** the Model Police Law for Africa, adopted at its Plenary Session on 13 October 2019;

**Considering** the African Charter on Human and Peoples' Rights and its interpretive instruments on policing developed by the African Commission on Human and Peoples' Rights, including and Resolution 103a on police reform, accountability and civilian police oversight in Africa, the Guidelines for the Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa, the Guidelines on the Policing of Assemblies by Law Enforcement Officials in Africa, and the Principles on the Decriminalisation of Petty Offences in Africa;

**Noting** the African Union's (AU) Agenda 2063: The Africa We Want, the African Charter on Democracy, Elections and Governance, and the AU Security Sector Reform Policy Framework, which promote harmonisation and consistency in democratic police reform across the continent;

**Appreciating** the endorsement of the Model Police Law for Africa received by mechanisms of the AU, specifically from the African Commission on Human and Peoples' Rights and the Directorate of Governance and Conflict Prevention;

**Noting** that the development of a Model Police Law for Africa by the Pan-African Parliament makes a significant normative contribution to improving policing in Africa and will complement other AU and regional efforts to promote safety, security, democratic governance and human rights;

**Further noting** that a Model Police Law for Africa is an effective way to promote review by AU Member States of existing policing legislation and bilateral treaties, and to encourage legislative reform that governs the mandate, organisational structure and performance of law enforcement agencies in Member States;

**In accordance with** 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 Pan African Parliament to facilitate regional cooperation, develop and promote 'collective self-reliance and economic recovery', as well as the 'implementation of the policies, objectives and programmes' of the AU;

**Now hereby resolves to:**

- a) Request that Members of the Pan African Parliament assist the Committee on Justice and Human Rights to disseminate the Model Police Law for Africa.
- b) Encourage all relevant organs of the AU to promote the Model Police Law for

Africa, and use it to promote all matters related to policing in Africa.

- c) Call on AU Member States to review their policing legislation against the Police Model Law for Africa, and to make all necessary amendments to their legislation to promote alignment with the Model Law.

**Adopted in Midrand, South Africa  
10 November 2022**

**RESOLUTION ON ELIMINATION OF HARMFUL PRACTICES RELATED TO  
ACCUSATIONS OF WITCHCRAFT AND RITUAL ATTACKS**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP) to ensure the full participation of the people of Africa 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 FURTHER** the African Union and United Nations legal and policy instruments, which guarantee to everyone the fundamental rights to equality, non-discrimination, life, dignity, liberty, and security of person and freedom from torture, cruel, inhuman or degrading treatment or punishment;

**NOTING WITH CONCERN** the perpetration of harmful practices related to accusations of witchcraft and ritual attacks which has resulted in killings, mutilation, coercion in trafficking of persons and other forms of exploitation, torture, cruel, inhuman or degrading treatment and stigmatization particularly against certain groups, including, women and children, persons with disabilities, particularly persons with albinism and older persons which are often committed with impunity;

**NOTING ALSO WITH CONCERN** the widespread barriers to enjoyment of the right to the highest attainable standard of health by older persons, children, women and persons with impairments, which facilitate harmful practices against them;

**NOTING FURTHER WITH CONCERN** the existing widespread discrimination, stigma social exclusion and displacement suffered by actual and potential victims of accusation of witchcraft, and ritual attacks;

**RECALLING** Resolution PAP.4/PLN/RES/05/MAY.18 on Persons with Albinism in Africa and Resolution PAP.5/PLN/RES/08/MAY.19 on Concrete Measures for the Promotion and Protection of the Rights of Persons with Albinism in Africa in which the PAP decided to, among other things, develop guidelines to tackle harmful practices related to accusation of witchcraft and ritual attacks;

**RECALLING ALSO** 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 (2017-2021) of the African Commission on Human and Peoples' Rights;

**RECALLING FURTHER** the decision of the African Union Executive Council to adopt the Plan of Action to End Attacks and Other Human Rights Violations Targeting Persons with Albinism in Africa (2021 – 2031), Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/General Comment No. 18 of the Committee on the Rights of the Child on harmful practices, as well as the relevant reports, recommendations, general comments and decisions of the various African Union and United Nations bodies and mechanisms in response to the harmful practices and accusations of witchcraft and ritual attacks against persons with albinism;

**ACKNOWLEDGING** that traditional or complementary or alternative medicine as defined by the World Health Organization is a field distinct from harmful practice related to manifestation of belief in witchcraft;

**ACKNOWLEDGING ALSO**, the terminological challenges in relation to terms such as “witchcraft” and “ritual attacks”, which are difficult to define across regions, in that they can include benign or benevolent practices that are not the focus of this Resolution;

**ACKNOWLEDGING FURTHER**, that harmful practices related to accusation of witchcraft and ritual attack can be tackled without absolute definitions of terms such as “witchcraft” and “ritual attacks” given the international consensus on the meaning of “harmful practices”;

**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. **ADOPT** the Report and Preliminary Guidelines for Parliamentarians, Accusations of Witchcraft and Ritual Attacks: Towards Eliminating Harmful Practices and other Human Rights Violations;
2. **WORK** with Parliaments of the Member States of the African Union to take concrete measures to condemn and end the harmful practices related to accusations of witchcraft and ritual attacks which result in human rights violations particularly against people with disabilities particularly, people with albinism, women, children, and older persons;

3. **ALSO WORK** with the Parliaments of the Member States of the African Union to adopt and implement the recommendations made in the Report and Preliminary Guidelines to ensure the elimination of harmful practices related to accusations of witchcraft and ritual attacks, and to protect all persons, particularly marginalized groups who are vulnerable to these harmful practices;
4. **ENGAGE** with the Member States of the African Union to ensure that no one within their jurisdiction is deprived of the right to life, liberty, or security of person because of harmful practices related to accusations of witchcraft and ritual attack, and that no one is subjected to exploitation, violence, torture or other cruel, inhuman, or degrading treatment or punishment, or arbitrary arrest or detention, on that account, and to bring to justice all perpetrators of violations of these rights;
5. **COLLABORATE** with other organs of the African Union and international organizations to promote these Preliminary Guidelines and collaborate on initiatives to support the protection of all persons vulnerable to harmful practices related to accusations witchcraft and ritual attacks, noting that in providing protection, attention to local context is critical;
6. **ACKNOWLEDGE** the technical support received from the Centre for Human Rights, University of Pretoria, in collaboration with the United Nations Independent Expert on the enjoyment of human rights by persons with albinism, which made possible the development of the Preliminary Guidelines for Parliamentarians, Accusations of Witchcraft and Ritual Attacks.

**Adopted in Midrand, South Africa  
10 November 2022**

**RESOLUTION ON THE PROMOTION OF RATIFICATION OF THE PROTOCOL ON PERSONS WITH DISABILITY AND THE PROTOCOL ON OLDER PERSONS**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the “*full participation of the African people 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 regional cooperation, development and promotion of “*collective self-reliance and economic recovery*” as well as the implementation of the policies, objectives and programmes” of the African Union;

**CONSIDERING ALSO** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of African Union Member States;

**CONSIDERING FURTHER** Article 2 of the African Charter on Human and Peoples’ Rights, which enshrines the principle of non-discrimination on the grounds of race, gender, ethnic group, colour and social group;

**NOTING** with deep concern that Older Persons and Persons with Disability face discrimination and other barriers that restrict them from fully participating in social, political and economic life in the society due to their special needs ;

**RECALLING** the United Nations Convention on the Rights of Persons with Disabilities, adopted in 2006 and entered into force in 2008, with the move from traditional charity-oriented and medical-based approaches to one based on human rights to give equal rights to individuals regardless of their status ;

**RECALLING ALSO** the adoption of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Older Persons by the Twenty-Six Ordinary Session of the Assembly, held in Addis Ababa, Ethiopia, on 30 January 2016 ;

**FURTHER RECALLING** the adoption of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Persons with Disability by the African Union Heads of State on 29 January 2018 and the subsequent formulation and adoption of a Model Law on Disability by Pan African Parliament in October 2019 ;

**ACKNOWLEDGING** the efforts made by African Union Member States to promote the widening coverage of Social Protection and Social Policy in Africa for the realisation of social and human development of the African Union Agenda 2063 ;

**EXPRESSING** its appreciation for the commitment and technical support given by Civil Society Organizations to the Permanent Committee on Gender, Family, Youth and People with Disabilities, to fast track the ratification and domestication of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities through the Model Law on Disability ;

**APPRECIATING** the tremendous diversity in the situation of older persons between countries and individuals, which requires a variety of policy responses to achieve inclusive assistance and relief actions to address their specific needs and vulnerabilities ;

**CONVINCED** that in a world characterized by an increasing number and proportion of persons reaching an advanced age in better health than ever before, opportunities must be provided for willing and capable older persons to participate in and contribute to the ongoing activities within the society ;

**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. **INTENSIFY** parliamentary advocacy and engagement for the ratification, domestication and implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities; and **POPULARIZE** the Model Law on Disability adopted by the Parliament;
2. **STRENGTHEN** the collaboration and exchange of experiences among regional and national parliamentary bodies, with a view to enhancing the capacity of parliamentarians to monitor and integrate disability in all public policy and programme areas, as well as budget and law-making ;
3. **MANDATE** the Committee on Gender, Family, Youth and People with Disability to promote the ratification and domestication of the Protocol on the Rights of Older Persons, which will enable them to enjoy human rights and fundamental freedoms; to participate in social activities; and to pursue all relevant opportunities for the full implementation of its mandate.

**Adopted in Midrand, South Africa  
10 November 2022**

**RESOLUTION ON THE FORMULATION OF A MODEL LAW ON LABOUR  
MIGRATION 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 ALSO** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of African Union Member States;

**RECALLING** the AU Agenda 2063, the AU Social Development Strategic Plan, and the Social Policy Framework for Africa as well as AU Migration Policy Framework which seek to actively address the issues of labour migration issues in Africa;

**RECALLING FURTHER** the 5th Key Priority Area of the Declaration and Plan of Action on Employment, Poverty Eradication and Inclusive Development which was adopted by the Assembly of Heads of States and Governments (AU/Assembly/AU/20(XXIV)/Annex 3, January 2015) in Addis Ababa, Ethiopia.

**NOTING** that labour Migration affects several areas of society including politics, economics, culture, and the fact that remittances surpass official Development Assistance and South to South Migration surpassing all other categories of Migration (WB2017) put the subject at the forefront;

**DEEPLY CONCERNED** with the gravity of irregular movements of African migrants within Africa and beyond;

**RECOGNISING** that effective labour migration governance is the sustainable means for reducing smuggling and trafficking in persons on the African continent;

**WELCOMING** the partnership between the Pan-African Parliament and the International Labour Organization to enhance the labour protection of migrant workers through the improvement of labour migration legislation and carrying out advocacy for the ratification and

effective implementation of ILO's migrant workers Conventions (Nums. 97 and 143) as well as other AU and UN Conventions;

**APPRECIATING** the technical support given by the International Labour Organization for the formulation of the draft Model Law on Labour Migration in Africa, which will include a gender angle and support concrete action by ILO constituents and other stakeholders on the ratification and domestication of ILO migrant workers Conventions (C. 97 and C. 143), as well as ILO Conventions 181, 189, 190 and the 1990 UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (ICRMW) as well as AU Protocols on labour migration;

**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. **APPROVE** the request made by the Permanent Committee on Trade, Customs and Immigration matters to develop a Model law on labour migration in Africa;
2. **INCREASE** Parliamentary advocacy and engagement for the ratification, domestication and implementation of all ILO Conventions and AU Protocols relating to the governance of Labour migration in Africa;
3. **WELCOME** the collaboration of the International Labour Organization to jointly work with the Permanent Committee on Trade, Customs and immigration matters on the following three priority thematic areas:
  - Enhance the labour protection of migrant workers;
  - Boost Bilateral Labour Migration Agreements (BLMAs);
  - extend social protection to migrant workers in Africa
4. **REQUEST** the Permanent Committee on Trade, Customs and Immigration matters to ensure that the relevant department of the African Union Commission and other relevant stakeholders participate in the process of formulation of the model Law on labour migration in Africa;
5. **MANDATE** the Permanent Committee on Trade, Customs and Immigration matters to proceed with the formulation of the Model Law on labour migration in Africa. (MAY BE DELETED AS IT IS COVERED UNDER 1)

**Adopted in Midrand, South Africa  
10 November 2022**

**RESOLUTION ON THE FORMULATION OF A MODEL LAW ON  
GENDER PARITY IN AFRICA**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the “*full participation of the African people 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 regional cooperation, development and promotion of “*collective self-reliance and economic recovery*” as well as the implementation of the policies, objectives and programmes” of the African Union;

**CONSIDERING ALSO** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of African Union Member States;

**CONSIDERING FURTHER** Article 2 of the African Charter on Human and Peoples’ Rights, which enshrines the principle of non-discrimination on the grounds of gender, race, ethnic group, colour and social group;

**RECALLING** the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted in 1979; the establishment of gender equality and women’s empowerment as an integral part of each of the 17 Sustainable Development Goals (SDGs) to which the majority of African states signed up in 2015;

**NOTING** that women continue to face all forms discrimination and other barriers that restrict them from fully participating in social, political and economic life on an equal basis with men;

**ACKNOWLEDGING** the efforts made by African Union Member States to advance gender equality, which were translated into declaration of 2010 - 2020 as African Decade for Gender Equality and Women’s Empowerment, and declaration of years 2020 - 2030 as the new Decade of Women’s Financial and Economic Inclusion;

**CONVINCED** that a comprehensive and harmonised continental legislative framework to support the promotion and respect of the rights of women will make a significant contribution to redressing the inequality between men and women and promote their participation in the civil, political, economic, social and cultural spheres, at both national and international levels;

**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. **INTENSIFY** parliamentary advocacy and engagement for the ratification, domestication and implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women;
2. **STRENGTHEN** the collaboration and exchanges among regional and national parliamentary bodies, with a view to enhancing the capacity of parliamentarians to monitor and integrate gender equality in all public policy and programme areas, as well as budget and law-making;
3. **FORMULATE** a Model Law on Gender Parity in Africa through the Committee on Gender, Family, Youth and People with Disability as a means to fast track the harmonized implementation of the New Women's Decade on the continent.
4. **MANDATE** the Committee on Gender, Family, Youth and People with Disability to work with all technical partners and all relevant institutional stakeholders, including civil society organisations, in the formulation of the proposed Model Law on Gender Parity.

**Adopted in Midrand, South Africa  
10 November 2022**

**RESOLUTION ON THE PROMOTION OF AFRICAN UNION TEN-YEAR ACTION PLAN TO ERADICATE CHILD LABOUR, FORCED LABOUR, HUMAN TRAFFICKING AND MODERN SLAVERY (2020-2030)**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the *“full participation of the African people 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 regional cooperation, development and promotion of *“collective self-reliance and economic recovery”* as well as the implementation of the policies, objectives and programmes” of the African Union ;

**CONSIDERING ALSO** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of African Union Member States ;

**CONSIDERING FURTHER** Article 2 of the African Charter on Human and Peoples’ Rights, which enshrines the principle of non-discrimination on the grounds of race, gender, ethnic group, colour and social group;

**ACKNOWLEDGING** with deep concern the scourge of child labour that deprives children of their childhood, potential, dignity, and that is harmful to their physical and mental development, involving them in various activities which include employment in the agriculture, industries, domestic work, informal works, forced begging, slavery as well as exposing them to exploitation because of their vulnerability ;

**ACKNOWLEDGING ALSO** the weak collaboration among the various stakeholders such as State organs, CSOs, the private sector, faith-based organizations, and community-based structures to adopt a holistic approach on accountability mechanisms to ensure the protection of the vulnerable groups such as children who are the future of the continent ;

**CONCERNED** that growing economic pressures and persistent poverty in Africa are leading to a resurgence of human trafficking, especially on women and children for forced prostitution, domestic labour and sexual exploitation due to amongst others, lack of regulation of the informal sector and programs to address root causes of child labour, limited redress, rehabilitation, and reintegration programs for the victims ;

**NOTING** the efforts made by African Union Member States to advance and protect the rights of the African child by adopting the African Charter on the Rights and Welfare of the Child in 1990 whose implementation is facing enormous challenges ;

**RECOGNISING** the Continental Ten Year Action Plan on Eradication of Child Labour, Forced Labour, Modern Slavery and Human Trafficking in Africa set for 2020-2030, to facilitate the implementation of the Charter on the Rights of the Child with the view to realising the African Union Social Agenda by 2063 ;

**CONVINCED** that ending child labour, forced labour and human trafficking requires that governments, business, the financial sector and civil society take strong action to address the root causes and determinants of these human rights violations ;

**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. **INTENSIFY** parliamentary advocacy and engagement for the ratification, domestication and implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights and Welfare of the Child to ensure the protection of their rights and development ;
2. **PROVIDE** a platform through consultations to raise awareness on manifestations and threat of child labour and human trafficking at national level, and to share experiences among all stakeholders both in regard to progress and challenges ;
3. **MANDATE** the Committee on Health, Labour and Social Affairs to promote the ratification and domestication of the Protocol on the Rights and Welfare of the Child, through the implementation of the Ten-Year Action Plan on Eradication of Child Labour, Forced Labour, Modern Slavery and Human Trafficking in Africa.

**Adopted in Midrand, South Africa  
10 November 2022**

**RESOLUTION ON THE FORMULATION OF A MODEL LAW ON STATELESSNESS**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the “*full participation of the African people 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 regional cooperation, development and promotion of “*collective self-reliance and economic recovery*” as well as the implementation of the policies, objectives and programmes” of the African Union;

**CONSIDERING ALSO** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of African Union Member States;

**CONSIDERING FURTHER** Article 2 of the African Charter on Human and Peoples’ Rights, which enshrines the principle of non-discrimination on the grounds of race, ethnic group, colour and social group and the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol);

**NOTING** that statelessness is a widespread phenomenon in Africa and a violation of the right to human dignity and to a legal status established under article 15 of the African Charter on Human and Peoples’ Rights;

**NOTING ALSO** the consequences of statelessness on the basic and socio-economic rights of stateless persons such as education, employment, social welfare, housing, healthcare as well as civil and political rights including, freedom of movement, freedom from arbitrary detention and political participation;

**ACKNOWLEDGING** the efforts made by African Union Member States to protect the fundamental rights for the enjoyment and protection of the full range of other human rights by releasing a Report on the Right to Nationality in Africa, and to domesticate and implement the African Charter on the Rights and Welfare of the Child and the Protocol to the Maputo Protocol;

**CONVINCED** that a comprehensive and harmonised continental legal framework to address the various statelessness and nationality challenges in Africa can be instrumental in preventing

the occurrence of statelessness, enhance human rights in Africa and also contribute to peace and security on the continent;

**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 RECOMMENDS TO:**

4. **INTENSIFY** parliamentary advocacy and engagement for the domestication of legislations that spell out safeguards against statelessness; and for the ratification, domestication and implementation of the UN Convention relating to the Status of Stateless Persons (1954) and the UN Convention on the Reduction of Statelessness (1961);
5. **STRENGTHEN** the collaboration and exchanges among regional and national parliamentary bodies, with a view to enhancing the capacity of parliamentarians to harmonise conflicting laws at the national level that directly causes;
6. **FORMULATE** a Model Law on Statelessness through the Committee on Cooperation, International Relations and Conflict Resolution as a means to promote legislative frameworks on the prevention and the eradication of statelessness in Africa;
7. **MANDATE** the Committee on Cooperation, International Relations and Conflict Resolution to work with all technical partners and all relevant institutional stakeholders, including civil society organisations, in the formulation of the proposed Model Law on Statelessness.

**Adopted in Midrand, South Africa**

**10 November 2022**

**RESOLUTION ON THE DEVELOPMENT OF A MODEL LAW ON  
COOPERATIVES IN AFRICA**

**THE PAN-AFRICAN PARLIAMENT;**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the “full participation of the African people in the development and integration of the continent”;

**CONSIDERING** 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 regional cooperation, development and promotion of “collective self-reliance and economic recovery” as well as the implementation of the policies, objectives and programmes” of the African Union;

**CONSIDERING** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of Member States;

**CONSIDERING ALSO** Articles 10 and 22 of the African Charter on Human and Peoples’ Rights guarantees every individual’s respectively the right to freedom of association and the right to economic, social and cultural development with a correlative State obligation to ensure the exercise of the right to development.

**CONSIDERING FURTHER** the African Charter on the Values and Principles of Decentralization, Local Governance and Local Development, guided by Article 3 and 4 of the Constitutive Act of the African Union, which emphasizes the mobilization of endogenous resources and local knowledge and skills in a manner that attracts investments to generate inclusive economic activities and growth, and promotes the equitable redistribution of resources;

**RECALLING** the African Union Agenda 2063, which envisions “an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the international arena, as well as the United Nations Agenda 2030;

**RECALLING** the 11<sup>th</sup> Africa Co-operative Ministerial Conference held in Botswana in 2015 where African Ministers observed that “cooperatives are significantly contributing, in varying degrees, to the AU Agenda 2063: The Africa We Want, and that more needs to be done to ensure that they contribute more fully to the aspirations and actions of Agenda 2063”;

**NOTING ALSO** that the legislative gaps in the establishment and operations of cooperatives in the African Union Member States as well as the existing variations and similarities in national laws in terms of the extent to which they create a conducive environment for establishment and growth of cooperatives;

**NOTING FURTHER** the need to strengthen provisions on self-regulation of cooperatives, ensure accountability of members and leaders is firmly instituted, ensure regulatory frameworks are balanced and designed in a manner that allows cooperatives to operate as free private business organizations and not 'quasi-public bodies';

**NOTING WITH CONCERN** that the challenges facing cooperatives in Africa, including overregulation, political interference into cooperative affairs, existence of cooperative legislation which do not adhere to the cooperative values and principles, and ineffective regulatory bodies, in addition to challenges within cooperatives themselves, such as poor governance, indifferent membership, dishonesty leaders who act contrary to members' interests, embezzlement of members' funds by leaders and limited innovation and growth;

**RECOGNISING** that the efforts by the United Nations to advance enabling legal and institutional frameworks that promote the effectiveness of cooperatives in Africa, including the 2001 United Nations Guidelines aimed at creating a supportive environment for the development of cooperatives, the International Labor Organization Guidelines for Cooperative Legislation and the Promotion of Cooperatives Recommendation, 2002 (No. 193), which support the imperative of developing common regional guidelines and legislations on cooperatives;

**RECOGNISING ALSO** the efforts by African regional bodies establish enabling legal and institutional frameworks that promote the effectiveness of cooperatives, including the Uniform Act on Cooperatives adopted in 2010 by the Organization for the Harmonization of Corporate Law in Africa (Organisation pour l'harmonisation en Afrique du droit des affaires) (OHADA) and the East African Community Cooperative Societies Bill passed by the East African Legislative Assembly in 2014;

**ACKNOWLEDGING** the limited scope of application of the abovementioned initiatives taken at the international and regional arena, their little impact on the promotion of effective and productive cooperatives in Africa in that their application as well as the fact that they are largely based on two specific African legal traditions;

**CONVINCED** that a Model Legislation on cooperatives in Africa by the Pan-African Parliament can be an effective tool for coordination and harmonization of African national legislations and best practices, in order to promote community activities, particularly in the fields of agriculture, industry, transport and communications, energy, natural resources, trade, money and finance, human resources, education, culture, science and technology;

**CONVINCED** that a Model Legislation on cooperatives in Africa by the Pan-African Parliament will significantly contribute to the effectiveness and growth of cooperatives and empower cooperatives to meaningfully participate in building Africa through productive and sustainable socio-economic activities, in line with Agenda 2063 goals;

**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:**

5. **APPROVE** the proposal for the development of a Model Legislation on Cooperatives in Africa;
6. **MANDATE** the Committee on Finance and Monetary Affairs to lead the formulation of the proposed Model Law, taking into account the diverse legal traditions within the African continent, and to present the draft Model Law for consideration by the Plenary of the PAP;
7. **FURTHER MANDATE** the Committee on Monetary and Financial Affairs to ensure that the relevant departments of the African Union Commission, Regional Economic Communities, and civil society organizations are meaningfully involved in the formulation process of the model law on Cooperatives;
8. **WELCOME** the proposal, collaboration and support from Cooperatives Africa in the formulation of the proposed Model Law on Cooperatives in Africa.

**Adopted in Midrand, South Africa  
10 November 2022**

**RESOLUTION ON THE DEVELOPMENT OF A MODEL LEGISLATION ON  
FACTORING IN AFRICA**

**THE PAN-AFRICAN PARLIAMENT;**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the “full participation of the African people in the development and integration of the continent”;

**CONSIDERING** 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 regional cooperation, development and promotion of “collective self-reliance and economic recovery” as well as the implementation of the policies, objectives and programmes” of the African Union;

**CONSIDERING ALSO** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or coordination of the laws of Member States;

**CONSIDERING FURTHER** the African Continental Free Trade Area (AfCFTA) Agreement, which aims to, among other things, overcoming trade constraints and boosting Africa’s trade performance and intra-Africa trade, and to consolidate Africa into one major trading bloc, to boost export capacity and increase intra-African trade, in line with Agenda 2063 goals;

**NOTING** that the legislative gaps guiding the practice of factoring, which is slowly being adopted in African countries, with a projected growth in factoring volume to reach US\$ 50 billion in 2025, which creates an urgent need for institution building and human capital development in African countries;

**NOTING ALSO** that, for over 15 years, changes that are favourable to factoring have taken place in Africa, including Africa’s economic growth, the rise in middle class, increase in Africa’s merchandise trade, trade in petroleum, retail and mining sectors, which have resulted in the emergence of export diversification and the rising potential in light manufactures and expansion of services’ sectors such as tourism, information and telecommunication;

**NOTING FUTHER** that the expanding opportunities for intra-African trade and trade relations between Africa and new markets in Asia, Latin America and Eastern Europe, improvements in supply chains and development of legislative frameworks on factoring constitute opportunities for factoring in Africa as an alternative financing instrument for Small and Mid-size Enterprises (SMEs);

**ACKNOWLEDGING** that SMEs play a key role in intra-regional trade and industrialization & export development and are expected to be the key drivers of trading under the AfCFTA as

they are the backbone of African economies, representing about 90% of businesses and employing not less than 70% of its workforce.

**ACKNOWLEDGING ALSO** that, despite their importance, SMEs are the most impacted by crisis like the ongoing COVID-19 pandemic given the increased risks and disrupted supply chains, with the adoption of a Model Law on Factoring being a tool to create an enabling environment for SMEs to thrive as they will be able to take advantages of the many opportunities created by factoring;

**ACKNOWLEDGING FURTHER** that factoring, known as the selling or transferring of accounts receivable to gain funds that are immediately available, provides a solution to the financing challenges faced SMEs to support trade development in the context of the AfCFTA, making it an essential financing instrument for SMEs which are the “backbone” of African economies, often with limited access to formal bank loans.

**CONVINCED** that a Model Legislation on Factoring in Africa by the Pan-African Parliament will significantly contribute to contribute significantly to addressing the long-standing challenge of financing Africa’s development agenda and priorities, and thereby, the promotion of the AfCFTA and the realization of a prosperous Africa based on inclusive growth and sustainable 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, 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. **APPROVE** the proposal for the development of a Model Legislation on Factoring in Africa;
2. **MANDATE** the Committee on Finance and Monetary Affairs to lead the formulation of the proposed Model Legislation, taking into account the diverse legal traditions within the African continent, and to present the draft Model Legislation for consideration by the Plenary of the PAP;
3. **FURTHER MANDATE** the Committee on Monetary and Financial Affairs to ensure that the relevant departments of the African Union Commission, Regional Economic Communities, and civil society organizations are meaningfully involved in the formulation process of the model law on factoring.
4. **WELCOME** the proposal, collaboration and support from Afreximbank and the African Capacity-Building Foundation in the formulation of the proposed Model Legislation on Factoring in Africa.

**Adopted in Midrand, South Africa  
10 November 2022**

PAN-AFRICAN PARLIAMENT

البرلمان الأفريقي



PARLEMENT PANAFRICAIN

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Ref: PAP.6/PLN/RECOMS/1-3/NOV.22

Original: English/French

## SIXTH PARLIAMENT

### DRAFT RECOMMENDATIONS

### FIRST ORDINARY SESSION

*under the African Union theme for 2022, "Building resilience in nutrition on the African continent: Accelerate the human capital, social and economic development"*

*24 October - 11 November 2022*

*Midrand, South Africa*

**RECOMMENDATIONS OF 2022 HIGH LEVEL PARLIAMENTARY DIALOGUE ON DEMOCRACY, HUMAN RIGHTS AND GOVERNANCE IN AFRICA UNDER THE THEME OF THE UNCONSTITUTIONAL CHANGES IN GOVERNMENT AND POLITICAL TRANSITIONS IN AFRICA**

The High-Level Parliamentary Dialogue was convened by the Pan-African Parliament (PAP) at the precincts of PAP in Midrand, South Africa, on 2nd November 2022. The High-Level Parliamentary Dialogue held meaningful discussions towards the attainment of Aspiration 3 and 4 of the Agenda 2063 which expresses the African People's desire for 'An Africa of good governance, democracy, respect for human rights, justice and the rule of law' and 'A peaceful and Secure Africa.'

The Dialogue identified specific measures towards addressing unconstitutional changes of government, enhancement of peaceful political transitions, observance of constitutionalism and promotion of democracy on the African Continent and recommends to the African Union (AU), AU Member States, Regional Economic Communities and non-state actors the following.

**Noting** the progress made by African countries in the consolidation of democracy and building of democratic institutions.

**Concerned** about the apparent emerging signs of regression in democratic consolidation in Africa as signified by the resurgence of unconstitutional changes of governments.

**Acknowledging** the efforts made by the Heads of States of the African Union in addressing the unconstitutional changes of government through the adoption of normative instruments; the Lome Declaration and the Extraordinary Summit on Terrorism and Unconstitutional Changes of Government.

**Further acknowledging** the efforts of the structures of the African Union Commission in conflict management and observance of good governance and rule of law.

**Cognizant** of the mandate of the Pan African Parliament to make recommendations aimed at contributing to the attainment of the objectives of the OAU/AEC and draw attention to the challenges facing the integration process in Africa as well as the strategies for dealing with them.

The Pan African Parliament resolves as follows;

- (i) Condemn the external forces perpetrating conflict in Africa, in countries such as the DRC, Mozambique and the Sahel Region,
- (ii) Ensure the establishment of coordinated early monitoring and intervention mechanism to identify countries likely to experience coups and intervene in order to prevent the coups beyond sharing information with member states and the expectation that Regional Economic Communities should take lead,
- (iii) Call on the AU to consistently apply serious and targeted sanctions to perpetrators of coups as a deterrent to potential perpetrator of unconstitutional changes of all kinds governments
- (iv) Call on AU Heads of States to reaffirm their commitment at the continental level through the ratification of instruments and swift action in dealing with unconstitutional changes of governments
- (v) Call on AU Members States to ratify AU normative instruments particularly the Malabo Protocol
- (vi) Call on the AU to strengthen the electoral observer missions, which should adopt a holistic approach in election observation to incorporate the pre-election, election and post- election developments and follow up the implementation of the recommendations to cover the gaps identified during the missions
- (vii) Call on the AU to focus on technical assistance to election management organisations with the view of building capacity and enhancing their ability to deliver free and fair elections without bias
- (viii) Call on the AU to collaborate with Civil Society Organisations to provide an alternative avenue for citizens to voice out their concerns and hold their governments accountable to complement state structures aimed at triggering mechanisms for self-correction in political systems
- (ix) Mobilise the Pan African Parliament in advocating for the ratification of AU normative instruments against unconstitutional changes of government as well as the promotion of democracy and rule of law
- (x) Impress upon the AUC and AU Member states to intensify efforts in developing and implementing socio-economic programs aimed at achieving the inclusion of women and the youth as a way of preventing the loss of trust between the citizens and the political systems which was one of the main drivers of unconstitutional change of governments
- (xi) Urge Members states to strengthen governance institutions and national accountability mechanisms to allow the general public to hold governments to

account and demand reforms as a way of ensuring that governments enjoy sustained trust of the citizenry

- (xii) Call upon the African Union to set up a Pan African Institute to bring together African experts to interrogate and make recommendations in addressing challenges affecting the continent including unconstitutional change of governments
- (xiii) Urge the Africa Union to set up a Pan African Force as a standing Army to intervene in resolving conflicts including the unconstitutional change of governments
- (xiv) Urge the African Union to set up an African Criminal Court by extending the mandate of the African court of Justice to try the perpetrators of crimes against humanity

Adopted in Midrand, 10<sup>th</sup> November 2022

## RECOMMENDATIONS OF THE 13th CONFERENCE ON WOMEN'S RIGHTS

The 13th Conference on Women's Rights convened by the Pan-African Parliament (PAP) at the PAP precincts in Midrand, South Africa, 3-4 November 2022, under the theme, "Empowerment and inclusion of women in governance,

*Reaffirming* that violence against women and girls constitutes a violation of their human rights, their fundamental freedoms and human development; and thus, have negative impacts on social and economic development as a whole.

*Emphasizing* that violence against women and girls manifests itself in various forms ranging from physical violence, psychological violence, abuse and intimidation, sexual violence, socialized violence such as international and domestic trafficking, forced marriage of underage girls; female genital mutilation/cutting; political violence and violence in conflict.

*Noting* with regret the causes and consequences of violence against women and girls are based on long-standing unequal power relations between women and men, reinforced by gender-based discrimination, and outdated negative societal norms, which restrict women's full enjoyment of their human rights, the realization of their aspirations, their full potential and their contribution to society.

*Aware* of the gaps between the policy framework on women's rights and the actual realities of African women's rights.

1. Call upon governments and parliaments to give priority in their national strategies to the development of national action plans that address awareness raising on violence against women and girls.
2. Call upon parliamentarians to promote awareness-raising campaigns and activities to encourage changes in social and cultural attitudes regarding the roles of men and women and to eliminate attitudes that lead to violence against women, in particular the introduction of gender equality programmes in primary and secondary schools, and higher educational institutions.
3. For the achievement of the African Union's Sustainable Development Goals and Agenda 2063, urges PAP and civil society to monitor the implementation of national commitments

4. Congratulate the Member States that have ratified the Maputo Protocol and appeal to Member States that have not yet done so to ratify it, including the remaining 12 countries, in view of its universal ratification.
5. Urge parliamentarians to call upon their respective governments to accelerate the process of signing, ratifying and implementing mechanisms for the domestication of the Maputo Protocol.
6. Call upon all African women to mobilize, wherever they are, to disseminate this through the media.
7. Urge Member States to submit reports on the Solemn Declaration on Gender Equality in Africa and to ratify the Maputo Protocol.
8. Commend Member States that have adopted and implemented gender equality laws that include specific quotas for women, and encourage Member States that have not yet adopted such laws to do so without delay.
9. In order to influence decision-making on socio-cultural and traditional issues, call upon women parliamentarians to ensure that their States comply with laws relating to the enhancement of women's rights and equality at all levels of government and in political parties.
10. Urge Member States to ratify the African Continental Free Trade Area (AfCFTA) agreement and call upon them to put in place programmes to empower women to actively participate in free trade and opt for gender-sensitive policies to enhance inclusion.
11. Encourage the Pan-African Parliament to adopt a model law to combat gender-based discrimination and to punish sexual harassment against women and girls.
12. Call upon parliamentarians to monitor the negotiations, implementation and impact of the AfCFTA with a particular focus on women's participation and to create an enabling environment for investment in women- and youth-led businesses to meet the standards, quality and scale required to supply major players.
13. Invite national parliaments to enhance and promote the active engagement and participation of women and youth in the policymaking and implementation of the AfCFTA and to develop interventions targeting informal cross-border trade, with a view to protecting women's trade and encouraging their formalization.

14. Invite States to relax the criteria for obtaining funding for income-generating activities for women and youth in order to fight poverty through the promotion of economic empowerment, entrepreneurship, finance and gender-responsive budgeting.
15. Invite States to promote policies to support cooperatives that provide key employment and merge women's organizations, create and support accelerator centers for women's initiatives.
16. Encourage governments to intensify incentives for the inclusion of women and youth in cooperative activities and the informal economy in rural areas.
17. Urge governments to initiate training programmes for women and young entrepreneurs in the use of digital tools and allocate resources that encompass technology, new media platforms, social networks and improve access to trade finance by developing financial instruments adapted to the business activities of women and youth.
18. Request PAP to acquire, for the Women's Caucus, artwork symbolizing violence against women as a constant reminder of the inaudible voice of women who suffer domestic violence, psychological violence, violence in conflict zones, human trafficking, trafficking of children and women for sexual purposes.
19. Urge the Pan-African Parliament, through the Women's Caucus, to develop appropriate mechanisms in national parliaments and with civil society for the implementation of the resolutions and recommendations adopted.

Adopted at Midrand, 10<sup>th</sup> November 2022.

**RECOMMENDATION ON LABOUR MIGRATION 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** 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;

**RECALLING** the Decision of the African Union Assembly of Heads of State and Government (Assembly/AU/Decl.6(XXV) [2015] adopted at the 25th Ordinary Session in Johannesburg Republic of South Africa from 14-15 June 2015, whereby the Assembly reaffirmed its commitments to accelerate mobility and integration on the continent, migration in development and the positive impact of migration on development;

**RECALLING** its Recommendation Ref: PAP.5/PLN/RECOM/1-2/OCT.18 adopted in October 2018 at Kigali, Rwanda on labour migration governance in Africa;

**RECALLING FURTHER** all regional, continental and international programmes such as the Migration Policy Framework for Africa (MPFA), the Joint Programme on Labour Migration Governance for Development and Integration (JLMP) and the United Nations Global Compact for Migration (GCM) which aim at facilitating safe, orderly and regular migration;

**DEEPLY CONCERNED** by the challenges faced by migrants including migrants workers for the access to services such as education, health, social protection, child protection and lack of access to regular status /regular migration pathways /regularization;

**AWARE** that the existing international, continental, and regional legal framework on migration, comprising international human rights law, the refugee regime, international labour standards, trade in services, free movement, and transnational criminal law on smuggling of migrants and trafficking in persons, provides a framework for governance of migration and guarantee the protection of migrants by setting out obligations for State Parties;

**CONCERNED** by the fact that ratification and implementation of international and regional legal instruments on labour migration remains a challenge in the African continent;

**IN ACCORDANCE** with Rule 5 (d) of the Rules of Procedures of the Pan-African Parliament, which empowers the PAP to, inter alia, organise debates, discuss, express an opinion, make recommendations and formulate resolutions on the objectives and on any matter relating to the

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

**NOW HEREBY RECOMMENDS TO:**

1. The Member States to:

- a. **RATIFY** and **DOMESTICATE** relevant human rights, labour and other international and regional legal instruments related to labour migration, and **TAKE** measures for effective implementation thereof and sharing of best practices and approaches among African Union Member States.
- b. **IMPLEMENT** human rights-based and gender responsive laws, policies and strategies, conclude interstate agreements, including Bilateral Labour Agreements (BLAs), where necessary, to govern and facilitate safe, dignified and regular migration, including labour migration.
- c. **STRENGTHEN** the capacity of the labour migration policy makers, administrators and institutions in the fields of international labour standards, decent work, skills and qualifications recognition, social protection and promoting regular pathways through efficient labour migration governance.

**Adopted in Midrand, South Africa  
10<sup>th</sup> November 2022**

