PAPERS LAID	
DATE	10-09-2019
TABLED BY	Sen. (Dr.) Ali
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REPUBLIC OF KENYA

Rt. Hon. Speaker
You may approve
for tabling.
02/08/19

The Clerk
For your approval
2/8/19

TWELFTH PARLIAMENT

(Third Session)

REPORT OF THE PARLIAMENT OF KENYA DELEGATION TO THE SECOND ORDINARY SESSION OF THE FIFTH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT

Midrand, South Africa

6th to 18th May, 2019

Approved
6/8/2019

Clerk's Chambers
Parliament Buildings
NAIROBI.

July, 2019

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LIST OF ABBREVIATIONS

PAP:	Pan African Parliament
AUC:	African Union Commission
AU:	African Union
UNIDO:	United Nations Industrial Development Organization
DTA:	Double Tax Agreement
AGR:	Africa Governance Report
UAE:	United Arab Emirates
APRM :	Africa Peer Review Mechanism
COP24:	24th Conference of Parties to the United Nations Climate Change Convention
CSOs:	Civil Society Organizations
FTA:	Free Trade Area
ICT:	Information Communication Technology
IFF:	Illicit Financial Flows
NEPAD:	New Partnership for Africa's Development
UN:	United Nations
AGN:	African Group of Negotiators
UNFCC:	United Nations Framework Convention on Climate Change
ADB:	African Development Bank
HIV/AIDS:	Human Immunodeficiency Virus / Acquired Immune Deficiency Syndrome
WHO	World Health Organization

1.0 PREFACE

Mr. Speaker,

The Second Ordinary Session of the Fifth Pan African Parliament took place from 6th to 18th May, 2019 at the Gallagher Convention Centre, Midrand, South Africa where various issues on matters affecting the member States were deliberated upon and resolutions on them adopted. The theme of the Second Session was, "*2019, the Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa*"

The Kenya delegation to the Second Ordinary Session of PAP comprised of the following:-

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

Mr. Speaker,

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

Mr. Speaker,

The Pan-African Parliament (PAP) discussed a number of issues, among

them, the activity report of the PAP, the 2018 – 2023 Strategic Plan of the PAP and the implementation of the Malabo Protocol on the Constitutive Act of the African Union relating to the PAP.

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

The PAP also considered several reports including reports of the Committee on Finance and Monetary Affairs on the PAP 2018 Budget execution and proposed PAP 2020 Budget and the report on proposal to develop a double tax agreement; the activity report of the Women's Caucus; report of the Committee on Trade, Customs and Immigration on "the Year of Refugees, Returnees and Internally Displaced Persons": Pan-Africa Parliament contributing towards finding durable Solutions to Forced Displacement in Africa which was based on the Session theme; report of the Committee on Justice and Human Rights on the workshop on "Statelessness and Citizenship in Africa": report of the Committee on Health, Labour and Social Welfare on PAP/WHO Dialogue on the Implementation of the AU Declaration on Universal Access to Immunization: report of the Committee on Audit and Public Accounts on the Report on the Audit and Public Accounts (CAPA): report of the Committee on Justice and Human Rights on the "Workshop on Albinism in Africa": report of the Committee on Gender, Family, Youth, and Persons with Disability on the progress report on regional consultation meetings on the Model Disability Law and Cooperation; report of the Committee on International Relations and Conflict Resolution on the regional seminar on "Political Parties Building Vibrant and Inclusive Democracies in Africa"

Finally, the PAP considered the resolutions and recommendations of the

2nd Ordinary Session of the Fifth Pan-African Parliament and adopted them.

Mr. Speaker,

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

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

Sign: .....

Date: 25-07-2019

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

2.0 INTRODUCTION

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

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

Objectives of the Pan-African Parliament

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

a) Facilitate effective implementation of the policies and objectives of the AU.
b) Promote the principles of human rights and democracy in Africa.
c) Encourage good governance, transparency and accountability in Member States.
d) Familiarize the peoples of Africa with the objectives and policies aimed at integrating the African continent within the framework of the establishment of the AU.

e) Promote peace, security and stability.

f) Contribute to a more prosperous future for the people of Africa by promoting collective self-reliance and economic recovery.

g) Facilitate co-operation and development in Africa.

h) Strengthen continental solidarity and build a sense of common destiny among the peoples of Africa.

i) Facilitate co-operation among Regional Economic Communities and their Parliamentary fora.

Members of the Pan-African Parliament

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

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

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

Organs of the Pan-African Parliament

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

a) **The Plenary**

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

b) **The Bureau**

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

c) **The Secretariat**

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

Committees of the Pan-African Parliament

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

The PAP Committees are-

1. Committee on Rural Economy, Agriculture, Natural Resources and

Environment;

2. Committee on Monetary and Financial Affairs
3. Committee on Trade, Customs and Immigration Matters
4. Committee on Cooperation, Institutional Relations and Conflict Resolutions
5. Committee on Transport, Industry, Communications, Energy, Science and Technology;
6. Committee on Health, Labour and Social Affairs;
7. Committee on Education, Culture, Tourism and Human Resources;
8. Committee on Gender, Family, Youths and Persons with Disability;
9. Committee on Justice and Human Rights;
10. Committee on Rural, Privileges and Discipline; and
11. Committee on Audit and Public Accounts.

Calendar of the Pan-African Parliament activities

The key annual activities of PAP are as follows:-

a) Meetings of the Permanent Committees and Bureau – *held in March;*

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

c) Meetings of the Permanent Committees and Bureau – *held in August;*

d) Meetings of the Forum of Clerks and Secretaries General of Member Parliaments – *held in August*; and

e) Meetings of the Plenary, Permanent Committees and the Bureau – *held in October.*

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

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

3.1 Opening Ceremony

The President of the Pan-African Parliament, Hon. Roger Nkodo Dang, MP officially opened the Session. He pointed out that the PAP was a 'temple of democracy' of the African peoples. He said the Second Ordinary session was taking place at a special time, when South Africa, the host country, was holding its sixth free and transparent democratic elections after the abolition of the apartheid regime.

He informed the Members of the demise of the Right Honourable Beyhel Nnaemeka Amadi, former President of the Pan African Parliament and a Good Will Ambassador. He also expressed his condolence to the families of the victims who had suffered the effects of violent weather due to climate change, especially in the Comoros, Malawi, Mozambique and Zimbabwe, noting that Africa was paying the ultimate price of the negative effects of greenhouse gas emissions and pollution, while the continent contributes little to global pollution.

He expressed his sincere gratitude to all the invited guests, for honoring the invitation to attend the Second Ordinary Session, thus demonstrating the role of Parliament as an important legislative organ in the African Continent.

The president drew the attention of Members to the word "Thucydides Trap" which referred to the causes and the origins of the Trojan War in ancient Greece. He expressed concerns that as a continent, Africa was divided by social movements, poor economic performance, climate change, terrorism, violent extremism and the keeping of dubious relations with certain foreign powers. And instead of the foreign powers helping to stabilize African States and promoting their development, some were involved in sustaining conflicts that serve their geostrategic interest.

He emphasized the need for Africa to reap the benefits of its potential while fully realizing the national and foreign investment; trade, prosperity, production and innovation of the African

economies cannot materialize without security and stability. In addition, access to health care, electricity and running water for all, would remain wishful thinking, if Africa was to eradicate forced population movements, which hinder the development of nations and cause instability by allowing trafficking and forms of extremism.

The Members were informed that the African Union had declared 2019 to be "*the Year of refugees, returnees, and internally displaced persons in Africa": Towards durable solutions to forced displacement in Africa.* He went further to emphasize that the issue was of paramount importance for all African nations and peoples because of the ills inflicted on mankind, the suffering of refuges, displaced by conflicts, guerrilla war, natural disasters or social and political conflicts, in the most cruel, inhumane and degrading manner.

The President urged Members of PAP to unite so as to find solutions to the ills besetting the African continent. As Members of the Pan African Parliament, there was need to promote multilateralism, because it was the only thing able to provide a common and unified answer to the problem faced by the African continent.

In conclusion, he asked all African institution to foster an Africa where values, peace and tolerance are the order of the day, and where living together as one, should become a reality. He wished the Muslim community a blessed Ramadan and a safe stay in the Republic of South Africa.

3.2 Swearing-in of Members of Parliament

This Session had Administration of Oath being undertaken on new Members from the following countries-

1) Algeria;
2) Comoros;
3) South Africa;
4) Gabon;
5) Ghana;
6) Mozambique;
7) Seychelles; and

8) Uganda;

3.3 Remarks by visiting dignitaries during the Opening Session

The following invited guests made remarks during the opening ceremony-

i. Hon. Dr. Bernadette Lahia (Sierra Leone)

Dr. Lahia congratulated the President of the PAN on his election and all new members of PAP. She confirmed that she had been constantly following the reports of the PAP and acknowledged that it was doing a commendable job, especially with the inclusion of the Civil Society in its activities. She pointed out that a lot of progress had been made in the ratification of the AU protocols and encouraged all other countries that had not ratified to expedite the process.

ii. Mr. Valentive Tapsoba, UNHCR Regional Representative for South Africa.

The UNHCR Regional Representative for South Africa expressed his appreciation to the Pan African Parliament for declaring 2019 the year of refugees, returnees, and internally displaced persons in Africa as well as engaging the United Nations in its activities.

He noted that the biggest percentage of refugees in the World are hosted in Africa and observed that it was a wise decision to have the welfare of the African brothers and Sister in mind. He urged Parliamentarians to ensure inclusivity as well as use their constituents to ensure social recognition in the social activities.

iii. Rt. Hon. Faustin Boukoubi, Speaker of the National Assembly of Gabon

The Honourable Speaker acknowledged the efforts being put in place by the organs managing the refugees and internally displaced persons and requested that efforts to come up with necessary solutions be put in place to address the matter in Africa. He highlighted that by the national parliaments taking ownership, the legal framework will be in place to provide a platform towards peace and democracy and thus, putting an end to

war in Africa.

In regard to refugees and returnees, he said the Government of Gabon had put in place all measures to ensure peace and security in all its neighboring countries, noting that the commitment of its neighboring countries are essential and called for the participation of all actors as this was what the AU countries ascribed to in eradication of conflict and respect for Human Right in Africa.

iv. Rt. Hon Richard Msowoya, Speaker of the Parliament of Malawi

The Honourable Speaker from Malawi thanked the President for honoring him to address the Assembly. He noted that Malawi was not unique compared to other countries in Africa hence the need for the PAP to work together towards addressing African challenges.

He challenged Members to discuss among themselves reasons as to why Africa was producing the largest number of refugees and urged that the deliberations bring forth answers and solutions. He also encouraged female members to take up leadership positions in an effort to mainstream women in leadership.

He urged Members of Parliament to work together to ensure that they achieve the mandate for which the PAP was established and pledged the support of the Parliament of Malawi in all matters that would ensure that the PAP mandate was achieved.

3.4 Keynote address (D r.) Amal Abdullah Al Qubaisi, President of the Federal National Council of the United Arab Emirates (UAE)

Dr. Amal Abdullah Al Qubaisi begun her remarks by thanking PAP by honoring her to address the Assembly during the Session. She further expressed her gratitude to the President and the people of South Africa for hosting the meeting. She stressed the need for Africa to realize the global Agenda 2063 and to continue to find solutions to African

problems.

Hon. Al Qubaisi commended the role played by African women in maintaining peace across the continent. She explained that African women had been a source of inspiration to women in the world and more particularly, to women in the United Arab Emirates as they had a myriad of hardships associated with being a woman, in order to play a critical role in the peace efforts initiated by the continent.

She further underlined that her presence at the PAP was a motivating factor not only to female Members but also to male Members who occupy strategic positions in the society. She concluded her remarks by assuring the cooperation of the United Arab Emirates(UAE) with the African Union(AU) and the PAP.

3.5 Cyclone situation in the Republic of Mozambique, Zimbabwe and Malawi

A presentation was made by Dr. Brylyne on the cyclone situation in Mozambique. She informed the Assembly that Mozambique had faced a severe drought just before the cyclone hit and that the humanitarian assistance was quite urgent. She asked Members of Parliament to support the countries that had been affected by the cyclone by providing the necessary humanitarian assistance to help alleviate the suffering in those countries, specifically Mozambique, parts of Malawi and Zimbabwe. She pointed out that in some areas houses were washed away and the land was laid bare leading to a further environmental hazard in the form of soil erosion.

She thanked corporations that had offered to help especially with the logistics of transporting humanitarian aid. She urged Members of Parliament to support in whatever way they could to help their fellow Africans.

In conclusion she requested Members to support and even urge respective the National Parliaments to take steps to help their fellow African countries. She proposed the adoption of children from affected families as one of the interventions to ensure that they continue with their education.

3.6 Report on the Activities of the Pan African Parliament

The President of the PAP tabled and presented a report on the activities of the PAP for the period between October 2018 and April 2019. The report enumerated the statutory and non-statutory activities undertaken by PAP in the period under review. He stated that the activities undertaken to ensure an effective exercise and strengthening of the parliamentary functions of the PAP included the successful holding of the First Ordinary Session of the Fifth Parliament, during which the plenary, the Bureau and the Permanent Committees as well as regional and thematic caucuses met, discussed and decided on a wide range of issues. PAP also successfully held the March 2019 Committees Sittings in Preparation of the Second Ordinary Session of the fifth Parliament.

With respect to the First Ordinary Session of the Fifth Parliament held in Kigali, Rwanda, from October 18th to November 2nd 2018, the President stated that the underlying theme of the Session was the AU theme of the year 2018 – *"Winning the Fight against Corruption: A sustainable Path to Africa's Transformation"*, under which the PAP deliberated on several related topics in fulfillment of its deliberative and representation functions.

The report also highlighted the participation of the PAP in AU activities, joint election observation missions, PAP cooperation with other Parliaments and institutions, the status of implementation of the resolutions from the Bureau meeting and the PAP financial report showing the 2018 budget execution and administrative matters.

In the debate on the Report, Members sought to find out why PAP was not directly involved in the election observation missions to ensure visibility of the PAP. Members were of the opinion that PAP needed to establish its own election observation missions away from that of the other AU organs as PAP was not given the prominence it deserved in such missions.

Members expressed concern that Memorandums of Understanding between PAP and other Parliaments and international organizations were not tabled before the Assembly for noting. They were of the view that while it was within the powers of the Bureau to enter into agreements with other Parliaments and international organizations, the

Assembly ought to be informed of such agreements through reports tabled in the Assembly for ratification.

With respect to the finances of the PAP, women legislators expressed concern that a budget for the women caucus had not been factored in the 2019 financial year while activities had been planned for the year. The women caucus urged the Bureau to ensure that funds were available for programmes of the caucus. Members further requested for more detailed reports on the Regional Caucuses and activities undertaken in this regard such as efforts towards ratification of the Malabo Protocol across the continent, and the specific outcomes of each activity in order to better track the progress made.

Members also noted the importance of highlighting peace matters and conflict resolution activities, regularly and creating better linkage between the PAP reports and the national parliaments to obtain feedback and ease collaboration efforts. They noted that the nexus between the PAP and the people, and PAP work and the AU Agenda 2063 required to be strengthened through stronger linkages with national parliaments.

3.7 Alleged abuse of office by the President of the Pan African Parliament

At the plenary sitting of the Assembly held on Tuesday, 7th May, 2019, the attention of the House was drawn to the fact that two Honourable Members of Parliament from Cote d'Ivoire were sworn-in as Members of the Pan African Parliament, contrary to Rule 6 (4) of the Rules of Procedure of the Pan African Parliament. This was done in the full knowledge that there were five other Members from the same country who had already taken Oath /Solemn Declaration of Member of the PAP. This occurrence was discovered by Members and a point of order on the matter raised.

Members pointed out that the Protocol Establishing the Pan African Parliament stated that membership shall consist of five (5) Members of Parliament from each of the Member States of the Africa Union. Points of Order and concerns raised by Members on the irregularity did not yield satisfactory response from the President of the PAP. The Assembly resolved that the two new Members from Cote d'Ivoire be suspended and that

the other five Members continue to serve until the submission of five new names from the country for purposes of regularizing its membership, considering the recent establishment of a second chamber in that country.

The Kenyan Delegation took a strong stance on this matter and regarded it as a gross violation of the Rules of Procedure of the Pan-African Parliament by the President of the Pan African Parliament.

The running of affairs of the PAP was brought to question again on Thursday, 9th May, 2019 after the proceedings of the assembly were unceremoniously interrupted due to a strike by members of staff of the Parliament. Following a meeting of the Bureau on the same day, it was found that the action by the members of staff was arising out of grievances that they had earlier sought to be addressed but received little attention from the Bureau, and which they felt it was time to seek the intervention of the Assembly to resolve the matter.

In a petition to the Assembly on the same day, the grievances presented against the President by members of staff included; refusal to implement decisions of the African Union on staff matters, deterioration of relationship between the Pan African Parliament and the Executive Council and the Permanent Representatives Committee of the African Union, abuse of office of the President of the PAP leading to deteriorating working conditions for members of staff, falsification of documents, failure to adhere to established norms and practices of legislatures in Africa when undertaking official engagements and sexual harassment of female members of staff.

Arising from the above allegations leading to a breakdown of proceedings of the Assembly on Thursday, 9th May, 2019, Member expressed concern on the conduct of the President and of the Bureau.

It was against this background that the PAP at the plenary sitting held on Friday, 10th May, 2019, the Assembly resolved to establish an Ad-hoc Committee consisting of two Members from each of the Regional Caucuses of the PAP, the Chairperson of the

Permanent Committee on Justice and Human Rights and the Deputy Chairperson of the Permanent Committee on Rules, Privileges and Discipline to consider the allegations levelled against the President and the Bureau of PAP and table its findings by way of a report on or before Thursday, 16th May, 2019. The Committee mandate was to investigate the allegations and table a report to the Plenary on Thursday, 16th May, 2019 on the above matter.

At its inaugural meeting held on Saturday, 11th May, 2019, the Committee constituted its Bureau consisting of the Chairperson, Vice-Chairperson and Rapporteur as follows –

1) Sen. Stewart Madzayo, MP (Kenya) -Chairperson
2) Hon. Emmanuel Sawadogo, MP (Burkina Faso) -Vice-Chairperson
3) Hon. Barbara Rwodzi, MP (Zimbabwe) - Rapporteur

The meeting also afforded the opportunity for the Committee to familiarize itself and get clarifications on the nature and scope of their mandate and the terms of reference.

3.8 Presentation and debate on the African Union theme of the Year *"2019 the Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa".*

Taking the floor, Her Excellency Mrs. Minata Samate Cessouma, Commissioner for Political Affairs of the African Union Commission stressed the importance of the theme selected for the Session and why it was necessary to find lasting solutions to forced displacement in Africa. She stated that Africa hosted one third of refugees and returnees in the world; a problem caused by both manmade and natural disasters, inequalities in resource allocation and lack of good governance leading to forced displacement in Africa.

On a note of hope, Her Excellency stated that change was slowly taking shape in Africa which denoted the political maturity of some leaders. She further mentioned that the latest peace agreement signed between the different rebel groups and the Central African Republic Government and the presidential elections won by the opposition parties in both Democratic Republic of the Congo and Madagascar, respectively, were testament of maturity and stability in the continent.

Panelists gave presentations on the situation of refugees, returnees and internally displaced persons in the Continent. The representative of the United Nations High Commissioner for Refugees set the scene by defining each concept according to the United Nations Convention. According to him, refugees were people who had fled their country because they were persecuted for their political opinion or because of the socioeconomic situation of their country of origin. He stated that migrants and displaced persons leave their country in search of a better life. He highlighted that Africa as a continent had more than one third of the world's 14.5 million displaced persons.

Members debated on the causes of forced displacement and noted that women and children were the most vulnerable and were in most cases, victims of atrocities when they are traveling. The lack of social justice was sighted as a key factor in the forced displacement of populations. Members went on to state that lack of transparency in the elections and poor governance in most African states exacerbated the problem even further.

The United Nation Commissioner on Human rights stressed the importance of International Humanitarian Law, which was a complement to the labor laws to protect the rights of the refugees. He pointed out the fact that the 1969 International Convention on the Elimination of all Forms of Racial Discriminations guarantees their dignity. He said that refugees who had undergone socioeconomic integration in the host country were not likely to be willing to return to their original countries. He went on to state that the role of the International Labor Organization (ILO) was to assist countries in implementing conventions on 'protecting the interest of workers when employed in countries other than their own', and as such, when refugees and displaced persons move from one country to another, they had the right to health and best working conditions.

The Commissioner informed the Assembly that one of the major aspects of the work of the International Labor Organizations (ILO) was the protection against the exploitation of children. He stated that this was a concern to the organization and that consultations were underway to discuss the draft 10 year plan of action on the eradication of child

labor, forced labor, human trafficking and modern day slavery in Africa for the period 2020-2030, in accordance with the African Union (AU) Agenda 2063.

All through the debate and exchange of experiences, the role of parliamentarians was highlighted as fundamental to solving the humanitarian crisis facing the continent. It was agreed that in exercising their respective mandates, parliamentarians ought to exercise oversight in the implementation of appropriate laws and control of government action, in an effort to mitigate political tensions and ensure an enabling environment for the advancement of the well-being of their respective citizens.

The representative of the International Committee of the Red Cross (ICRC) reiterated the importance of implementing the Kampala Convention on Protection of Internally Displaced Persons and International Humanitarian Law. She stated that that if the two legal instruments were integrated into national laws, displaced persons would no longer face discrimination. She urged parliamentarians to work with civil society origination (CSOs) to eradicate child labor in Africa.

3.9 Presentation and debate on the Report of the PAP/World Health Organization (WHO) Dialogue on the Implementation of the African Union (AU) Declaration on Universal Access to Immunization (*Chairperson of the Permanent Committee on Health, Labour and Social Welfare)*

The Chair informed the plenary that the aim of the dialogue was to assist parliamentarians and the executive in the implementation of the Declaration, so as to reduce the gap between the needs and the services available. It also enhances cooperation between the representatives of the people and the implementing agencies.

In his introduction the Chairperson stated that health coverage was one of the aspects that fell under the social security of populations and that Heads of States and Governments had made commitments to ensure better health for the people, thereby ensuring the socioeconomic development of the continent. He further informed the plenary that the framework for the Elimination of HIV/AIDS, Tuberculosis and Malaria by 20130 and the AU Declaration on the Universal Access to Immunization, adopted on

31 January 2017 in Addis Ababa by the 28th Conference of Heads of state and Government were on course.

He enumerated the Points on Declaration as follows:-

1. Maintain Universal access to immunization at the forefront of efforts aimed at reducing mortality, morbidity and child disability;
2. Increase and continue with national Investments and credit allocations, including through the use of innovative financing mechanism;
3. Seek solutions to persistent obstacles encountered by the immunization and healthcare delivery systems
4. Increase effectiveness and efficiency of immunization systems;
5. Carry out and Maintain high quality surveillance for target populations that might not be reached for immunization;
6. Monitor progress of achievement of goals of global and regional immunization programmes;
7. Develop an African Research sector to improve implementation and use of immunization services;
8. Ensure that transmission plans of gains made in the immunization against polio are put in place;
9. Generate broad political will, working with communities, civil society organizations. Religious and traditional leaders and other stake holders for the right of every child and community to universal access to vital vaccines; and
10. Promote regional capacity for vaccines development and production and invest in this area in line with the pharmaceutical manufacturing plan for Africa adopted by African Union (AU) including the strengthening of the national regulatory authorities.

He further highlighted the role of parliamentarians at the continental and at national level in the implementation of the Declaration which included the following:-

1. To Create a social accountability framework in collaboration with the civil society organizations;
2. To generate political will for the implementation of the declaration;

3. Lobby governments to reduce dependency on external financing and rather push for more allocation by their respective governments during Budgeting as they hold the power if the purse;
4. Strengthen coordination mechanism in all areas of health; and
5. Undertake an advocacy campaign on the implementation of the Declaration.

3.10 Presentation and Debates on the Report of the Workshop on Albinism in Africa

The Chairperson of the Committee on Gender, Family, Youths and Persons with Disability informed the Assembly is a lack of pigmentation in the skin, hair and eyes. The condition is rare but very random in how its spreads in society. He said that persons with albinism encounter challenges like visual impairment, which result in difficulty in adequately accessing education due to lack accessible aids such as study materials in large prints and magnifying glasses.

Members were further informed that albinos were often victims of harmful social practices in that some communities hold the belief that body parts of persons with albinism were lucky charms. This belief has contributed to the abduction, mutilation and trafficking of body parts of the persons with albinism. The countries where this practice was most prevalent include Malawi, Tanzania, Democratic Republic of Cong, South Africa and Mozambique. It was reported that so far only five (5) African countries had signed and committed to implementing the plan on the eradication of discrimination against persons with albinism in Africa.

During the debate, Members observed that African governments should be made aware of the fact that persons with albinism deserved all the human rights and protection that was accorded to other citizens. The Assembly concurred that there was need for governments to set aside budget allocations that were meant for the welfare of persons with albinism. Further, the funds could be embedded in the budget for health because their needs were mostly associated with health matters. This would enable governments to roll out eye care programmes and skin protection ointments for persons with albinism.

The Assembly also condemned all attacks directed at persons with albinism, noting that these attacks were unwarranted and an affront on the rights of persons with albinism. Mmeber States of the PAP were urged to introduce punitive measures meant to stamp-out such acts.

3.11 Presentation on and Debate on the Africa Governance Report (AGR)

The Chairperson of the Committee on Justice and Human Rights informed the Assembly that the Africa Governance Report (AGR) seeks to provide regular, periodic and continuous (bi-annual) assessments on selected governance areas in the AU member states. The Assembly noted that AGR was geared to promote the AU quest for universal accession to the African Peer Review Mechanism (APRM) by 2023.

The Assembly was informed that AGR was supplementary/complementary focuses on the following:-

1) Democracy and political governance;
2) Economic governance and management;
3) Cooperate governance; and
4) Socioeconomic development,

The Assembly was further informed that at its 32nd Ordinary Session held on 11th February, 2019, the African Union Assembly welcomed the Africa Governance Report developed by the APRM and urged member States to consider the recommendations contained in the Report with a view to enhancing good governance reports as a self – assessment tool for promoting good governance in line with the recommendations of the Report. The Chairperson emphasized on the role of the PAP in the production, popularization and dissemination of the AGR which he said was key and could not be over emphasized.

He concluded by urging Members to encourage their respective Governments that had not yet ratified the framework to accede to the Africa Peer Review Mechanism (APRM) to promote good governance in the continent.

3.12 Presentation on the PAP 2018 Budget execution and proposed PAP 2020 Budget

The Chairperson of the Committee on Finance and Monetary Affairs of the PAP in his presentation informed the House that the total approved budget for 2018 was US$20,141,559 compared to $22,460, 130 in 2017. He stated that the reduction was due to the scaling down of programme budget from USD 6,527,868 to USD 2,920,000 to reflect the expected commitments from partners.

It was reported that the operational expenditure for 2018 amounted to USD 14,390,277 against a total operational Budget of USD 17,221,259 amounting to an execution 83.56%.

The utilization rate was affected by the low utilization rate of 75.465% on the staff cost budget which was a significant component of the operational budget (57% of Operational Budget) and savings on the communication and stationery budgets.

In conclusion, the Chairperson informed the plenary that the execution of programme activities under the PANAF grant was affected by the delay in release of funds. This was due to the delay in the finalization of both the internal and external audits for the programme.

3.13 Proposed Pan African Parliament Budget 2020

In his report to the plenary the Chairperson of the Committee on Finance and Monetary Affairs stated that the proposed total budget of the PAP for 2020 was USD20,798,521 compared to the total approved budget for 2019 of USD18,510,115, which signified an increase of 12%.

Members urged that the PAP Bureau has to push for more funds from the African Union Commission (AUC) to enhance the smooth running of the work of the PAP. In the same breath the Members emphasized the need for prudent use of funds. This would not only increase the trust of the people of Africa in the PAP but also enhance the confidence of

the development partners, thereby resulting in increased donor support.

Members also reiterated that to save resources and ensure safe environment, the PAP ought to go paperless and embrace e-parliament solutions. Further, members felt that the African Union Commission should present its Budget to the PAP as required by the protocol establishing the Pan African Parliament for scrutiny and approval.

3.14 Presentation on the proposal to develop Double Tax Agreement (DTA)

In his address, the Deputy Chairperson of the Finance Committee brought the attention of the plenary that in a bid to eliminate illicit financial flows from Africa through the strengthening of tax legislation in Africa, the ATAF and the PAP signed a 5 year collaborative Memorandum of understanding in November, 2018. He further stated that the MOU sets out the cooperative efforts to provide capacity building initiatives for Members whilst echoing the fundamental role of advocacy played by Parliaments. The MOU further recognizes the significant role of the tax systems in Africa through exchanges, knowledge dissemination and capacity development in the active contribution to the regional and global tax agenda to foster inclusive economic growth and welfare of the African people.

The Deputy Chairperson reported that most African countries did not have tax treaties with their real investment and trade partners. Often the tax treaties were with the countries where there were no prospects of reasonable levels of trade or flow of investments; and worse still some were with tax havens or low tax jurisdictions, exposing them to the risk of tax avoidance through themselves or their partners.

He concluded by saying that based on the above scenario, Africa needed appropriate Double Taxation Treaties (DTAs) to promote trade and investment between African States as well as other continents. DTAs remove barriers to cross-border investment and trade through elimination of double taxation, provision of certainty in tax treatment. In support of DRM, they, prevent fiscal evasion through exchange of information, improved tax collection and provision of dispute resolution mechanisms.

3.15 Presentation on the Consultative Meetings on the Review of the Draft African Model Disability Law for Northern and Eastern Regions

In his opening statement the Chairperson of the Caucus on Members with Disability apprised the plenary that formulation of model laws by the PAP was grounded on Article 17 of the Constitutive Act of the African Union, Articles 11(3), (7) and (9) of the Protocol to the Treaty Establishing the African Economic Community relating to the Pan African Parliament, which empower the Pan African Parliament to facilitate the implementation of AU policies, objectives and programmes and oversee their effective implementation through harmonization of laws and policies of the AU Members States, In line with the African Union Legal and Policy Instruments.

The Chairperson explained that the implementation of the Continental Plan of Action for the African Decade of Persons with Disabilities (2010-2019) through the disability mainstreaming Charter on Human and People's Rights on the Rights of Persons with Disabilities in Africa. The Model Disability Law would not only serve as a guideline for domestication of various instruments such as policies legislations, conventions and protocols, but would also promote best practices across the Continent. Thus consultation with all the stake holders was important.

The Chairperson stated that in most African countries, disability was located within the Ministry of Social Welfare which also dealt with women and children issues in addition to programme planning which often focused on women's empowerment and children's protection, and left out persons with disabilities. He further said that the caucus observed that mainstreaming disability in policy development and programming had not been integrated as human right's issue making it difficult to adequately address issues relating to its total inclusion in all sectors.

He conclude that while focusing on incorporating regional characteristics in the draft model disability law, the PAP should maintain its commitment to advance the cause of the most vulnerable people in an integrated society. Mainstreaming disability like gender

in all spheres of life would enable persons with disabilities to fully enjoy their rights. Disability would therefore be included in programmes through sufficient budget allocation.

He recommended that as a way forward, consultations should continue with a view to sensitize Members from the Central, Western and Southern Regions before the submission of the draft model law to the plenary at its next Session.

3.16 Presentation and Debate on "Ratification and Implementation of the Charter for African Cultural Renaissance".

The Plenary received a presentation and debate on the Ratification and Implementation of the Charter for African Cultural Renaissance presentation by Ms. Angela Martins, Director of Culture and Division-African Union Commission (AUC) Department of Social Affairs.

She explained to the plenary that the Charter for African Cultural Renaissance, was adopted by the 6th Ordinary Session of the African Union Assembly held in Khartoum, the Sudan in January 2006. She further explained that the Charter had been signed and ratified by thirteen (13) AU Member states. The latest Member State to ratify the Charter was the Republic of the Gambia in early 2019.

Ms. Martins further informed the Assembly that the African Union Commission (AUC) participated in the Sessions of the PAP permanent Committee on Education, Culture, Tourism and Human Resources from 2013 to 2019 to advocate for the ratification of this continental cultural policy instrument. PAP Members were urged to lobby their National Parliaments to fast track the signature and ratification processes of the Charter.

3.17 Presentation on the Report of the Conference of the Parties on Climate Change (COP24) 3-14 December, 2018 in Katowice, Poland

In his report to the Assembly, the Chairperson of the Committee on Environment highlighted the importance of the PAP Day which was organized on the 8th of

December, 2018, on the sidelines of the Conference, that created a good opportunity for the PAP to engage with other stakeholders, including the African Group of Negotiators (AGN), United Nations Economic Commission for Arica, the Africa Development Bank (ADB), the African Union Commission (AUC), the New Partnership for Africas Develoment (NEPAD) and the Pan African Parliament Climate Change Justice Alliance (PACJA) to deliberate on climate change issues.

He explained to the plenary that the organization of the PAP Day and PAP participation in other discussions enhanced the visibility of PAP as a major entity of the African Union in championing climate change issues. He however recommended the organization of more than one side event, such as press conferences and other forms of participation during future Climate Change Conferences to further enhance the visibility of the PAP in this global gathering.

The Chairperson concluded that the PAP should endeavor to have an Observer status in all Climate Change Conferences as this would enhance visibility and allow for articulation of more PAP issues as an independent organ of the AUC.

With regards to progress made in the establishment of PAP Desk on Climate Change the Chairperson informed the Assembly that the Bureau of the Committee ought to seek approval of the Plenary to change the name of the PAP Desk on Climate Change to the PAP Sub-Committee on Climate Change and Environment. He indicated that this was in line with Rules of Procedures and will provide a proper mandate for the proposed Sub-Committee.

The Chairperson noted that a concrete proposal including membership, terms of reference of the proposed Sub-Committee should be developed and presented for the adoption by the Assembly.

3.18 Presentation and Debate on Report on Political Parties Building Vibrant and Inclusive Democracies in Africa.

The Chairperson of the Committee on Cooperation, International Relations and Conflict

Resolution presented to the plenary the update on the Building Vibrant and Inclusive Democracies in Africa instigative. In his presentation the Chairperson, informed the plenary that flawed elections in Africa have always been experienced at party level during nominations and that this manifested itself during general elections.

The Assembly noted that some countries had managed to conduct their elections peacefully and transitions had been smooth. The Chairperson noted that countries like Senegal, South Africa, Tanzania and Ghana, among others, were examples in point.

The Chairperson further noted that politics of non–inclusion was not a new concept in the continent but was a concept perpetuated by the post- Independence Africa leaders, much to the detriment of their countrymen. He further added that non-inclusiveness in the continent had taken the form of ethnic, regional, gender and religious discrimination.

He highlighted that political parties had not managed to bridge the gap of ethnic divide in the society and thereby resulting in the inability of the political systems to carry out economic reforms that serve the interest of the majority.

He underscored that given the above background, it was of utmost importance that in addition to the AU Commission, the PAP undertakes its own independent election observer mission in all general elections among member states with a view to promoting good governance.

3.19 Presentation and Debate on the Report of the workshop on "Industrial Development in Africa: Challenges and perspectives"

The reported was presented to the plenary for debate and adoption by the Chairperson of the Committee on Transport, Communication, Industry, Energy, Science and technology.

In her opening remarks, the Chairperson reiterated that the AU protocol establishing the PAP had amongst other mandate, to contribute to a more prosperous future for the people of Africa by promoting collective self-reliance and economic recovery; and to

facilitate cooperation and development in Africa. She said that in order to achieve this, the Committee had a specific function to assist the PAP to verse development and implementation of policies of the AU relating to transport, communication, industry, energy, science and technology.

She emphasized that there was a need to invest in industrial development infrastructure, innovation and technology to incentivize the economy, trade and development. Hence, the academia and universities were a catalyst in this endeavor in terms of research, knowledge, innovation and technological learning.

She observed that many countries in Africa were fragmented, isolated and very difficult to do business from or with other African countries. She stressed the need for deliberation on efforts to facilitate intra-African trade through development of infrastructural projects that promote trade and development.

The Assembly noted that industrialization was key to Africa's investment and development agenda but noted that this needed to be supported by strong and targeted policy interventions to ensure that trading and manufacturing opportunities were maximized to stimulate African economies and develop industries. Despite the challenging times that industries are faced with, it is critically important to further open up other potential avenues for doing business.

She observed that technical expertise was of utmost importance to industrial development. She emphasized that African governments needed to maximize on development opportunities like those being offered by United Nations Industrial Development Organization (UNIDO).

3.20 Presentation and Debate on the Report of the *Ad-hoc* Committee to investigate claims of impropriety and abuse of office against the President of PAP by PAP staff members

The Chairperson of the Ad-hoc Committee presented the report of the Committee to the Assembly. He highlighted that the mandate of the Ad-hoc Committee was based on the resolution of PAP of 10th May, 2019, to establish an Ad-hoc Committee to consider seven (7) grievances/ claims made by PAP staff members against the President of the PAP. Specifically, the staff appealed to the Assembly for intervention as follows-

i. To protect and support of the staff of PAP against all forms of threat and intimidation;
ii. To request the President to approve the Appointments, Promotions and Recruitment Board (APROB) recommendations or give reasons for not approving;
iii. To take necessary action for the regularization of the Special Allowance for general service (GS) locally recruited staff;
iv. To ensure that the PAP staff work in a better working environment without fear to serve the Parliament; and
v. To give advice and warning or take necessary action to stop the abuse of staff by the President and to save the image of the PAP and Africa; and
vi. Resolve the matter of the separation/dismissal of the former Clerk of the PAP, Mr. Vipya Harawa.

The following were the Committee's reference documents in undertaking its mandate the Constitutive Act of the African Union, the Pan African Parliament Rules of Procedure, the African Union Staff Regulations and Rules, 2010, the African Union Financial Rules and Regulations, 2010, the African Union Harassment Policy, the African Union Code of Ethics and the African Union Travel Policy. The Committee then agreed on its work plan as follows –

(a) Consideration of the reference documents;
(b) Receipt of evidence from witnesses;
(c) Response by the Hon. Roger Nkodo Dang, MP, President of PAP on the allegations contained in the grievances; and

(d) Review of the evidence adduced and writing of the Committee Report.

The Chairperson highlighted the particulars of the grievances/allegations levelled against the President of the PAP by PAPSA as follows –

(a) **Refusal of signing APROB decisions and implementation of African Union (AU) decisions** - that, following an AU Summit held in February, 2019, the APROB held a meeting and made recommended decisions for the President's approval, which to date, have not been approved.

(b) **Deterioration of relations between the PAP and organs of the AU (the Permanent Representatives Committee (PRC) and the Executive Council)** – that, the behavior and arrogance of the President during AU Summits and high level meetings has led to the isolation of PAP. The staff and Members of PAP are the ones paying the highest price. The President told the PRC that he was rich and able to pay any fines they impose on him at the PRC meeting. This was one of the reasons why the PRC is displeased with the PAP. At the AU Summit held in February, 2019, the Executive Council decided to remove the special allowance from the salary of the locally recruited staff, which was being paid from 2007. The President has not been able to meeting either the Chairperson or the Deputy Chairperson of the AU Commission to resolve the matter as they have been avoiding him.

(c) **Abuse of power** – that, the President abuses his privileges and misuses his office and authority by making verbal assaults and threatening staff members. The deterioration of the general working climate within PAP, due to favoritism and clientelism as a method of administration, with serious disregard to rigour, competence and merit have affected the productivity and efficiency of the work of the staff members. Further, a number of female members of staff have complained of sexual harassment, assault, intimidation and promise of favors if they give in to the demands of the President.

(d) **Disregard of the AU Staff Rules and Regulations** – that, the President is disrespecting the rights of staff, hierarchy and bypasses all procedures. For example, his forcing of illegal recruitment of a Senior Protocol Officer which APROB rejected.

Further, the procedural team advised him against swearing in two new Members of Parliament (from Cote d'Ivoire) but he refused although this was contrary to the Protocol establishing PAP which provides that membership shall consist of five (5) Members of Parliament from each of the Member States of the AU and against the advice of the procedural team, whom he accused of politicking, yet when it backfired he blamed it on them and abused them verbally all day.

(e) **Travel by the President, without involving PAP secretariat** – that, the President travels alone on missions without any staff member to ensure that the mission attains the objectives of the PAP. No report and feedback of the missions are submitted yet funds of the Union are utilized. The secretariat's roles to maintain transparency, accountability and avoiding corruption and unethical practices cannot be performed. In this regard, the allegations leveled against the President of collecting funds from Heads of States and Governments could not be defended by the secretariat and Members and this affects the image of PAP.

(f) **Deliberate false reports** – that, during the plenary sitting of the PAP on 7th May, 2019, the President misled the Plenary about the budget of the PAP by stating that the PAP budget was US$12 million of which US$11 million was for staff salaries even though he had been advised of the true position, which is that the PAP budget had US$ 6 million for programmes funded by the AU including the session.

(g) **Wrongful dismissal of Mr. Vipya Harawa, former Clerk,–** that the AU Commission had established that the President had wrongfully dismissed Mr. Harawa. The wrongful dismissal of Mr. Harawa and recommendation that he be appropriately compensated but the President had failed failure to take any action on the matter.

The Chairperson highlighted the evidence adduced before the Committee pointing out that the representatives of PAPSA informed the Committee that they had had meetings with the Bureau of PAP on the matter, under the leadership of the 1st Vice President in charge of administration, where all the allegations were deliberated upon. They had been assured that the matters were under consideration by the Bureau but however, to date, the Bureau had not satisfactorily addressed the grievances, citing that the matter was still

under consideration. PAPSA then realized that the matter was dragging and staff motivation had dwindled even further. As a result, PAPSA issued a notice to the Bureau in early 2019 that they would go on strike until the grievances were addressed.

On 9th May, 2019, in an effort to cause the Bureau to take action on the grievances, PAPSA staged a sit-in that resulted in the adjournment of the sitting of the PAP on that day. The representatives indicated that they had a cordial working relationship with the Bureau but were concerned that their grievances were taking inordinately long to be addressed. Further, the impression they had received from the engagement with the Bureau, was that the President had taken up the matters and would address them.

The Committee thereafter received evidence from witnesses on the allegations including the Head of International Relations and Cooperation, Head of Administrative Services Senior Finance Officer, PAPSA officials, the Director of House Proceedings, the Director of Finance Services, Committee Clerks and Bilingual secretaries, the Deputy Clerk, the Clerk of Parliament and the 1st Vice President of the Bureau.

Following an analysis of the evidence adduced and the response by the President of PAP, the Chairperson highlighted the recommendations and conclusions arrived at by the Committee as follows –

1. That PAP adopts the report of the recommendations of the Ad-Hoc Committee;
2. That PAP calls the President to acknowledge and offer an apology to the alleged victims of the unbecoming behavior, not suitable or proper in view of the high degree of honour and dignity required of the Office of President;
3. That PAP endorses the amicable solution arrived at between the Bureau Members and staff members;
4. That PAP appoints the Chairpersons of the regional caucuses to facilitate a reconciliation process between the Bureau Members;
5. That PAP establishes a Commission of Inquiry to further investigate the allegations on sexual harassment within PAP;
6. That PAP Bureau and the Secretariat take concrete measures to protect female employees from all forms harassment;

7. That PAP Bureau and senior management take concrete steps for the immediate resolution of the matter concerning the former clerk of PAP;
8. That PAP Bureau ensures the effective and full implementation of the recommendations of the Ad-Hoc Committee and report progress at the next ordinary session;
9. PAP forwards the findings of the report of the Ad-Hoc Committee to the African Union for conducting forensic investigations.

Following debate on the report at the plenary proceedings held on Friday, 16th May, 2019, the Assembly of PAP adopted the recommendations of the Ad-Hoc Committee with an amendment to delete recommendation (xi) of the main Report of the Ad-Hoc Committee and recorded its thanks to the Committee for a bold step towards reforming the affairs of the Parliament.

4.0 PRESENTATION OF RESOLUTIONS AND RECOMMENDATIONS OF THE SECOND ORDINARY SESSION OF THE FIFTH FOURTH PAN-AFRICAN PARLIAMENT.

The Clerk of the PAP presented and tabled the following Resolutions and Recommendations of the 5th Ordinary Session of the Fifth Pan-African Parliament, which were subsequently adopted by the Assembly-

RESOLUTIONS

- ✓ Condemn all acts of inhumane treatment of refugees, returnees and displaced persons;
- ✓ Call upon the African Nation to take necessary measures to achieve the Agenda of Silencing the guns by 2020;
- ✓ Request the African Union to Engage the European Union in handling migrants that are prevented from entering Europe;
- ✓ Call upon the African Union to investigate the alleged sale of Migrants in Libya, and take urgent action to address the matter;
- ✓ Call upon the African Union to help conflicting parties in Africa to resolve their differences to allow refugees to return to their countries; and also set up effective early warning systems to detect and prevent the eruption of Conflicts;
- ✓ Call upon African Countries to take the issues of natural disasters into account in their national strategies, to resolve the problem of Refugees and internally displaced persons;
- ✓ Encourage African Union Member States to ratify, domesticate and implement African Union Instruments on refugees, internally displaced persons and returnees and also accede to the global compact of refugees;

- ✓ Honour Algeria, Rwanda and Uganda, for being model countries in their treatment of and hospitality to refugees in host communities and call upon African countries to emulate those best practices;

- ✓ Adopt and fully implement directly or through national action plans, the Regional Action Plan on albinism in Africa which lays out specific measures for addressing attacks and discrimination against persons with albinism through prevention, protection, accountability as well as equality and nondiscrimination measures;
- ✓ Prioritize all measures to ensure the safety and security for persons with albinism and their families and ensure appropriate psychological, medical, legal and socioeconomic support ids available for the victims of attacks and their relatives;
- ✓ Fund adequately and continuously, measures identified in the regional Action Plan on Albinism, national action plan and all relevant specific measures to promote the enjoyment of human rights by persons with albinism; and
- ✓ Ensure persons with albinism enjoy the highest attainable standard of health including sun screens as an essential medicine, producing it locally through modalities of best practices and ensuring quality.

- ✓ Accelerate their process of ratification of the Charter for African Cultural Renaissance to ensure that it enters into force before the end of 2019; and

- ✓ The PAP and AUC to develop a framework to guide the collaboration with National Pariaments in the monitoring and evaluating progess of the ratification and implementation of the Charter for African Cultural Renaissance.

RECOMMENDATION BY THE KENYAN DELEGATION

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

...END...

5.0 ANNEXURES

1. The report on the activities of the Pan African Parliament;
2. The Report of the PAP/WWHO Dialogue on the Implementation of the African Union (AU) Declaration on Universal Access to Immunization;
3. The Report of the workshop on Albinism in Africa;
4. The Report of the Committee on Finance and Monetary Affairs on PAP 2018 Budget execution and proposed PAP 2020 Budget;
5. The Report of the Committee on Finance and Monetary Affairs on the Proposed Pan African Parliament Budget 2020 ;
6. The Report on the proposal to develop Double Tax Agreement (DTA);
7. Report of the Ad-hoc Committee on Staff Matters.
8. Report of the Committee Sittings of the Pan-African Parliament held in Midrand, South Africa, from 6th to 8th August, 2018.

5.0 ANNEXURES

1. The report on the activities of the Pan African Parliament *(Annex 1)*;
2. The Pan African Parliament Strategic Plan 2019 – 2023 *(Annex 2)*;
3. The Report of the PAP/WWHO Dialogue on the Implementation of the African Union (AU) Declaration on Universal Access to Immunization *(Annex 3)*;
4. The Report of the Workshop on Albinism in Africa *(Annex 4)*;
5. The Report of the Committee on Finance and Monetary Affairs on PAP 2018 Budget execution and proposed PAP 2020 Budget *(Annex 5)*;
6. The Report on the Committee on Finance and Monetary Affairs on a proposed Model Double Taxation Agreement (DTA) *(Annex 6)*;
7. Report of the Ad-hoc Committee on Staff Matters *(Annex 7)*;
8. Report of the Pan African Parliament Delegation to COP24 *(Annex 8)*;
9. Report of Pan African Parliament Consultative Meeting on the Review of the Draft African Model Disability Law for Northern and Eastern Regions *(Annex 9)*;
10. Report of the Committee Sittings of the Pan-African Parliament held in Midrand, South Africa, from 6th to 8th August, 2018 *(Annex 10)*.

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Original: ENGLISH

PAP.5/PLN/04/AR/MAY.19

PAN-AFRICAN PARLIAMENT

ACTIVITY REPORT COVERING THE PERIOD OCTOBER 2018 – APRIL 2019

PRESENTED AT THE SECOND ORDINARY SESSION OF THE FIFTH PARLIAMENT

BY

HONOURABLE ROGER NKODO DANG
PRESIDENT OF THE PAN-AFRICAN PARLIAMENT

Midrand, May 2019

PAN-AFRICAN PARLIAMENT
FINAL

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LIST OF ACRONYMS

ACBF	African Capacity Building Foundation
ASSAF	Academy of Science of South Africa
ADA	Africa Disability Alliance
AfCFTA	African Continental Free Trade Area
APROB	Appointment, Promotion and Recruitment Board
ARADI	Alliance for Rights- Africa towards Disability Inclusion
ARFSD	Africa Regional Forum on Sustainable Development
ATAF	African Tax Administration Forum
ATT	Arms Trade Treaty
AU	African Union
AU-ABC	African Union Anti-Corruption Board
AUC	African Union Commission
AUDA	African Union Development Agency (New Name of NEPAD)
AUTJP	African Union Transitional Justice Policy
CAADP	Comprehensive Africa Agriculture Development Program
CAPA	Committee on Audit and Public Accounts
CFTA	Continental Free Trade Area
COP	Conference of Parties
CPA	Commonwealth Parliamentary Assembly
DREA	Department of Rural Economy and Agriculture (of the AUC)
EU	European Union
FAHR	Finance, Administration and Human Resource
FAO	Food and Agriculture Organization
IOM	International Organization for Migration
IDEA	Institute for Democracy and Electoral Assistance
ILO	International Labour Organization
NEPAD	New Partnerships for Africa's Development
PAP	Pan-African Parliament
RECs	Regional Economic Communities
TCP	Technical Cooperation Project
UNIDO	United Nations Industrial Development Organization
WHO	World Health Organization

1. INTRODUCTION

Since the First Ordinary Session of the Fifth Parliament, held in Kigali from 18 October - 3 November 2018, up to time of the conclusion of this Activity Report, the Pan-African Parliament, under the leadership of its Fifth Bureau, implemented several activities, in fulfillment of its statutory mandate, which is to "ensure the full participation of African peoples in the development and economic integration of the continent."[1] This Activity Report provides an account of those activities, whether parliamentary or non-parliamentary activities, statutory or non-statutory.

The Report includes the activities undertaken by all organs and structures of the PAP, including the Plenary, the Bureau, Permanent Committees, Regional and thematic Caucuses as well as the Secretariat, all of which are geared towards the achievement of the strategic objectives of the PAP, as set out in the Strategic Plan still in force. The new Strategic Plan was approved by the Bureau in March 2019 and will be tabled in this May session for endorsement by the Plenary.

While describing the activities undertaken by the PAP, the Report details activities into the six strategic objectives with a view to establishing the extent to which the said activities contributed to the achievement, by the PAP, of its strategic objectives. The Report also highlights the major achievements recorded during the period and the main challenges faced by the institution in the fulfillment of its mandate. The Report ends with some reflections on the future and potential activities of the PAP, which will build on the progress achieved to date.

2. THE ACTIVITIES UNDERTAKEN TOWARDS THE ACHIEVEMENT OF THE STRATEGIC OBJECTIVES OF THE PAP

The Strategic Objectives of the PAP are the following:

i. To effectively exercise and strengthen parliamentary functions of the PAP (Strategic Objective 1);

ii. To provide a platform for mainstreaming African voices and those in the Diaspora, into the African Union policy-making process (Strategic Objective 2);

iii. To promote human rights and democracy, good governance & development in Africa (Strategic Objective 3);

[1] See Article 17 (1) of the African Union Constitutive Act; Art. 2 (2) of the PAP Protocol and Art. 3 (a) and (m) of the new PAP Protocol.

iv. To promote peace, security and stability in Africa (Strategic Objective 4);

v. To promote economic integration and development in Africa (Strategic Objective 5);

vi. To deploy and strengthen the institutional capacity of the PAP in support to its core mandate (Strategic Objective 6).

The developments below endeavor to describe the extent to which the activities carried out since the last Ordinary Session have contributed to the achievement of the aforesaid strategic objectives. The Report clusters and addresses the said activities under each of the strategic objectives.

2.1. ACTIVITIES UNDERTAKEN IN FULFILMENT OF STRATEGIC OBJECTIVE 1: EFFECTIVELY EXERCISE AND STRENGTHEN PARLIAMENTARY FUNCTIONS OF THE PAP.

The activities undertaken to ensure an effective exercise and strengthening of the parliamentary functions of the PAP include the successful holding of the First Ordinary Session of the Fifth Parliament, during which the Plenary, the Bureau and Permanent Committees as well as Regional and thematic Caucuses met, discussed and decided on a wide range of issues. The PAP also successfully held the March 2019 Committees' Sittings, in preparation for the Second Ordinary Session of the Fifth Parliament.

2.1.1. The Successful Holding of the Plenary of the First Ordinary Session of the Fifth Parliament

The Pan-African Parliament successfully held the First Ordinary Session of the Fifth Parliament in Kigali, Rwanda, from 18 October to 2 November 2018, in accordance with Rule 28 of the Rules of Procedure of the PAP. The underlying theme of the Session was the AU theme of the year 2018 - "Winning the Fight against Corruption: A Sustainable Path to Africa's Transformation", under which several subsidiary and correlated themes were discussed, in fulfillment of the legislative, oversight and representation functions of the Pan-African Parliament.

Pursuant to Rules 9 and 20 (4) of the Rules of Procedure of the PAP, 18 new Members of Parliament (MPs) were sworn in and took their oath of office. The new Members came from the following Member States: Angola (3 MPs), Chad (1 MP), Niger (1 MP), Rwanda (3 MPs), Sierra Leone (5 MPs) and Zimbabwe (5 MPs). The Session also recorded the successful election of Hon. Chief Fortune Zephania Charumbira as Fourth Vice-President, representing the Southern

Africa region. The position of 4th Vice-President was vacant following the election of the Members of the Bureau of PAP, which took place in during the May 2018 Session.

The major issues deliberated by the Plenary during the Session included the Activity Report of the PAP, the presentation of Rwanda's socio-economic transformation, the presentation on peace and security in Africa, the presentation on the status of the fight against corruption in Africa in reference to the 2019 theme of African Union, the role of parliaments in the management of natural resources, the role and impact of the African Union election observation missions in view of the numerous cases of electoral disputes in Africa, and food and nutrition security systems in Africa.

Further, the Plenary deliberated on the mechanism and procedure for the formulation of model laws at the PAP, considered the draft Model Law on Disability in Africa and debated on the African Peer Review Mechanism (APRM) Country Review Reports and the Report of the Committee on Audit and Public Accounts (CAPA).

Lastly, the Plenary began embarking on the 2019 theme of the African Union: "The Year of Refugees, Returnees and Internally Displaced Persons: Towards Durable Solutions to Forced Displacement in Africa", in relation to which the Parliament debated the issues of labour migration governance in Africa and the correlation between illicit financial flows (IFFs) and taxation. The Plenary also debated on the Food and Agriculture Organization of the United Nations (FAO)'s Global Youth Engagement programme and received updates on the Conference on Youth Employment in Agriculture and on the Policy Briefs around World Health: Africa position in the Resolutions of the 2018 World Health Organization (WHO) Summit on Tuberculosis and other infectious Diseases.

The Plenary debates culminated into the consideration and adoption of the following, six resolutions, two recommendations and one declaration:

Resolutions

The House adopted resolutions on the following:

(i) Resolution on the formulation of a model disability law in Africa;
(ii) Resolution paying tribute to H.E. Kofi Atta Annan, Former Secretary-General of the United Nations;
(iii) Resolution on the Participation of the Pan-African Parliament in African Union Election Observation Missions
(iv) Resolution on the Adoption of the Procedural Guidelines on the Formulation of Model Laws by the Pan-African Parliament

(v) Resolution in response to the message of H.E. President Paul Kagame addressed to the Pan-African Parliament at the opening of the first session of the fifth parliament

(vi) Resolution on the Development of a Model Law on Food Security and Nutrition in Africa.

Recommendations

The House adopted two recommendations on the following;

(i)Recommendation on the governance of Labour Migrations in Africa;

(ii) Recommendation on the Role of Women in the Fight Against Corruption in Africa.

Declarations

The house adopted one declaration congratulating Her Excellency Ellen Johnson Sirleaf, Former President of the Republic of Liberia.

The Parliament also adopted a Motion of Thanks to express gratitude and appreciation to the Republic of Rwanda, President Paul Kagame and the First Lady, Ms Janette Kagame and the people and Parliament of Rwanda for their considerable support for the successful hosting of the First Ordinary Session of the Fifth Parliament in Kigali.

2.1.2.The Successful Holding of Meetings of Permanent Committees and Caucuses

The PAP successfully held meetings of Permanent Committees and Caucuses, both during the October 2018 Ordinary Session and during the March 2019 Committees Sittings.

2.1.2.1. Meetings of Permanent Committees and Caucuses during the October 2018 Ordinary Session

During the October 2018 Ordinary Session, the PAP successfully organized meetings for all the 11 Permanent Committees, Regional Caucuses and the two Thematic Caucuses – the Youth Caucus and the Women's Caucus as well as the PAP Alliance on Food Security and Nutrition. Given the transversal nature of some of the issues tabled for consideration of Committees, some Committees held their meetings in joint sessions.

The major issues discussed by the Permanent Committees ranged from the formulation and promotion of model laws for adaptation to the local context; the sensitization of PAP Members on disability mainstreaming and development; the consideration of the zero draft of the draft Model Disability Law; the fight

against hunger and the need for adequate legal frameworks on Food and Nutrition Security; Illicit Financial Flows (IFFs) out of Africa and the importance of Taxation Research in relation to the African continent.

In addition, the Permanent Committees discussed and reflected on a wide range of issues, for which reports were presented to the Plenary and resolutions and recommendations were adopted at the conclusion of the October 2018 Plenary. The issues include the formulation of a model disability law in Africa; the Participation of the Pan-African Parliament in African Union Election Observation Missions; the draft Procedural Guidelines on the Formulation of Model Laws by the Pan-African Parliament; the proposal for the formulation of a Model Law on Food Security and Nutrition in Africa; the draft work plan of the PAP FSN; the draft Model Law on Policing in Africa; the governance of Labour Migrations in Africa; and the Role of Women in the Fight Against Corruption in Africa. All Permanent Committees also successfully discussed their respective work plans for the Year 2019.

2.1.2.2. The Meetings of Permanent Committees and Caucuses during the March 2019 Committees Sittings

During the Committees Sittings held on 4 – 8 March 2019, the PAP successfully organized a total of twenty-nine meetings for all the 11 Permanent Committees, of which two met respectively in Tunisia, the four regional Caucus and the Women's Caucus.

During this period, the Committees were engaged in workshops and received presentations on topics related to their respective mandates in addition to individual programmes of the Committees. Given the cross-cutting nature of some of the presentations, such as on the AU 2019 theme of the year, several meetings were held jointly between two or more Committees. The Committee on Audit and Public Accounts successfully held elections to renew its Bureau which was supposed to be renewed during the May 2018 Ordinary Session.

It is significant to note that all Committees participated in the Workshop on 5th and 6th March 2019 on the African Union Theme for 2019 – The Year of Refugees, Returnees and Internally Displaced Persons: Pan-African Parliament's Contribution towards finding durable solutions to forced displacement in Africa. The workshop was organized to understand the current situation of these vulnerable groups and make pertinent recommendations on necessary measures to bring about sustainable solution to the situation of Refugees, Returnee and Internally Displaced persons in Africa.

It is worth highlighting briefly the issues, which each of the Permanent Committees considered and deliberated on separately.

i. The Committee on Rural Economy, Agriculture, Natural Resources and Environment

The Committee on Rural Economy, Agriculture, Natural Resources and Environment successfully held its statutory meeting, which involved discussions on presentations on principles and norms of International Environmental Law, the Outcomes of COP24 and the role of the African Climate Legislative Initiative (ACLI) in developing model laws in the areas of climate change, and the potential role of the PAP on mapping out options for a model legislation for sustainable soil management in Africa. The Committee also formulated its draft work plan, in preparation for the Joint Planning Meeting was held after the October 2018 Ordinary Session.

The Committee also hosted a PAPA-FSN multi-stakeholder and multisectoral training on food security and nutrition, which aimed to strengthen and consolidate the capacities of parliamentarians to position food and nutrition security and the right to adequate food at the forefront of political and legislative agendas at regional level. The training resulted in the strengthening of PAPA-FSN members' capacities to proactively contribute to PAPA-FSN's main objectives. It also provided ways for members of the alliance to further collaborate with experts at both regional and country levels to advance policies and legislations aimed at putting an end to the cycle of hunger and malnutrition in Africa. The training culminated into the presentation and adoption of the roadmap for the formulation of the draft Model Law on Food Security and Nutrition.

ii. Committee on Trade, Customs and Immigration Matters and Committee on Transport, Industry, Communications, Energy and Technology

The Committee on Trade, Customs and Immigration Matters and the Committee on Transport, Industry, Communications, Energy and Technology successfully held their joint sitting, in which they received presentations and debated on cyber security from the African Union Development Agency, the industry sector development in Africa: challenges and perspectives" and the role of Academia in the development of the industry sector in Africa. They also discussed the status of implementation of UNIDO programmes on industrial development in Africa. The two Committees also considered their respective work plans in light of the PAP draft Strategic Plan, which is expected to be adopted during the May 2019 Ordinary Session.

iii. The Committee on Monetary and Financial Affairs

The Committee on Monetary and Financial Affairs successfully held its statutory meeting in March 2019, in which it considered the report on the budget execution of the Pan-African Parliament for the Year 2018. The Committee also discussed the African Tax Administrative Forum's (ATAF) Model Double Tax Agreement (DTA), which is being proposed for adoption by the Committee on Monetary and Financial Affairs as a Model for endorsement by the AU Member States. The Committee further received a presentation on gender-based budgeting. Lastly, the Committee considered its 2019 work plan in light of the PAP draft 2019 - 2023 Strategic Plan.

iv. The Committee on Cooperation, International Relations and Conflict Resolutions

The Committee on Cooperation, International Relations and Conflict Resolution successfully held its sitting in March 2019, in which it discussed the peace and security status on the continent, the challenges of electoral democracy in Africa and its 2019 work plan in light of the PAP draft 2019 - 2023 Strategic Plan.

v. The Committee on Health, Labour and Social Affairs and the Committee on Gender, Family, Youth and People with Disability

The Committee on Health, Labour and Social Affairs and the Committee on Gender, Family, Youth and People with Disability held their statutory meetings jointly in Tunisia, in the PAP's effort to take the Parliament to the people of Africa. The two Committees discussed the status of migrants, refugees and displaced persons under the United Nations Convention, the African Union Migration Policy and legal frameworks towards social protection of migrants, the role of parliamentarians towards sustainable solutions to forced displacement in Africa and the PAP-WHO Dialogue on the implementation of AU Declaration on Universal Access to Immunization. They also discussed their respective 2019 Work Plans in light of the PAP draft 2019 – 2023 Strategic Plan.

vi. The Committee on Justice and Human Rights and the Committee on Rules, Privileges and Discipline

The Committee on Justice and Human Rights and the Committee on Rules, Privileges and Discipline successfully held their joint sitting, which discussed the Guidelines for promotion of Rights of Albinos by African Parliamentarians and citizenship and statelessness in Africa. They also received a presentation on the

AU Ethics and on the Consultation on the draft Model Law on Policing. In addition, they also discussed their respective 2019 work plans in light of the PAP draft 2019 - 2023 Strategic Plan.

vii. Committee on Audit and Public Accounts

The Committee on Audit and Public Accounts (CAPA) successfully held its meeting, in which it elected its new leadership composed of Hon. Magdi Shams El Din (Sudan) as Chairperson, Hon Sekou Fantamadi Traore (Mali) as Deputy Chairperson and Hon. Said Brahim Said (Sahrawi Arab Democratic Republic) as Rapporteur. The Committee considered and reviewed the Audit Report on Factual Findings on the PAP and the Executive Council Decision on the Special Audit of the PAP. Further, the Committee held a seminar in which it received presentations on managing debt and fighting corruption in Africa, transparency and Parliamentarians' response to fighting Corruption, regional economic outlook on debt, changing sovereign debt landscape in Africa and the effect of IFFs. Furthermore, the Committee discussed the issue of African debt landscape and approaches towards Accountability, and the nexus between tax holidays and sovereign debt.

viii. **The Meeting of the Women's Caucus**

The Committee Sittings also afforded an opportunity for the Women's Caucus to hold a workshop in celebration of Women's day. The workshop enabled the participants to discuss and hear the experiences of women refugees, returnees and internally displaced women. Some locally-based refugee women had an opportunity to exhibit art and clothing materials which they make to sustain their lives.

The Women's Caucus Bureau also participated in the GIMAC 33rd Civil Society Pre-Summit Consultative Meeting on Gender Mainstreaming in Addis Ababa, Ethiopia, from the 3rd to 4th February 2019. The meeting identified strategies and interventions that have continental implications to effectively address forced migration in a manner that includes and benefits women and girls. Amongst others matters, the meeting discussed the creation of a forum for Africa that identifies and articulates key gender-specific issues, challenges, priorities, actionable commitments and recommendations related to forced displacement for consideration by Members States and AUC. The participants also explored how to leverage 20 years of UN Security Resolution 1325 and developed recommendations to drive accountability on implementation of the women, peace and security agenda.

Further, the Women's Caucus participated at the 63rd Session of the Commission on the Status of Women at the UN headquarters, in New York, USA, from the 15th to 22nd March 2019. The meeting discussed the progress and gaps in the implementation of the 1995 Beijing Declaration and Platform for Action, the key global policy document on gender equality, the 23rd special Session of the General Assembly held in 2000 (Beijing+5), and emerging issues that affect gender equality and the empowerment of women. The PAP participation to the 63th Session of the Commission on the Status of Women was an opportunity to raise visibility on the work of the PAP in regard to gender issues and promote PAP agenda throughout all forum.

ix. Meeting of the Caucus on Youth

The meeting of the Caucus on Youth, which was scheduled on 8th March did not take place due to the Memorial Service of the Late Rt Hon Bethel Nnaemeka Amadi. It was rescheduled to hold in May 2019.

2.1.3. The Successful Holding of Bureau Meetings and Activities

Since October 2018, the 5th Bureau of the PAP held its meetings successfully to provide strategic leadership on parliamentary issues, and to exercise its leadership on institutional and operational issues. Under the leadership of the President of PAP, the Bureau has also undertaken missions on behalf of the Parliament.

2.1.3.1. Bureau Meetings

The Bureau of the PAP held three Bureau Meetings in which it regularly provided strategic direction and reviewed and formulated observations on the draft and/or amended Programs for the October 2018 Session, the March 2019 Committee Sittings and the May 2019 Session. The Bureau also reviewed and provided direction on the Activity Reports of the PAP, prior to its submission to the Plenary at both the October 2018 and May 2019 Ordinary Sessions.

Furthermore, the Bureau considered and provided direction on recruitments for the vacant positions, in line with the February 2019 Decision of the Executive Council, the resolution on the situation of special allowances of locally recruited GS staff, the implementation of the July 2018 Executive Council Decisions relating the PAP, and the payment of sitting allowances to the PAP Members in accordance with the Executive Council decision.

2.1.3.2. PAP Effective Engagement within the AU Institutional Architecture

Under the leadership of the President of PAP, the Bureau of the PAP has, with the assistance of the Secretariat, provided leadership on the PAP's engagement within the AU institutional architecture, particularly through preparation and submission of the PAP Activity Report to the 32nd AU Summit, held in Addis Ababa, in February 2019 and following up on the implementation of recommendations.

The PAP Delegation to the 32nd AU Summit was led by Hon. Roger Nkodo Dang, the President of PAP, and composed of Members of the Bureau and supported by the Clerk and members of the Secretariat. The key outputs of this Summit included the participation of the PAP delegation to the 32nd AU Summit of Heads of States and Government in general and, in particular, the speech of the Hon. President of PAP to the Heads of State and Government and the presentation of the PAP Annual Activity Report for the period from January – December 2018 to the Executive Council. The Activity Report of the PAP resulted in the adoption of Executive Council Decisions Doc. EX.CL/1124(XXXIV) and Doc.EX.CL/1104 (XXXIV) ii.

On the sidelines of the Summit, the PAP delegation also engaged with the AUC and PRC officials on possible options for the implementation of the Executive Council Decisions Doc. EX.CL/1077(XXXIII) and Doc. EX.CL/1077(XXXIII)ii) and challenges regarding the issue of withdrawal of the special allowance paid to locally recruited GS Staff of the PAP.

2.1.3.3. Effective Engagement in the AU Reform Process

Following the decision taken in July 2018 by the Assembly of Heads of State and Government to reform the organs of the African Union (Decision Assembly/AU/Dec.635), the Pan-African Parliament set up an ad hoc committee to oversee the Parliament's interactions and discussions on the institutional reform of the African Union, and also to reflect on the proposed internal reform within PAP, as it relates to the institutional reforms of the African Union. In May 2018, the Ad Hoc Committee held an inception meeting which generated an initial PAP response with recommendations. These were submitted to the Reform Unit, which then included it into its Final Report submitted to the policy organs at the July 2018 AU Summit.

Following advocacy missions made by the PAP Bureau, PAP was requested to resubmit a proposed decision to the policy organs, together with an explanatory note for consideration and adoption at the November 2018 Extraordinary Summit decisions. Upon review by the Permanent Representatives Committee

on 5 and 6 November 2018 in Addis Ababa, the Committee questioned some aspects of the recommendations proposed by PAP, and ignored the recommendations made by the Reform Unit, which called for the reform of PAP, to enable it to fully exercise its legislative, oversight and representation mandate. The lack of consensus on some key points regarding the reform of some organs, such as PAP, led to the decision to organize a retreat between the PRC and the other organs of the Union, to first discuss some of the recommendations in depth, and secondly to address the concerns raised by the PRC.

The Bureau of PAP organized from 10 to 11 December 2018 a technical working session, composed of a select number of members of the Ad Hoc Committee, with the support of the PAP Secretariat, which prepared an updated submission with arguments aimed at abating the fears and resistance of some members of the PRC, in view of the retreat between the PRC and the organs, as well as the African Union Summit envisaged for January 2019. The PAP Bureau submitted the report prepared by the Working Group to the Reform Unit, as the planned retreat between the PRC and the organs was cancelled. The useful and relevant contributions made by the PAP have been incorporated into the Report of the Chairperson of the AUC and it is anticipated that they will be considered and incorporated into the final Report on Institutional Reform of the African Union, after consideration by the policy organs.

The PAP has also had interactions with the AUC on various institutional matters, particularly the AU Organs Governance Retreat, which was organized on 18 - 21 February 2019, at the PAP Precincts.

2.1.3.4. Effective Participation in the AU Organs Governance Retreat

From 18 - 21 February 2019, the Pan-African Parliament, under the leadership of the Bureau, hosted and took part in the AU Organs Governance Retreat, which was organized by the African Union Commission. The Retreat brought together three of the Organs/Agency namely PAP, AUC and AU Anti-Corruption Board to reflect on the AUC Chairperson's responses to the findings from the recent performance audits on the Organs, with a view to addressing the institutional and governance weaknesses which have been identified by the Board of External Auditors and the Office of Internal Audit.

The retreat was designed to formulate a workable solution to address the governance and management problems, most of which were common to all the organs/agencies, namely the lack of clarity on the governance and management roles for the elected officials and the heads of the secretariats; the lack of adequate segregation of the oversight and management roles between the elected

officials and the heads of the secretariats; the lack of clarity on roles of "Accounting Officer" and "Controlling Officer" in relation to the AU Financial Rules and Regulations; the conflicting provisions in the organs' statutes and the AU Rules and Regulations; the constrained relationships between the elected officials and the secretariats; the unclear reporting relationships between the AU organs and the African Union Commission (AUC); the lack of harmonization of the governance structures among the AU Organs; the lack of harmonization of policies for similar processes in the AU Organs, such as recruitment policies and remuneration.

The participants devised and proposed lasting solutions to the abovementioned challenges for a smooth, effective and efficient governance of the AU organs, which would guarantee the achievement and fulfillment of mandates of the AU organs. To that end, the Retreat culminated in the formulation of a Governance Framework; and schemes for delegated authority between the AUC Chairperson, the Heads of Organs, Heads of Secretariats and Heads of Finance and Administration in Organs in order to resolve ambiguities and governance conflicts.

2.1.3.5. Advocacy for the ratification of the PAP Protocol

The Bureau has continued to utilize opportunities whenever available to advocate for more ratifications of the New PAP Protocol (Malabo Protocol). Since October 2018, the New PAP Protocol has garnered two more ratifications, taking the total number of ratifications to 12 (twelve) namely, (Benin, Cameroon, Chad, Equatorial Guinea, The Gambia, Ghana, Madagascar, Mali, Saharawi Arab Democratic Republic, Sierra Leone, Somalia, and Togo) and 21 signatures. In its resolve to fast-track the ratification of the PAP Protocol, the Bureau has assigned responsibilities to all Bureau Members, who will be leading advocacy missions to their respective regions. Letters have been sent to Uganda, Kenya, Tanzania, Eswatini, Namibia and Botswana to secure advocacy meetings for the new PAP Protocol. Also, advocacy letters to National Speakers calling for urgent action to sign and/or ratify the Malabo Protocol will be given to Members of PAP from the Member States yet to sign and/or ratify the Malabo Protocol. The Members will be expected to deliver the said letter to their respective Speakers as well as to support and monitor the possible steps to be taken in that regard.

2.1.3.6. Bureau Missions and parliamentary diplomacy

The Members of the Bureau of PAP undertook missions to various events held in AU and non-AU Members States to represent the PAP and express the PAP position, support and solidarity, and to lobby on various issues of interests to the

PAP. This includes the mission of the President, Hon. Roger Nkodo Dang, who led a delegation of Members of Parliament to attend the Africa Summit organized by the Universal Peace Federation held in Cape Town, South Africa, from 21 to 24 November 2018, under the theme "honoring the legacy of Nelson Mandela". The President also led a delegation of Members of Parliament to participate in the 52nd Parliamentary Assembly of the CPA and the 36thAssembly Session of the CPA-EU, which took place from 25 November to 05 December 2018 in Cotonou, Benin.

In the same vein, the President of PAP undertook a goodwill visit to respond to the invitation of the Right Honorable Mme Amal Abdulla Al Qubaisi, President of the National Federal Council (Parliament) of the United Arab Emirates from 01 to 07 December 2018 in Dubai, United Arab Emirates where opportunities for partnership and collaboration were discussed. At the conclusion of the meeting, the Right Honorable Mme Amal Abdulla formulated, on behalf of the Parliament of the United Arab Emirates, a formal request for observer status with the Pan-African Parliament. The President of PAP also had a working meeting with the Moroccan authorities where he advocated for the signing and ratification of the Malabo Protocol by the Kingdom of Morocco. The President of the PAP, also took part in the Conference of Speakers of the Africa Region of the Francophone Parliamentary Assembly, which was held in Ouagadougou, Burkina Faso, where he reaffirmed the resolve by the PAP to work with the Francophone Parliamentary Assembly to support and advance democracy and rule of law in Francophone Africa.

Further, the PAP under the leadership of the First Vice-President – Hon Stephen Julius Masele, participated in the 24thConference of the Parties (COP24) to the UN Framework Convention on Climate Change (UNFCCC) which took place in Katowice, Poland from 03 to 14 December 2018. COP24 was intended to highlight milestones and achievements for scaling up climate action up to 2020 and beyond, and towards the long-term goals of the Paris Agreement. Members of the Pan-African Parliament participated in events that ranged from the implementation of the Paris Agreement to climate justice, climate finance, and good practices for overcoming climate challenges. The First Vice-President and the PAP delegation also participated in the Inter-Parliamentary Union (IPU) and the African Day programme at COP24. The Pan-African Parliament Day which was organized on 10 December 2018, alongside the African Development Bank (AfDB), the African Union Commission (AUC), the United Nations Economic Commission for Africa (UN-ECA) and the New Partnership for Africa's Development (NEPAD), enabled us to reinforce the African common position while according the platform for Pan-African Parliamentarians to sensitize stakeholders on the African Climate Legislation Initiative (ACLI).

To maximize on the opportunities presented by the COP 24, the PAP organized a side event, which brought together actors from different sectors including civil society, parliamentarians, climate change experts and development partners, to discuss the urgent requirement for climate finance and the status of climate legislation in Africa. The Pan-African Parliament also participated in a series of activities with the Inter-Parliamentary Union (IPU) which served to engage with policy makers from around the globe in order to compare, learn and consolidate climate change legislation.

Furthermore, the 2nd Vice-President, Hon. Aïchata Haïdara Cissé, represented the Pan-African Parliament in Marrakech, Morocco at the Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, which was held on 10 - 11 December 2018. The Global Compact for Migration is the first-ever UN global agreement on a common approach to international migration in all its dimensions. The global compact is non-legally binding. It is grounded in values of state sovereignty, responsibility-sharing, non-discrimination, and human rights, and recognizes that a cooperative approach is needed to optimize the overall benefits of migration, while addressing its risks and challenges for individuals and communities in countries of origin, transit and destination. At this meeting, Hon. Aïchata highlighted the important role that the Pan-African Parliament can play, as a representative of the African peoples, in facilitating the implementation of the UN global agreement.

Furthermore, the President of PAP deployed a PAP delegation led by Hon. Djamel Bouras, 3rd Vice-President to take part in the 140th Session of the Inter-parliamentary Union (IPU). On this occasion, the PAP submitted an official request to move from its current observer status to full membership within the IPU. Also, the PAP delegation held a meeting with the leadership of IPU, in which options for strengthening the cooperation between PAP and IPU were explored. The IPU President, Mme Gabriela Cuevas expressed her willingness to participate in the Speakers' Conference which the PAP will hold in August 2019.

Lastly, the Bureau of PAP, was represented by President Hon. Roger Nkodo Dang, 4th Vice President Hon. Chief Fortune Charumbira and other MPs at the funeral of the Late PAP President, Hon. Bethel Nnaemeka Amadi, which was held in Abuja, Nigeria from 1 - 4 April 2019. The President and the 4th Vice-President of PAP used the opportunity to comfort and console the family of Late Hon. Bethel Amadi and to express solidarity and compassion to the Government and Parliament of Nigeria. The occasion also enabled PAP to revive ties with the Speaker and leaders of the Nigerian Parliament, Senate and Government of Nigeria who attended the funeral.

2.2. ACTIVITIES UNDERTAKEN IN FULFILMENT OF STRATEGIC OBJECTIVE 2: PROVIDE A PLATFORM FOR MAINSTREAMING AFRICAN VOICES AND THOSE IN THE DIASPORA, INTO AU POLICY-MAKING PROCESS.

The primary mandate of the PAP as a continental parliament is to ensure an effective participation of the people of Africa in the AU decision and policy-making processes. Therefore, providing a platform for the voices of African citizens, civil society and diaspora is critical to the success and effectiveness of the mandate of the PAP. Deliberate efforts towards achieving this strategic objective consisted in ensuring the participation of African citizens and civil society organizations in PAP activities, invitation of civil society organizations made technical presentations to various Permanent Committees, the organization of a civil society forum and the signing of partnership agreements with new CSOs, which will lay the ground for further engagement with African citizens and civil society.

2.2.1.Participation of Civil Society and African citizens on PAP activities

The Pan-African Parliament invited civil society and African peoples to attend the October 2018 Ordinary Session and Committees' meetings during the March 2018 Committees Sittings. Civil society and African peoples attended the Plenary meetings, parallel workshops and meetings of the various PAP Committees. The various themes which attracted the participation of civil society include the debate and presentation of the Rwandan socioeconomic transformation, the role and impact of AU electoral observer missions , the management of natural resources, model laws as catalysts of regional integration, the status of the fight against corruption and the role of women in the fight against corruption in Africa.

2.2.2. Technical contributions and support by civil society organizations and other strategic partners

During the October 2018 Ordinary Session and the March 2019 Committees Sittings, several CSOs were invited to provide inputs into the work of Permanent Committees. The inputs were made through technical presentations and briefing on a wide range of issues, including the rights of persons with albinism, the rights of persons with disability, education, agriculture, effective tax management, fight against hunger and food security and nutrition, illicit financial flows, the right against corruption, free movement of people, goods and services and transitional justice. During the March 2019 Committees Sittings, a number of the Seminar on Managing Debt and Fighting Corruption in Africa,

which addressed issues relating to the current sovereign debt landscape in Africa; accountability and debt management; parliamentarians and their role in fighting corruption; tax holiday and sovereign debt; oversight role of Parliamentarians on sovereign debt as well as the workshop on the African Union theme for 2019 recorded the utmost technical contributions and participation of civil society.

It is worth highlighting that the Draft Model Law on Disability in Africa, which is now at the consultations stage, has received tremendous support and contributions from the African Disability Alliance and several other NGOs interested in, or working on, disability issues. In the same vein, efforts have been made to involve as many civil society organizations as possible in the formulation process of the Draft Model Law on Policing and the Draft Model Law on Food Nutrition. The PAP is currently working with the University of Pretoria's Centre for Human Rights to ensure a more coordinated and sustained civil society engagement with the Pan-African Parliament. Currently, civil society organizations engage more and more with Permanent Committees and position themselves to trigger processes or positively influence the content of Committee work.

During the reporting period, the PAP received technical presentations from the following Civil Society institutions: University of South Africa (UNISA); the Council for Scientific and Industrial Research (CSIR); the Centre for Human Rights of the University of Pretoria; the African Organization of English-Speaking Supreme Audit Institutions (AFROSAI-E); Ipas Alliance; the Centre for Study of Violence and Reconciliation; Office of Auditor General South Africa, the African Organization of Public Account Committees (AFROPAC); PEN International; TB Caucus., African Tax Administration Forum (ATAF) and the International Committee of the Red Cross. In addition, the PAP also received technical presentations from the following strategic partners: the African Union Commission (AUC) departments and organs; United Nations Environment Programme (UNEP); the International Organization for Migration (IOM); the African Civil Aviation Commission; the United Nations Economic Commission for Africa (UNECA); and the United Nations High Commission on Refugees.

2.2.3.Promoting Effective Citizen and Civil Society Engagement through institutionalization of a PAP Civil Society Forum

At the Civil Society Dialogue, which was held on the 8 August 2018, on the side-lines of PAP Committees Sittings, in Midrand, South Africa, a range of South Africa-based civil society organizations agreed to the need for an effective and sustainable overall forum or space, which would ensure their cohesion,

coordination and effectiveness in their engagement with the PAP. Such a forum could also give support to new or small organisations engaging with the PAP, and also assist the PAP in its outreach and advocacy campaigns, such as for the ratification, domestication and implementation of the AU legal instruments, particularly the new PAP Protocol.

Building on the August 2018 Civil Society Dialogue, the PAP has been working with the Centre for Human Rights of the University of Pretoria, in implementation of the MOU signed between them, to convene a Civil Society Forum which will be held on 11 May 2019, on the sidelines of this Ordinary Session of the PAP, to be held in Midrand, South Africa from 6 – 18 May 2019. This Forum, which targets the Civil Society Organisations from the region, will deepen reflections on the establishment of a PAP Civil Society Forum and reflect on the key themes of the PAP Session.To this end, the Forum seeks to sensitize CSOs on the workings of the PAP and the importance of increasing programming on issues pertaining to the PAP; promote active and constructive citizen and civil society engagement with the PAP promoted, encourage sharing of best practices on effective civil society advocacy and lobbying with AU institutions, particular the PAP; and identification of PAP weaknesses relating to civil society engagement, with a view to reflecting on a mechanism to ensure sustained civil society engagement with the PAP, including through creation of a PAP Civil Society Forum.

2.2.4. Implementation of existing partnerships and negotiation of new strategic partnerships

The PAP has also fostered collaboration with various organizations, which is resulted in the signing of Memoranda of Understanding during the October 2018 Session and the March 2019 Committees Sittings. Partnership agreements were sealed with the following institutions:

- The UN Environment: Even though initiated by the Committee on Transport, this partnership is expected to benefit also the Committee on Rural Economy; and the Committee on Gender.
- The World Health Organization: Initiated by the International Relations Unit for the benefit of the Committee on Health, this MOU will enable PAP and WHO to organize a high-level continental dialogue on HIV/AIDS, to be held in June 2019, in Brazzaville, Republic of Congo.
- The Southern Africa Parliamentary Support Trust: Initiated by the International Relations Unit for the benefit of all PAP Committees and the Secretariat in terms of support for and development of technical research capacity.

- African Institute for Economic Development and Planning (IDEP): For the building and strengthening of policy analysis and scrutiny capacity of PAP Parliamentarians and Staffers. PAP Members and staffers will be expected to attend capacity building programs organized by IDEP on a wide range of policy areas that are relevant to the mandate of the PAP.
- African Tax Administration Forum (ATAF), Tax Justice Network on Illicit Financial Flows. A platform has been established to facilitate all civil society organizations working on the issue of illicit financial flows to work closely with the committees dealing with matters pertaining to corruption and illicit financial flows.

Negotiations are underway for the finalization and signing of Memoranda of Understanding during the October Session with the following institutions: The United Nations High Commission for Refugees (UNHCR) and the Academy of Science of South Africa (ASSAf).

2.3. ACTIVITIES UNDERTAKEN IN FULFILMENT OF STRATEGIC OBJECTIVE 3: PROMOTE HUMAN RIGHTS AND DEMOCRACY, GOOD GOVERNANCE AND DEVELOPMENT IN AFRICA.

Promotion of human and peoples' rights, consolidation of democratic institutions and the democratic culture, good governance, transparency and the rule of law by all organs of the Union, Regional Economic Communities and Member States is one of the strategic objectives of the PAP. In furtherance of this objective, the PAP organized various activities and debates on issues to do with human rights, democracy and good governance both in Plenary and Permanent Committees.

2.3.1. Plenary Debate on Human Rights, Democracy and Good Governance

During the October 2018 Ordinary Session, the Plenary debated issues and Committee reports, which address various human rights, governance, development, and rule of law issues affecting the continent and Member States. Those issues include the fight against corruption; achieving health targets and leaving no one behind; nutrition and food systems in Africa; the African continental free trade area and free movement of persons, right to residence and right to establishment; the rights of persons with albinism in Africa, climate change and the human rights of refugees, returnees and internally displaced persons.

2.3.2. Progress on the Formulation of the Draft Model Law on Disability in Africa

During its October Session held in Kigali, Rwanda, the Pan-African Parliament adopted on 2 November 2018 Resolution PAP.5/PLN/RES/01/OCT.18 on the Formulation of a Model Disability Law in Africa. By this Resolution, the PAP, among other things, "adopted the first draft of the Model Disability Law and requested its submission to regional consultations in order to get inputs from African citizens, the grassroots organizations and other interested stakeholders".

To implement the aforementioned Resolution, consultative meetings were held in Morocco for North Africa and Kenya for East Africa, with a view to facilitating effective engagement with key stakeholders from the various African regions on disability issue to ensure that, the final Model Disability Law reflects the aspirations of the peoples of Africa. The consultative meetings enabled the presenters to; get feedback on the content of the Draft Disability Model Law, and to sensitize participants, including PAP Members and local authorities on the need to ratify the Africa Disability Protocol and the usefulness of the Model Disability Law as a means to advance the rights of persons with disability.

2.3.3. Promotion of Adequate Legal Frameworks to advance the Rights to Food and Food Security Nutrition

At the October 2018 Ordinary Session, the Pan-African Parliament (PAP) held a Plenary Session on food and nutrition systems and adopted a Resolution (PAP.5/PLN/RES/06/OCT.18) authorizing the elaboration of a model law on Food Security and Nutrition with a view to providing guidance for the development of legal frameworks at the national level and complement regional efforts to support the achievement of FNS. The model law will consider not only the international and regional commitments of the states in the continent, but also the relevant best national policy and legal instruments.

While the PAP and FAO technical teams have started research and policy work for the formulation of the draft Model Law on Food Security and Nutrition in Africa, the PAP with support from FAO organized, on 1st and 2nd March 2019, a capacity-building Workshop for PAP Parliamentarians on technical aspects of food security and nutrition. The Workshop was attended by Members of the Committee on Agriculture and also Members of the Executive Committee of the PAP-FSN, and enabled parliamentarians to understand their fundamental role in the fight to eradicate poverty and malnutrition and achieve Zero Hunger It also strengthened and consolidated the capacities of parliamentarians to position food and nutrition security and the right to adequate food at the forefront of

political and legislative agendas at regional level and enabled the Committee on Agriculture to adopt the roadmap for the formulation of the Model Law on Food Security and Nutrition.

The PAP's work on food security and nutrition can is linked to the fight against poverty and hunger and is geared towards the realization of the right to food in Africa. To this end, the formulation of the Model Law on Food Security and Nutrition will be carried out in the context of the MOU and the TCP (TCP/RAF/3612) signed between the FAO and the PAP, and with additional support by other interested stakeholders, such as NEPAD and DREA. The TCP also enabled nine members from the Executive Committee of the Pan-African Parliamentary Alliance on Food and Nutrition Security to participate in the Global Parliamentary Summit Against Hunger and Malnutrition, which took place in Madrid, Spain from 29 to 30 October 2018, with sponsorship from FAO.

2.3.4. Workshop on "Implementation of PAP 2018 Resolution on the Rights of Persons with Albinism"

On 4 March 2019, the Committees on Justice and Rules held a workshop in conjunction with the United Nations Independent Expert on the enjoyment of human rights by persons with albinism and the Centre for Human Rights to deliberate on strategies for the effective implementation of Resolution PAP.4/PLN/RES/05/MAY.18 on Persons with Albinism in Africa, which the Pan-African Parliament adopted on 18 May 2018. This Resolution underscored a crucial role for the PAP and includes engaging African Union Member States and regional bodies to advance and protect the rights of persons with albinism. The adoption of the Resolution adds to previous efforts by regional bodies in Africa to address on-going violations of the rights of persons with albinism. Those include efforts by the African Commission on Human and People's Rights endorsing in May 2017 the Regional Action Plan to prevent and end attacks against persons with albinism in Africa (2017 to 2021). The Regional Action is the first regional initiative in Africa to comprehensively address discrimination and stigmatization of persons with albinism leading to ritual attacks and trafficking of body parts owing to myths and harmful practices related to certain manifestations of witchcraft. The Committees adopted a new draft Resolution to be tabled at the May 2019 Ordinary Session, which proposes a set of activities that the PAP will undertake in 2019 to promote the human rights of persons with albinism in Africa.

2.3.5. Promotion of democracy and human rights through PAP Participation in the AU Electoral Observer Missions

During the period of May to September 2018, the PAP deployed its Parliamentarians supported by the Secretariat to participate in the AU electoral observer missions in several African countries, namely: Madagascar (7 November 2018), Togo (20 December 2018), Democratic Republic of Congo (30 December 2018), Nigeria (16 February), Senegal (24 February 2019), Guinea Bissau (10 March 2019), Comoros (24 March 2019), Benin (28 April 2019) and South Africa (8 May 2019).

By observing those elections, the PAP has contributed to ensuring transparency, fairness and freedom in the conduct of elections in Africa and help build public confidence in the credibility of electoral processes. These election observations also help promote and protect the civil and political rights of citizens and all stakeholders in elections and can lead to the correction of errors or weak practices, even while an election process is still under way. Lastly, it can deter manipulation and fraud, or expose such problems if they do occur. Electoral observation reports, which are generated from the missions can assist the Member States and citizens to build trust in the democratic process and enhances the legitimacy of the governments that emerge from elections.

2.3.6. Workshop on Political Parties' Role in Building Vibrant and Inclusive Democracies in Africa

On 7th March 2019, the Pan-African Parliament organized, in collaboration with the Open Society Foundation, Africa Regional Office, a meeting of leading political parties to discuss the challenges of electoral democracy in Africa and to propose solutions to address these challenges. This meeting was premised on the observation of the flaws in elections and democracies that threaten to reverse the gains that Africa has made. This was one of the major findings of the 5th AU Continental meeting on electoral Management, which observed that youth apathy, electoral violence and the risks in political financing required deliberate efforts for "strengthening electoral integrity in Africa".

Noting that most democratic reforms in Africa have been historically deliberated, negotiated and implemented through political parties, the meeting proposed recommendations to respective political parties for consideration and adoption at party decision-making processes, on how to make democracy in their respective countries more inclusive and just as well as proposed changes in the AU/RECs charters, instruments, elections observation guidelines and practices.

The meeting also recognized that the Pan-African Parliament (PAP) can tap into its oversight, advisory and consultative powers to promote the AU policy and legal instruments that advance human rights and democracy in Africa as well as good governance, transparency and accountability in Member States. The AU Charter on Democracy, Elections and Governance was identified as one such instruments, which the Pan-African Parliament was instrumental in ensuring its coming into force and should take effective measures for its full ratification, domestication and implementation by the Member States.

2.4. ACTIVITIES UNDERTAKEN IN FULFILMENT OF STRATEGIC OBJECTIVE 4: PROMOTE PEACE, SECURITY AND STABILITY.

One of the core objectives of the PAP is to promote peace, security and stability on the African continent. The PAP organized activities and debates, which contributed to the achievement of this strategic objective. Those activities include the presentations, debates and training on issues to do with peace and security both in Plenary and Permanent Committees.

2.4.1. Sensitization of the Members of Parliament on Statelessness in Africa

Statelessness is a situation where a person is deprived of the right to a nationality, by operation of the law or as a result of factual circumstances. It is a problem that affects an estimate of 10 million people worldwide, and about 800,000 in Africa. While it is generally considered a human rights and development issue, statelessness has become a security and stability issue in Africa, where it has provided fertile grounds for conflicts in many African countries.

For these reasons, the Pan-African Parliament with support from the UNHCR organized on 4th March 2019 a workshop on addressing statelessness in Africa. While the Workshop targeted members of the Committees on Justice and Human Rights and Rules Privileges and Discipline, in attendance were representatives of the following RECs: Intergovernmental Authority on Development (IGAD); Community of Sahel-Saharan States (CEN-SAD); Common Market for Eastern and Southern Africa (COMESA); East African Community (EAC); Economic Community of Central African States (ECCAS); Economic Community of West African States (ECOWAS); Southern African Development Community (SADC) and UNHCR.

The Participants had the opportunity to deliberate on measures taken by African states in addressing the challenges of statelessness. They particularly discussed the Banjul Plan of Action of the Economic Community of West African States on the Eradication of Statelessness 2017–2024 and the Convention on the Reduction

of Statelessness of 1961 and the Protocol to the African Charter on Human and Peoples' Rights relating to the Specific Aspects of the Right to a Nationality and the Eradication of Statelessness in Africa, which is yet to be finalized and adopted by the African Heads of States.

The workshop provided a forum for the Parliamentarians to explore in more depth the issue of statelessness in Africa and to take stock of progress and constraints, in relation to the implementation of the international and regional standards. They were also able to learn from the experiences of the RECs in Africa, with a view to leveraging their efforts in addressing statelessness in view of the role of parliamentarians in developing nationality laws that prevent and reduces statelessness. The Workshop provided a platform for devising strategies to end stateless in Africa and, to that end, to recommend concrete actions to be taken by the Member States, RECs and other stakeholders.

2.4.2. Plenary Debate on Transitional Justice

At the October 2018 Ordinary Session, the PAP received a presentation on the African Union Transitional Justice Policy, which was due for consideration and adoption by the policy organs at the February 2019 Summit. This debate provided an opportunity for the Members of PAP to debate on various policy and legal instruments of the African Union aimed at advancing peace and security on the continent. Those instruments include the Agenda 2063, ending conflicts and *Silencing the Guns* on the continent by the year 2020, the Declaration of 2014-2024 as the "Nelson Mandela Decade of Reconciliation in Africa", AU Transitional Justice Policy (AUTJP), Recommendation of the Panel of the Wise, which produced a study on peace, justice and reconciliation in 2013.

The debates around the AUTJP enabled the sensitization of the PAP Members on the role of promotion of peace, security and stability on the continent, which is part and parcel of the objectives of the PAP. The debates underscored the vital role of PAP and its Members in the facilitation of the effective implementation, harmonization of all AU legal and policy frameworks, including the African Union Transitional Justice Policy once adopted. The debate also built the capacity of PAP Members to facilitate and compliment efforts of Member States in having a common understanding and coordinated approach in implementing an African approach to transitional justice.

2.4.3. Sensitization of all PAP Permanent Committees on the AU 2019 Theme of the Year

The African Union declared 2019 the "Year of Refugees, Returnees and Internally Displaced Persons in Africa" and called upon all AU organs and institutions to mainstream it in their activities. To ensure that all Committees and Members are abreast with this theme, which would enable them to mainstream it in their respective activities both at PAP and at their respective countries, the Pan-African Parliament held, from 05 – 06 March 2019, a workshop which reflected on the contribution of the Pan-African Parliament towards finding durable solutions to forced displacement. The Workshop was attended by Members from the PAP Committee on Trade, Customs and Immigration Matters; Committee on Education, Culture, Tourism and Human Resources; Committee on Cooperation, International Relations and Conflict Resolution; Committee on Justice and Human Rights and Committee on Rules, Privileges and Discipline. A similar workshop was organized in Tunis, Tunisia, away from the host country, where the Committee on Health, Labour and Social Affairs held a joint sitting with the Committee on Gender, Family, Youth and People with Disability.

In attendance also were resource persons from the United Nations Refugee Agency (UNHCR); the Department of Social Affairs of the African Union Commission; NEPAD Agency; the African Union/Centre for Girls and Women Education in Africa (AU/CIEFFA); the International Organization for Migration (IOM); the International Committee of the Red Cross (ICRC); the International Labour Organization (ILO); Parliament of Uganda; Parliament of South Sudan; the Department of Peace and Security of the African Union Commission; the Institute for Security Studies (ISS); Care International and the PAP Secretariat. The workshop was graced by H. E. Ambassador Smail Chergui, the AU Commissioner for Peace and Security, who delivered a keynote address during the workshop.

The Workshop provided a golden opportunity for the Members of PAP to critically reflect on the issue of refugees, returnees and forced displaced persons in Africa and to explore possible means to strengthen and consolidate efforts towards the protection of refugees and to proffer durable solutions to forced displacement in Africa through a meaningful engagement with various stakeholders. To that end, the presentations and debates highlighted the role of Parliamentarians on the domestication and implementation of the continental policy and legal frameworks relating to the protection of refugees, returnees and internally displaced people in Africa. They also enabled the Parliamentarians to explore effective mechanisms and strategies that will contribute towards the

implementation, management and monitoring of policies and legal frameworks related to refugees, returnees and internally displaced people in Africa. The PAP Members also identified gaps in existing policy and legal frameworks with a view to proposing areas of improvement; and devised ways and means, through which the PAP can play an active and proactive role in the prevention, management, and monitoring of forced migrations in Africa. The Workshop resulted in a Final Communiqué, which will be translated into a Resolution and Recommendation for adoption at the May 2019 Ordinary Session.

2.5. ACTIVITIES UNDERTAKEN IN FULFILMENT OF STRATEGIC OBJECTIVE 5: PROMOTE INTEGRATION AND DEVELOPMENT IN AFRICA.

Promotion of Africa's integration and socio-economic development is one of the *raison d'être* of the Pan-African Parliament. To that end, the PAP organized activities and debates on topics which related to Africa's integration and socio-economic development. Those activities and debates include debt management and fighting corruption, challenges of industrial development in Africa, and the role of lawmakers in enhancing confidence in Africa's cyber-infrastructure.

2.5.1. Seminar on Managing Debt and Fighting Corruption in Africa

The 2001 Protocol establishing the Pan-African Parliament provides that the continental Parliament shall, among others, participate in creating awareness among the people of Africa on the necessity for the pursuit of a common economic recovery strategy and contribute to the harmonization and coordination of policies and legislative texts of Member States. Based on this objective and building on the AU 2018 Theme of the Year, which was "winning the fight against corruption: a sustainable Path to Africa's Transformation", the PAP worked with AFROPAC to organise a seminar for the Committee on Audit and Public Accounts and the Committee on Monetary and Financial Affairs on "Managing Debt and Fighting Corruption in Africa", held on 6th March 2019.

The Seminar highlighted the nexus between sovereign debt and corruption in Africa, particularly illicit financial flows, and underscored the parliamentary oversight role in ensuring accountability on sovereign debt. The Pan-African Parliament and its Members were called upon to use available avenues to express support and promote the Good Financial Governance (GFG), the Declaration on IFFs as well as any related declaration or agreement especially in view of its strategic ties with National Parliaments. Members of PAP were also senzitised to promote debates and discussions on debt management and IFFs in National Parliaments, and to put in place necessary effective policy and

legislative instruments to tackle corruption practices and IFFS occurring when sovereign debts are contracted by the Member States.

The Seminar provided an opportunity to explore various issues, including the current sovereign debt landscape in Africa; accountability and debt management; parliamentarians and their role in fighting corruption; tax holiday and sovereign debt; oversight role of parliamentarians on sovereign debt and ways in which Parliamentarians can carry out oversight on debt effectively. The outcomes were recommendations and resolution which were adopted by both Committees and will be presented to the Plenary at the 2nd Ordinary Session of the Fifth Parliament.

2.5.2. The Workshop on "Industrial development in Africa: Challenges and perspectives"

Industrial development is an opportunity for countries to diversify their economies, develop productive capacity for high and sustained economic growth, generate employment opportunities for young people and reduce poverty in the countries. However, it constitutes a big challenge for African governments. The role of Parliamentarians come into play in providing adequate industrial policymaking and oversight, and in discussing issues of continental economic transformation and development, the establishment of an environment conducive to increasing investment potential, enterprise and trade opportunities for African citizens.

For this noble reason, the PAP held on 6th March 2019 a Workshop on "Industrial development in Africa: Challenges and perspectives" for the Committee on Transport, Industry, Energy, Communication Science and Technology in view of the mandate of the Committee to "assist Parliament to oversee the development and implementation of policies of the Union relating to transport, communication, science and technology and industry". In attendance were representatives of UNIDO; University of Pretoria and Industrial Development Corporation of South Africa.

The workshop succeeded in providing the Members of Parliament with all developments and challenges relating to the industrial development sector within the African Continent. The presentations and ensuing debates highlighted the industry related activities in Africa and AU legal instruments in the sector; the status of implementation of UNIDO programmes on industrial development in Africa; the role of Academia in the development of industry sector in Africa; the experience of South Africa in industrial development and the role of Parliamentarians in promoting industrial development in Africa.

2.5.3. The Workshop on Enhancing Confidence in Africa's Cyber-infrastructure: the role of legislators

On 7th March 2019, the Pan-African Parliament organised, with technical support from AUDA (NEPAD), a workshop on the theme "Enhancing Confidence in Africa's Cyber-infrastructure: The Role of Legislators". The Workshop targeted the Committee on Transport, Industry, Communications, Energy, Science and Technology and the Committee on Trade, Customs and Immigration Matters, with the objective to discuss, refine and validate actions at regional and member-state level required to facilitate the entry into force of the AU Convention on Cyberspace Security and Protection of Personal Data and to enhance confidence in Africa's cyber-infrastructure. Adopted by the AU Summit on June 27, 2014, in Malabo, Equatorial Guinea, the AU Convention Cyberspace Security and Protection of Personal Data provides a legal framework for ensuring the security of institutional, human, financial, technical and informational assets and resources. The Convention focuses on addressing cybercrime and cyber security, it also addresses important elements of electronic transactions and the protection of personal data.

The Members of PAP were updated on the Cyber Security Project, which is a continent-wide initiative, to be led by AUDA through its Regional Integration Infrastructure and Trade Programme. The Project is part of the AUDA's broader implementation strategy in the Programme for Infrastructure Development in Africa (PIDA) and its Priority Action Programme. The Members of PAP were further introduced to the process for cyber security country assessments, identifying countries where the project should be undertaken and on roles and responsibilities of various stakeholders.

2.5.4. Participation in the Fifth Session of the Regional Forum "Empowering people and ensuring inclusiveness and equality".

The Pan-African Parliament participated in the Fifth Session of the Regional Forum held in Marrakech, Morocco, from 16 to 18 April 2019, under the theme "Empowering people and ensuring inclusiveness and equality". The Forum was organised by the Economic Commission for Africa (ECA), in collaboration with the Government of Morocco, the African Union Commission and the African Development Bank. The delegation of PAP consisted of seven Members of PAP drawn from the Permanent Committee on Rural Economy, Agriculture, Natural Resources and Environment; Committee on Transport, Industry, Communications, Energy and Technology; Committee of Gender, Family, Youth and People with Disabilities as well as the Committee on Health, Labour and Social Affairs.

The overall objective of the 2019 Africa Regional Forum on Sustainable Development was to conduct a regional follow-up and review of the implementation of the Sustainable Development Goals and Agenda 2063 goals and facilitate learning, including sharing approaches, experiences and lessons learned to advance their implementation.

The Forum provided an opportunity for the Members of PAP to be equipped with knowledge to set Africa firmly on the path to implement Agenda 2030 and Agenda 2063, and to ensure that the goals of the two agendas are fully integrated by countries into their policies and plans, national budgets, approaches to investment and private sector engagement and development. The Members were sensitised to intensify efforts for the strengthening of the alignment of national development frameworks, including budget allocations, and bilateral and multilateral development cooperation frameworks with the goals of the two agendas.

One of the highlights was the election of Hon. Jacqueline Amongin as a member of the Bureau of the African Regional Forum on Sustainable Development. This will help PAP to play a leading role in the preparation for the next session of the ARFSD, which will be held in Victoria Falls, Zimbabwe. Also, the outcomes of this Regional Forum will feed into the 2019 session of the High-level Political Forum on Sustainable Development (HLPF) under the auspices of ECOSOC, which will be held in July 2019. The participation of the PAP in the 5th Session of the Regional Forums was very successful and provided a good opportunity to further strengthen collaboration with key relevant stakeholders, particularly UNECA.

2.6. ACTIVITIES UNDERTAKEN IN FULFILMENT OF STRATEGIC OBJECTIVE 6: STRENGTHEN INSTITUTIONAL CAPACITY OF THE PAP.

The PAP has implemented several activities aimed at strengthening its institutional capacity. Those activities relate to effective administrative human resources management, to effective financial and budget management and the formulation of a new Strategic Plan.

2.6.1. Effective Administrative and Human Resources Management

Administrative and human resources and related activities range from training for MPs and Staff Members, the conduct of the mid-term review, and the organization of the meetings of APROB.

2.6.1.1. Training of PAP Members and Staff on the AU Code of Ethics

The training was conducted by Mr. Almamy Sisay, the AU Chief of Ethics. The presentation emphasized the importance of adhering to ethical behavior by principals and officials of all AU organs including the PAP Members and Staff. The PAP Members and Staff were sensitized on the values that guide and govern the functioning and operations of the Africa Union, which are the following:

i) Respect for diversity and team work;
ii) Think Africa above all;
iii) Transparency and accountability;
iv) Integrity and impartiality;
v) Efficiency and professionalism; and
vi) Information and knowledge sharing.

The Presentation received a positive response from the Members of PAP, who recommended that the training on ethics should be done again at the beginning of Plenary when most Members would be present. It was also reiterated that, if PAP was to be a model legislature on the continent, adherence to ethical values and behaviors was key.

2.6.1.2. The conduct of the mid-term Performance Review and Secretariat 2019 Planning Retreat

The PAP Secretariat conducted the end of the year performance appraisal for several members of staff from January to March 2019. This being the first annual appraisal to be done on the SAP system, they required a lot of support and assistance for both staff and managers to perform the SAP-based appraisal. Increasingly, the benefits of SAP-based performance appraisal are being felt, since for the first time, contracts renewals have been done as a result of paperless appraisals.

Also, the Secretariat organized a Planning Retreat, with support from the EC-PANAF Project, which primarily aimed at taking stock of the 2018 implementation performance of departmental activities; assessing of the 2018 budget implementation; identifying key challenges and remedial measures; and formulating the 2019 priority activities of the Bureau and the departments of the Pan-African Parliament. The 2019 Staff planning and review meeting resulted in the revision of the 2019 - 2023 strategic objectives and the formulation of 2019 result-oriented work plans for units, divisions and departments.

2.6.1.3. Meetings of the Appointment, Promotion, and Recruitment Board (APROB) and Operationalization of Administrative Committees

Since October 2019, the PAP Secretariat organized two meetings of the APROB during the period under review. The APROB is the administrative structure of the Secretariat whose mandate is to advise the Bureau on the recruitment, appointment, promotion and on all matters related to the careers of staff members of the Secretariat. The APROB considered and recommended for Bureau approval several matters dealing with the recruitments, contracts renewals for staff members; reclassification of the entry point step on initial appointment, requests for promotion and a request for secondment to the African Union Commission of a Staff Member who got declared persona non grata in the host country.

The PAP Secretariat also operationalized and organized meetings of other administrative Committees, such as the Internal Procurement Committee, the Loans Committee and the Risk Committee. The Secretariat is yet to operationalize the Board of Survey and the Internal Audit Progress Committee, which were recently established by the Bureau of PAP. The PAP Risk Management Policy was approved by the Bureau in March 2019.

2.6.1.4. Promotion of Effective Communication and Visibility of the PAP

The PAP Secretariat increased the visibility of the PAP activities, which were timely reported and disseminated through the PAP website and various social media, including YouTube, Twitter and Facebook. Also, articles and short videos were produced and uploaded on the PAP Website, Facebook and YouTube. Information and promotional materials were also produced for the Committees' Sittings and Ordinary Sessions.

Also, the Secretariat launched bi-monthly information sharing sessions to improve learning, provide a platform for feedback from selected missions and assignments and communicate important decisions and any developments as a way of enhancing internal communication, and thereby strengthening Parliamentary function of the PAP. At least six sessions were held during the reporting period on the following themes: Emergency Contingency Brief, Analysis and Progress on the Malabo Protocol; New IT Service Delivery System and Framework, Feedback on European Parliament study Visit, Developments in Media and IT.

The PAP Secretariat also initiated collaboration with the AUC Directorate on Information and Communication to explore ways of tapping into their resources to improve communication efforts of the PAP as an Organ of the AU. This is part of the main activities to enhance branding and visibility, as well as the

harmonization of communication efforts of the Parliament with that of the African Union.

2.6.2. Effective Financial and Budget Management

The PAP endeavored to maintain sound and effective financial and budget management, which are yet to be confirmed by the outcomes of the external audit of the 2018 financial statements, and provided timely support to the 2019 year operational and statutory activities.

2.6.2.1. External Audit of the 2018 Financial Statements

In the first quarter of 2019, the Secretariat prepared the 2018 draft Financial Statements for the Pan-African Parliament. The Board of External Audit carried out an interim audit from 11 to 26 February 2019 and the final audit from 1 April 2019 to 12 April 2019. The audit report on the Financial Statements will be issued in May 2019. While the audit of the 2018 Financial Statements of the PAP is yet to be finalized, it is anticipated that the Board of External Audit will issue an unqualified audit opinion as was the case in the previous years.

2.6.2.2. Effective Support to the operational activities of the PAP

The Secretariat offered financial support to the operations of the PAP in a timely, effective and efficient manner. These included the October 2018 Session held in Kigali, Rwanda and the March 2019 Statutory Committee meetings. Similar support is being given to the activities leading to the May 2019 Ordinary Session and other non-statutory activities requiring the logistical and financial support of the Pan-African Parliament.

2.6.2.3. The 2019 Budget Execution

The 2019 approved budget for the PAP is USD 18,510,115. In the first quarter of 2019, the expenditure was USD 3,018,967 giving a budget execution rate of 16%. The major programmatic activities carried out during the first quarter were the Statutory Committee Sittings, non-Statutory Committee activities and Bureau meetings and rotations at a combined cost of USD 714,572. The operational costs stood at USD 2,304,395 for same period.

For 2019, the AUC reclassified Parliamentary Activities from Operational Budget to Programs Budget. The Table below shows the comparison of the 2019 total approved budget per category against the 2018 total approved budget.

	APPROVED BUDGET 2018	APPROVED BUDGET 2019	Percentage (%) INCREASE
Staff Cost	9,810,123	9,564,593	-2.50%
Missions	1,045,398	1,255,561	20.10%
Maintenance and Other Expenses	219,011	170,379	-22.21%
Communication	200,293	201,158	0.43%
Stationery and Supplies	132,706	130,936	-1.33%
Bank charges	68,138	156,000	128.95%
Legal Costs	34,619	15,000	-56.67%
Capital Expenditure	105,505	255,505	142.17%
TOTAL OPERATIONAL BUDGET	**11,615,793**	**11,749,132**	**1.15%**
Parliamentary Sessions	2,654,080	2,814,519	6.04%
Committee Meeting Statutory	879,200	1,200,068	36.50%
Non-Statutory Activities	274,750	535,660	94.96%
Women/Clerks and Speakers Conference	300,000	-	-100.00%
Regional Parliamentary Conference	-	150,000	-
Ratification of AU Legal Instruments	-	90,000	-
Public Hearing	-	180,000	-
Preparation of meetings/Translations/Interpretation	132,430	132,430	0.00%
Bureau Meetings and Rotation	254,026	254,026	0.00%

AU Activities	131,880	131,880	0.00%
Bureau and MPs allowances	802,400	802,400	0.00%
Programs and Projects	2,920,000	470,000	-83.90%
PROGRAM BUDGET	8,348,766	6,760,983	-19.02%
TOTAL BUDGET	19,964,559	18,510,115	-7.29%

It is worth indicating that the PAP managed to secure budgetary increases and successfully introduced new budget lines in the 2019 budget, which are:

i. Regional Parliamentary Conference: USD 150,000
ii. Ratification of AU Legal Instruments: USD 90,000
iii. Public hearings: USD 180,000

2.6.2.4. Preparation of the Draft 2020 Operational Budget

In the first quarter of 2019, the Finance and Budget Division prepared the Draft Operational Budget for 2020. The draft Operational Budget was reviewed by the Finance Committee in March 2019 and will be reviewed by the Bureau in May 2019 after which it will be presented, for deliberation, in Plenary. The draft budget will be presented to the PRC in late May 2019 for approval by the Executive Council in the June 2019 Summit.

2.6.3. Development of the PAP 2019 – 2023 Strategic Plan

The Secretariat finalized the PAP 2019-2023 Strategic Plan in October 2018 and submitted it for consideration by the Bureau, which approved and submitted it to the Plenary. The formulation process entailed extensive consultations with internal and external organs/stakeholders of the PAP, which made it consultative and participatory. The Strategic Plan was conceived to be results-oriented aimed at enhancing the functions of the PAP and make it more effective and efficient in the wake of attaining its mandate. The structure and content of the 2019-2023 Strategic Plan was informed by global and regional policies and developmental processes/events such as the mandate of PAP as enshrined in the Constitutive Act that established the PAP; African Union Commission Strategic Plan; AUC 2063 First Ten Year Action Plan; and the Post-2015 Millennium

Development Goals, among others. The Strategic Objectives were reduced to 4 from 6 which is more focused and realistic.

The final presentation of the Strategic Plan was envisaged at the Joint Planning Meeting with the Bureau and Bureauxes during the PAP Ordinary Session in October 2018, in Kigali, Rwanda. Due to unforeseen circumstances, the Joint Planning meeting was not convened and the ultimate decision on the Strategic Plan was deferred to the May 2019 Ordinary Session. The Secretariat took advantage of the March Committees' Sittings to present the draft Strategic Plan to the various Committees, in preparation for the Plenary debate and adoption of the Strategic Plan during the May 2019 Ordinary Session.

3. SUMMARY OF THE KEY ACHIEVEMENTS

The PAP successfully organized several activities, which effectively contributed to the realization of its strategic objectives. The main achievements can be listed as follows:

i. The successful preparation and organization of all statutory and non-statutory activities of all structures of PAP, in a secure environment and in compliance with the PAP legal framework;

ii. The professional and full support given to the activities of the PAP by the leadership of PAP, Members of PAP and all staff, units, divisions and departments of the PAP Secretariat;

iii. The holding of successful elections for the remaining Bureau and Bureauxes posts, in full compliance with the PAP legal framework;

iv. The effective participation of the PAP in the African Union institutional reform process and other AU workshops and events. PAP was also involved in the revision of AU policy documents such as Procurement Manual, Financial Manual and Travel Policy

v. The thematic focus of the work of the Permanent Committees and the Plenary remained consonant with the continental priorities and shared values as well as the African Union Theme of the Year;

vi. Shared efforts for effective financial and administrative management of the institution;

vii. The PAP has embraced new thematic areas and established frameworks to guide the process of formulation of model laws;

viii. Prevention of litigation and zero legal cost incurred, thanks to timely and effective legal defense and representation;

ix. The finalisation of the formulation of the PAP 2019 - 2023 Strategic Plan ;

x. The increase in the number of signatures and ratifications of the Malabo Protocol, with more Member States and the AU Policy Organs calling for action for the ratification of the PAP Protocol.

4. SUMMARY OF THE MAJOR CHALLENGES

While the PAP has made strides in pursuance of its strategic objectives, it is worth recognizing that, since the October 2018 Ordinary Session, it faced numerous challenges. These challenges include:

i. A high turnover of the Members of the PAP, with 18 new Members sworn in at the October 2018 Ordinary Session and at least 30 other Members to be replaced or re-sworn in at the May 2018 Ordinary Session. This had an impact on securing effective participation of MPs in the statutory and non-statutory activities, and on preserving the institutional memory and capacity of the Parliament.

ii. As highlighted at the October Ordinary Session, the responsiveness of the Members of PAP for participation in the electoral observer missions has critically decreased. It is recommended that MPs renew their commitment respond on time to enable the PAP and AUC Electoral Coordination units to make necessary arrangements for their travel.

iii. The hacking of the PAP IT systems coupled with crashing of the server, which affected the website, one of the main communication tools of the Parliament. Also, the tender process for development of a multilingual website met an extremely low response, which has delayed the process. The partnership with the AUC will assist with development of a template for the envisioned multilingual website as well as hosting the PAP website such that it is protected against hacking in the future. The collaboration opportunity will also provide PAP access to a larger database of Media contacts and allow for use of tools that include the AUC website.

iv. Staffing challenges, with several divisions and units such as legal, Monitoring and Evaluation, Research and Communication being seriously understaffed. The Finance Division also faces staffing challenges as the Finance Officer- Accounting position, which fell vacant in February 2018 is yet to be filled. The staff in the Division also requires additional

training in SAP. The training strategy adopted is for staff to be exposed to on-the-job training at the AUC.

v. The slow pace of recruitment for the outstanding vacant positions, which caused administrative burden and relative instability within the Secretariat.

vi. The continued unfair negative criticisms of the PAP by some of the African Union Policy Organs, requiring the PAP to make more efforts to rebuild its image and earn respect from the AUC , policy organs and the general public.

vii. Financial constraints resulting in some Committees being unable to implement planned activities, such as missions of investigation, on-site visits, promotional missions, consultative meetings, amongst others.

viii. The critical decrease of the participation of the MPs in the AU election observation missions. It is recommended that MPs confirm their participation on time to enable the PAP and AUC Electoral Coordination Units to make necessary arrangements for their travel. It is noted that MPs have raised concerns about the lack of respect for them from the AUC election officials and the poor facilities accorded to them including the class of travel which is still unresolved.

ix. The disproportionate distribution of membership amongst the Committees, where some Permanent Committees have an excessive number of members while others struggle to meet their quorum. It is important that the Bureau considers this situation and consult with Bureauxes for a sustainable solution;

x. An overall poor attendance of Members of PAP during the Committees' Sittings in March 2019, compared to the same period in 2018, which negatively affects the quorum and the performance of the Committees. The below table illustrates this worrisome situation:

Permanent Committees	Number of MPs in Attendance	% of Attendance
Committee on Audit and Public Accounts	8	53
Committee on Rural Economy, Agriculture, Natural Resources and Environment	19	54
Committee on Monetary and Financial Affairs	17	81
Committee on Trade, Customs and Immigration	13	57

matters		
Committee on Cooperation, International Relations and Conflicts Resolution	18	51
Committee on Transport, Industry, Communication, Energy, Science and Technology	9	47
Committee on Health, Labour and Social Affairs	15	56
Committee on Education, Culture, Tourism and Human Resources	7	37
Committee on Gender, Family, Youth and People with Disability	13	57
Committee on Justice and Human Rights	13	42
Committee on Rules, Privileges and Discipline	7	58
Total average percentage of attendance	129	53

5. CONCLUSION

The PAP has made meritorious efforts to fulfill its strategic objectives, through a wide range of activities, both statutory and non-statutory. I would like to hereby acknowledge the technical support and contributions received from all stakeholders, including AU organs and institutions or civil society organizations, which made it possible to achieve these objectives.

Our sincere thanks go to the Members of the PAP Bureau, the Honorable President and the Vice-Presidents for the support and constant involvement in the functioning of Bureau and the Parliament. Without making themselves available to serve on a rotation basis, the Bureau would not have been able to provide effective leadership to the work of the Parliament.

We also acknowledge the Members of PAP for actively participating in the realization of the activities reported herein. The presence of the MPs in the statutory and non-statutory activities and their deployment in regular official missions cannot be taken for granted in view of their busy schedules and dual membership, as well as conflicting schedules. Nothing would have been possible without them going out of their way and making sacrifices to avail themselves for the work of the PAP, indeed with the well acknowledged generous support of our Member States.

We also commend the PAP Secretariat Staff, irrespective of rank, who continue to dedicate their energy, time, experience and knowledge to the achievement of the PAP mandate. The overall activities and objectives of the Parliament cannot be achieved without the enormous work and technical support from the Secretariat.

While concluding this report, our sincere gratitude is also expressed to our development partners, for their generosity and fruitful partnership, which enabled the achievement of our objectives where budgetary gaps were experienced. We are pleased that the PAP has continued to garner the trust of our development partners in supporting our shared values.

02.

PAP.5/PLN/05/MAY.19

Original: ENGLISH

PAN AFRICAN PARLIAMENT (PAP)

One Africa, One Voice

STRATEGIC PLAN 2019-2023

MIDRAND, SOUTH AFRICA

PAN-AFRICAN PARLIAMENT
FINAL

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ACRONYMS

ACDEG	African Charter on Democracy, Elections and Governance
ACHPR	African Commission on Human and Peoples' Rights
ACERWC	African Charter on the Rights and Welfare of the Child
AEC	African Economic Community
AfDB	African Development Bank
AGA	African Governance Architecture
AGOA	African Growth and Opportunity Act
AHPRC	African Human and Peoples Rights Court
APRM	African Peer Review Mechanism
APSA	African Peace and Security Architecture,
AU	African Union
AUC	African Union Commission
CAADP	Comprehensive Africa Agriculture Development Programme
CAPA	Committee on Audit and Public Accounts
CFTA	Continental Free Trade Area
COMESA	Common Market for East and Southern Africa
CSO	Civil Society Organization
DP	Development Partner
DPA	Department of Political Affairs
EAC	East African Community
EC	European Economic Community
ECCAS	Economic Community of Central African States
ECOSOCC	Economic, Social and Cultural Council
ECOWAS	Economic Community of West African States
EU	European Union
EPAs	Economic Partnership Agreements
GDP	Gross Domestic Product
HR	Human Resources
ICT	Information and Communication Technologies
KM	Knowledge Management
KMD	Knowledge Management and Dissemination
KRA	Key Result Areas
KRF	Key Results Framework
MDGs	Millennium Development Goals
M&E	Monitoring & Evaluation
MOU	Memorandum of Understanding
MP	Member of Parliament
MS	Member Sates
NEPAD	New Partnership for Africa's Development
NGOs	Non-Governmental Organizations
OAU	Organization of African Unity
ODA	Official Development Assistance
OECD	Organisation for Economic Co-operation and Development
PANAF	Pan African Programme
PAP	Pan-African Parliament
PAP-CSOS	PAP- Civil Society Organization System
PRC	Permanent Representatives' Committee
RECs	Regional Economic Communities
SC	Steering Committee
SFA	Strategic Framework Areas
SO	Strategic Objectives
SP	Strategic Plan
SWOT	Strengths, Weaknesses, Opportunities and Threats
TOC	Theory of Change
UN	United Nations

EXECUTIVE SUMMARY

1. The Treaty Establishing the African Economic Community (the Abuja Treaty) on 3 June 1991 (**Abuja Treaty 1991**) triggered the establishment of the **Pan African Parliament** as an African Union Organ "*to ensure the full participation of African peoples in the development and economic integration of the continent*". The Pan African Parliament is "*an inclusive representative, regional deliberative, prospective legislative and oversight institution*". The composition, powers, functions and organization of the Pan African Parliament are defined in the Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament (hereinafter the PAP Protocol).

2. The ultimate aim of the Pan African Parliament is foreseen to evolve from offering advisory and consultative services to becoming an institution with full legislative powers, whose members are elected by universal adult suffrage. The Pan African Parliament's original Protocol (2006) is still functional waiting for the ratification of the revised Protocol adopted in 2014 by the African Union Member States. The history and functions of the Pan African Parliament and its institutional structure are very well documented, pointing out to the business progression that took place since its establishment.

3. The **Strategic Plan 2019-2023** establishes the strategic focus and direction of the Pan African Parliament and its formulation, implementation and evaluation *will assist* Pan African Parliament *to step back and examine where the PAP is heading for and how to get there*. The Strategic Plan is based on a logic that is triggered by a mission statement achievable through logical bottom-up action plans, annual objectives, long term goals, SWOT Analysis, Core values and mission statement.

4. The Pan African Parliament **Strategic Plan 2019-2023** is mainly informed by lessons and recommendations of the evaluation emanating from the past Strategic Plan 2014-2017, consultations with the Pan African Parliament Permanent Committees, Secretariat, and H.E Paul Kagame's report that focuses on administrative and political reform of AU which emphasis the overarching legislative and oversight functions of the Pan African Parliament.

5. The **Strategic Plan 2019-2023** builds on the relevant aspirations stated in the African Union **Agenda 2063** and the thrusts for implementing the AU reform agenda. The Strategic Objectives (SOs) of the 2019-2023 Strategic Plan, once attained, will be a long-awaited breakthrough in shifting the roles of the Pan African Parliament from consultative and advisory to a fully-fledged legislative body.

6. The Strategic Plan 2019-2023 is further motivated by the **Theory of Change** reflecting the time-wise planned aspiration and commitment of the Pan African Parliament's stakeholders for a determined change aimed at shifting the *status quo* to a highly visible, relevant, and well achieving Organ of the African Union. The Theory of Change is geared towards achieving the declared AU commitments for a continent where the voices of the African people are mainstreamed into its functions and business processes to promote popular participation

and representation of the African peoples in decision-making, good governance, representation, oversight, accountability and transparency.

7. The Strategic Plan 2019- 2023 aims to achieve the following specific and time-bound **Strategic Objectives**:

1. Nr.	2. **Strategic Objectives**
3. 1	4. Strengthening parliamentary functions of the PAP;
5. 2	6. Strengthening partnership, coordination, outreach and institutional capacity of the PAP;
7. 3	8. Promoting Human Rights and Shared Values of the African Union:
9. 4	10. Strengthening Research, Learning & Sharing, Knowledge Management, Communication and Advocacy of PAP;

8. **Strategic Objective 1. Strengthening parliamentary functions of the PAP:** To empower the people of Africa politically and economically. The Pan African Parliament will be responsive to the commitment towards empowering the people of Africa to realize the goals of Agenda 2063, Post-2015 UN Development Agenda and SDGs. The Pan African Parliament will be highly committed to realizing H.E. Paul Kagame Report on the Proposed Recommendations for the Institutional Reform of the African Union and to AU Transformation objectives.

9. **Strategic Objective 2. Strengthening partnership, coordination, outreach and institutional capacity of the PAP:** To support capacity revitalization and strengthening the Pan African Parliament stakeholders (Parliamentarians, PAP Secretariat staff, Parliamentarians at REC and Member States levels) through strengthening institutional capacities that support coordination, partnerships, participation and the outreach.

10. **Strategic Objective 3. Promoting Human Rights and Shared Values of the African Union:** To promote the principle of human rights and democracy in Africa; to encourage good governance, transparency and accountability in member states; and to promote peace, security and stability. The Protocol of the Pan African Parliament underscores the objective of giving the African peoples a voice to promote human rights, good governance, democracy, the rule of law, transparency and accountability of member states, and institute stability, peace and security, social justice, gender equality and the democratic values of human dignity, equality and freedom.

11. **Strategic Objective 4: Strengthening, Research, Learning & Sharing, Knowledge Management, Communication and Advocacy of PAP:** To support and enhance effective functioning of the Pan African Parliament through research, knowledge management and dissemination.
12. The role played by the Pan African Parliament since inception as an instrument serving the Africa peoples, will be enhanced. It is expected that the Pan African Parliament revised protocol will be ratified by the quorum or a majority during the first two years of Strategic

Plan Cycle. If this is achieved, the Pan African Parliament will realize its goals of serving the peoples of Africa as declared in the Protocol of 2006 and the revised Protocol of 2014.

13. The Strategic Plan 2019-2023 coincides with the Institutional Reform of the African Union and the implementation cycle is envisaged to contribute to the full AU Reform and ensure the anticipated synergy between Pan African Parliament and African Union Commission (AUC). However, such timely achievement could not be pursued without a change in the mindset and the business processes of the Pan African Parliament. The successful implementation of the 2019-2023 Strategic Plan therefore, envisions the institutionalization of a strong knowledge management and dissemination (KMD) function capable of acting as a clearing house of results generated, lessons learned, and experiences gained within the Pan African Parliament. This function will be supported by the Implementation, Monitoring and Evaluation Framework, a Resource Mobilization Strategy and an Advocacy/Communication Strategy.

Table E1. The Logic of the PAP SP 2019-2023

STRATEGIC VISION A continental institution harnessing One Africa, One Voice					Engagement/ cross cutting issues
THE CORE FUCNTIONS OF THE PAP To ensure the full participation of the African people in the development and economic integration of Africa					Democracy, Human Rights, Integration of Gender and youth
THE ULTIMATE AIM OF THE PAP To evolve into an institution with full legislative powers, whose members are elected by universal adult suffrage					Coordination & Partnership
THE STRATEGIC OBJECTIVES (SOs) OF THE PAP					
STRATEGIC OBJECTIVES	SO1	SO2	SO3	SO4	
OUTCOMES					
MILESTONE INDICATORS					
KEY RESULT AREAS (KRA)					
DELIVERABLES	1. Legislations; 2. Laws;3. Policies; 4. Effective Advocacy; 5. Coordination and Partnership; 6. Capacity Development; 7. Research; 8. Knowledge Management and Dissemination				

CHAPTER 1: BACKGROUND AND CONTEXT

1.1 BACKGROUND

14. The Pan African Parliament (PAP) is one of the principal organs of the AU. The history and functions of the PAP and its institutional and organizational structure are very well documented[1], pointing out to the business progression that took place since it was established as one of the OAU organs (**Abuja Treaty 1991**) *"to ensure the full participation of African peoples in the development and economic integration of the continent"*. The PAP is *"an inclusive representative, regional deliberative, prospective legislative and oversight institution"*[2].
15. The ultimate aim of the PAP is foreseen to evolve from offering advisory and consultative services to the national Parliaments to becoming an institution with full legislative powers, whose members are elected by universal adult suffrage. The Pan African Parliament's original Protocol 2004 is still functional waiting for the ratification of the revised Protocol (adopted in 2014) by the Member States (MS).

1.1.1. THE OVERALL STRATEGIC PLANNING CONSIDERATIONS

16. A major consideration during the formulation of the Pan African Parliament 2019-2023 has been the Pan African Parliament's vision, mission, mandate and core values. These were the guiding factors that dictated the consultative processes which were inclusive, holistic, and engaging. Several consultations were held with the Pan African Parliament internal governance organs which included the Bureau, Committees, the Secretariat, as well as the AU Organs, regional institutions and development partners. The formulation was also informed by achievements, challenges faced, and lessons drawn from the implementation of the 2014-2017 Strategic Plan. A SWOT (strength, weaknesses, opportunities and threats) analysis was carried out to provide additional information to inform the formulation of the 2019-2023 Strategic Plan.

17. The role played by the Pan African Parliament since inception as an instrument serving the Africa peoples, will be enhanced. It is expected that the revised protocol will be ratified by the quorum or a majority during the first two years of Strategic Plan cycle. If this is achieved PAP will realize its goals of serving the peoples of Africa as declared in the Protocol of 2006 and the revised Protocol of 2014.

18. The Pan African Parliament Strategic Plan 2019-2023 is also considered as an important mechanism leading to the swift progress in addressing H.E. Paul Kagame report recommendations for the Institutional Reform of the African Union. Also, the phase will coincide with and contribute the full AU Reform and ensure the anticipated synergy between

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[1] http://www.panafricanparliament.org/

[2] Gutto, S B O .2009. The Transformation of the PAP into a Legislative Body/ Contextualized Outline for Legal Issues. Director and Chair Centre for African Renaissance Studies U of South Africa

PAP and African Union Commission (AUC). However, such timely achievement could not be pursued without a change in the mindset and the business process of the PAP. In order to effectively pursue the SP objectives of governance, capacity development and impact the PAP must have a strong knowledge management and dissemination (KMD) structure capable of acting as a sharing and clearing house of lessons learned and experiences gained. Such will offer the PAP the sustainability it needs

1.1.2. THE STRATEGIC PLANNING PROCESS

19. The **Strategic Plan 2019-2023** establishes the strategic focus and direction of the Pan African Parliament and its formulation, implementation and evaluation *will assist* Pan African Parliament *to step back and examine where the PAP is heading for and how to get there.* The Strategic Plan is based on a logic that is triggered by a mission statement achievable through logical bottom-up action plans, annual objectives, long-term goals, SWOT Analysis, Core values and mission statement.

20. The Pan African Parliament **Strategic Plan 2019-2023** is mainly informed by lessons and recommendations of the evaluation emanating from the past Strategic Plan 2014-2017, consultations with the Pan African Parliament Permanent Committees, Secretariat, and H.E Paul Kagame's report that focuses on administrative and political reform of AU which emphasis the overarching legislative and oversight functions of the Pan African Parliament.

1.2. ROLE AND FUNCTIONS OF THE PAN AFRICAN PARLIAMENT

1.2.1 THE PAP INSTITUTIONAL STRUCTURE: HISTORY AND FUNCTIONS

- **PAP's strategic niche/ comparative advantage**

21. The Pan African Parliament as an Organ of the African Union (AU) provides a platform for the full participation of African peoples in the development and economic integration of the continent. The Pan African Parliament is "*an inclusive representative, regional deliberative, prospective legislative and oversight institution*" and that "the composition, powers, functions and organization of the Pan African Parliament are defined in a Protocol relating thereto".

22. As enshrined in Article 3 of the Protocol, the following objectives will guide the attainment of the Vision and Mandate of the Pan African Parliament: *to facilitate the effective implementation of the policies and objectives of the OAU/AEC and the African Union; to promote the principle of human rights and democracy in Africa; to encourage good governance, transparency and accountability in Member States; to familiarize the people of Africa with the objectives and policies aimed at integrating the African Continent within the framework of the establishment of the African Union; to promote peace, security and*

stability; to contribute to a more prosperous future for the people of Africa by promoting collective self-reliance and economic recovery; to facilitate cooperation and development in Africa; to strengthen continental solidarity and build a sense of common destiny among the people of Africa; and to facilitate cooperation among Regional Economic Communities and their Parliamentary fora.

- **The Vision, Mission, Mandate and Core Values of the Pan African Parliament**

23. The Pan African Parliament is at a tactical stage of its transformation and has the opportunity to sharpen its major driving forces:

Vision:

24. A continental institution harnessing One Africa, One Voice'. The PAP vision has a long-term horizon and envisions a Pan African Parliamentary Institution that will provide a common platform for African peoples to fully participate in the decision-making processes for the political and socio-economic development and integration of the Continent particularly through the harmonization and coordination of the policies and laws made at national and regional levels and by promoting a sense of unity and common destiny among the peoples of Africa.

Mission:

25. The Pan African Parliament's mission is to provide a common platform for African peoples to represent, and to act as a voice of the people of Africa presenting their opinions, their concerns and aspirations, and thus effectively holding the governing institutions of the AU accountable in the implementation of policies and programmes as well as in the allocation and use of public resources for promoting just, equitable and sustainable development for all the peoples of Africa.

Core Values:

26. The core values are a set of beliefs that guide the management of the PAP. They are the foundation upon which all policies are based. They are inbuilt in the Constitutive Act and the Protocol of PAP which include:
    - Fundamental Human Rights: PAP subscribes to social justice, fundamental human rights, gender equality and the democratic values of human dignity, equality and freedom as a cornerstone of democracy in Africa.
    - People-centeredness: PAP respects all the people of Africa; honour their integrity; and it is committed to representing and serving them.
    - Subsidiarity and Cooperation: PAP co-operates with other organs of the AU, National and Regional Parliaments and Governments as well as stands for the subsidiarity principle.
    - Professionalism and good institutional governance: PAP is accountable and transparent, and it is customer-focused and strives for the highest of service quality.

Overall Mandate:

27. The Pan African Parliament was established by the AU to institutionalize a popular framework which allows citizens to engage and drive the processes that affect the continent. It is in this context that the Constitutive Act of the AU which outlines the creation of the PAP in its Article 5 that states that the PAP shall be one of the Organs of the AU.
    - Article 2 of the Protocol states that the PAP shall only have consultative and advisory powers.
    - Article 3 of the Protocol provides for the objectives of the PAP, which include: facilitate the effective implementation of the policies and objectives of the OAU/AEC and of the AU; promote the principles of human rights and democracy in Africa; and encourage good governance, transparency and accountability in Member States.
    - Article 11 indicates that the PAP shall be vested with legislative powers to be defined by the Assembly.

28. The Pan African Parliament adopts its own rules and procedures to govern its functions, powers, voting, organs, committees and caucuses. PAP Members are elected by the legislatures of their Member States, rather than being elected directly by the people. In addition to the Plenary, Bureau, the PAP is supported by 11 Permanent Committees and two caucuses of diverse thematic, technical and legal orientations. The PAP meets at least twice in ordinary sessions within a one-year period. Parliamentary sessions can last for up to one month and can also meet in extraordinary non-statutory sessions.
    - **Pan African Parliament added values:**

29. In order to achieve the comprehensive and democratic integration of Africa, the Pan African Parliament can work with, and conduct continental and regional business directly with National and Regional Parliaments given its strategic overarching position to influence continental/regional action on issues related to legislation, policy regulations and administrative procedures, e.g. harmonisation and convergence.

30. In addition, the PAP can accelerate the adoption and implementation of African protocols, agreements and declarations and is pivotal in strengthening the oversight capacity of National Parliaments to hold the executive branches of government accountable with respect to the implementation of AU agreements and programmes

31. Furthermore, the Pan African Parliament serving as a continental mechanism for bringing about and sustaining democratic values through electoral systems and legal infrastructure:
    - is qualified to institutionalize the observation of elections in African countries, in furtherance of the promotion of a regional democratic culture;
    - is central in promoting gender parity;
    - can promote tolerance for political diversity given that it is composed of elected or designated members from National Parliaments with diverse political affiliations; and
    - easily access the People of Africa, as its Members are also Members of National Parliaments who presumably are in touch directly with their constituencies;

32. All organs of the AU, with the exception of the Court of Justice, are subjected to oversight, investigative, consultative and advisory functions by the Pan African Parliament. Although the AU Organs are not accountable to the Pan African Parliament, they are still subjected to its oversight.

33. As the legislative arm of the AU, the Pan African Parliament provides a platform for African peoples and their grass-roots organizations to be involved in discussions and decision-making on the problems and challenges facing the continent. The PAP has 5 members each representing the Member States of the African Union. The five members in each country must include at least one woman and representation of each Members State must reflect the diversity of political opinions in each National Parliament or other deliberative organ.

34. The five members of the Bureau of the Pan African Parliament are elected from each of the five geographical regions (Caucuses) of the continent; Central, Eastern, Northern, Southern, and Western Africa, respectively (Bureau President and four Vice-Presidents).

35. The Rules of Procedure also provide for caucuses to be established to deal with issues of common interest as the Pan African Parliament deems necessary. There are two such caucuses for women and youth. The Caucuses meet in ordinary session twice a year during parliamentary sessions. Each caucus has a bureau comprising a chairperson, deputy chairperson and rapporteur.

36. The Pan African Parliament currently has a total of 11 Permanent Standing Committees. The Committee Structure provides the governance mechanism for the operationalization of the objectives of the Pan African Parliament. The Committees are supported by Committee Clerks who provides procedural, research and other technical advices and services.

37. The Secretariat is the administrative, financial and technical implementation hub for the Pan African Parliament and is composed of the Clerk, two Deputy Clerks and other management and support staff.

CHAPTER 2: OVERVIEW OF ACHIEVEMENTS, CHALLENGES, AND RECOMMENDATIONS FROM THE IMPLEMENTATION OF THE 2014-2017 STRATEGIC PLAN

2.1: EVALUATION OF THE 2014-2017 STRATEGIC PLAN

38. The Evaluation was structured around two broad questions: - *What difference has the SP 2014-2017 made to sustainable and accelerated development of the Pan African Parliament; -What are the specific contributions of the SP to the changes (outcomes) that took place at Member States, Caucuses, Bureau, Permanent Standing Committee, PAP Secretariat levels?*

39. The target audience for the evaluation was composed of the PAP Bureau, the 11 PAP Standing Committees (representing the Parliamentarians in the Member States), PAP Secretariat, and external stakeholders (other AU Organs & National Parliaments). In addition, the evaluation was also based on the results of a comprehensive SWOT Analysis conducted in July 2017 that provided a collective and over-riding analysis of the PAP situation as impacted upon by the implementation of the PAP business processes between 2014 and 2017.

40. A summary assessment of the performance (*relevance, effectiveness, efficiency,)* of the of the Strategic Plan 2014-2017 based on participatory consultation to obtain collective responses to the evaluation questions. The followings broad issues were generated as a result of analyzing the main findings, achievements, challenges and opportunities:
    - The SP 2014-2017 was too ambitious with many and diverse Strategic Objectives and Outcomes (e.g. filling positions, improving poor IT infrastructure, remuneration of the PAP staff). Although this created a funding gap, the PAP sustainability is considered as being solid and reliable;
    - The Strategic Objectives of the SP 2014-2017 were too many and overlapping, with very high expectations on the deliverables;
    - The implementation of the SP 2014-2017 did not enhance the visibility of the Pan African Parliament;
    - The implementation did not address the challenges such as the duplication of PAP roles of oversight and representation by other AU organs.
    - Development of the new SP must be leading to achieving PAP's role in addressing the Agenda 2063 priority goals and commitments:

2.1.1 ACHIEVEMENTS

41. Overall, the relevance of the Six Strategic Objectives of the 2014-2017 Strategic Plan remained valid throughout the implementation period. Full ratification was not attained during the lifespan of the SP 2014-2017 and this resulted to the intensification of the advocacy for the adoption of a revised protocol.

42. The Pan African Parliament further remained an important Organ in African Governance Architecture during the implementation to promote synergies, linkages and good working relations with all the AU Organs.

43. The progress in implementing the six Strategic Objectives of the SP 2014-2017 and in achieving the identified outcomes varied according to the implementation challenges that faced each SO. Most SOs realized the targets set in the Output Indictors or what was broadly set for the SO indicators.

44. The overall achievements are summarized below:

- **Strategic Objective 1**: Strengthen parliamentary legislative functions of the PAP – **Achievement were significant in this area:**
  - The Pan African Parliament Protocol was revised and approved to include details of parliamentary functions;
  - Series of the Pan African Parliament's statutory and non-statutory meetings successfully convened.
  - Series of consultative and advisory reports tabled to the plenary;
  - Regional Consultative meetings convened on various thematic issues;
  - Number of member states ratifying and adapting the AU legal instruments to their national context during the reporting period.

- **Strategic Objective 2**: Provide a platform to mainstream African voices and those in the Diaspora into the AU Policy Making Process - **Achievements were significant in this area:**
  - Article 18 of the Protocol establishing the Pan African Parliament requires the Pan African Parliament to work closely with Parliaments of Regional Economic Communities and National Parliaments or other deliberative bodies of member states. Several Annual Speakers and Clerks Conferences were organized during the cycle of the Strategic Plan 2014-2017.
  - Several Women and Youth Conferences were organized that provided a platform for African voices.
  - Recommendations emanating from women, youth, and vulnerable groups forums that informed AU Policy and decision-making processes.

- **Strategic Objective 3**: Promote Human Rights, Democracy, and Good Governance in Africa - **Achievements were significant in this area:**
  - Fact-Finding missions/ strategic missions undertaken to investigate human rights situations during the reporting period.
  - PAP has participated in several Election Observer missions during the reporting period. See reports
  - PAP came up with resolutions and recommendations based on fact finding missions on HR situations in AU Member States that informed AU actions (recommendations, statements)
  - AU Member States that have ratified the Maputo Protocol, the African Court Protocol, and other Protocols during the reporting period.

- Number of PAP communications urging Member States to implement/sign up to APRM
- Number of APRM reports reviewed by PAP with recommendations generated
- PAP organized various events (conferences, workshops, sessions) where issues relating to the ratification of the PAP Protocol and other Human Rights protocols were debated

- **Strategic Objective 4:** Promote Peace, Security, and Stability – **Achievements were significant in this area**
  - Fact-finding, observer, and enquiry missions for promoting peace and security were undertaken and reported. For example, in line with the promotion of human rights principles, good governance and democracy in Africa, the Pan-African Parliament sent a fact-finding mission to the Republic of South Sudan to understand the political, peace, security and humanitarian situation in the country.
  - Pan African Parliament Assembly resolutions, recommendations, etc. on peace and security that were submitted to the executive.

- **Strategic Objective 5:** Promote Integration and Development in Africa- **very little has been achieved in this area:**
  - Issues of regional and continental integration such as, intra-African trade, market access, and harmonization of monetary policies were motivated by the Pan African Parliament.

- **Strategic Objective 6**: Strengthen the Institutional Capacities of the PAP - **Achievements were significant in this area:**
  - Skill development (technical & study visits) for both PAP Members and Staff;
  - Learning & Sharing, Knowledge Management, Communication and Advocacy: by (i)providing the platform Live Streaming of PAP Sessions and Committee meetings and lead to the improvement and utility of the PAP website;
  - Strategically: in developing a legal organogram and gradually advancing the structure of PAP that culminated in the employment of 70 staff out of 74 vacancies.
  - Partnership and coordination. The PAP Secretariat working through the Bureau have addressed the inadequate mechanism for coordination with regional/national parliaments through the annual Speakers, Clerks, Women, and Youth conferences and other MOUs which enhance the ratification of AU Protocols and common Positions on international issues.
  - Stronger harmonization & alignment with AU-System and an improvement in the cooperation with other AU-organs, particularly the collaboration on joint election observer mission.
  - Internal control systems have been improved;
  - Operational & administrative manuals (financial, human resource, monitoring and evaluation, audit, resource mobilization, security, procurement, travel, protocol,

ICT, interpretation/translation, communication and procedural guide) have been put in place.

- Series of Training on Result-Based Management for MPs and Staff have been conducted.
- Quality of reports and budgetary analysis skills have improved.

2.1.2 CHALLENGES AND LESSONS LEARNED

45. **Slow pace of ratification and domestication of the Pan African Parliament Protocol and other AU Legal Instruments.** Promoting swift ratifications, quick domestication, and effective and efficient implementation of AU human rights instruments has been a major challenge faced by the Pan African Parliament during the implementation cycle of the Strategic Plan. The Pan African Parliament was weakened and challenged by low visibility and lack of political will to support ratification and domestication of the legal instruments by the Member States. Furthermore, the weak involvement of Pan African Parliament in AGA activities, centralization of AUC control of AGA activities, inadequate funding for Committee activities, frequent change in PAP leadership, and lack of trust / credibility by other AU organs all impacted negatively to the advocacy for slow ratification of the PAP protocol and other AU Legal Instruments.

46. **Absence of an independent financial resources**. Currently the budget of the PAP forms part of AU regular budget which must be passed by the Sub-Committee of the Permanent Resident Committee (PRC). This implies that the PAP cannot initiate or draw up its own budget which limits the ability of the PAP to carry out activities independently especially as it relates to election observation and fact-finding missions. With the lack of control over its own budget, the PAP will continue to remain subservient to the PRC which makes final decision on the allocation of the AU resources.

47. **Heavy dependence on Donor Funds**. PAP depends on donor funding with regards to the implementation of programmatic activities. A majority of PAP's activities are donor-funded.

48. **Poor and weak institutional capacity** the bottlenecks slowing down the move to harmonized legislative functions are the same that dissipate any energy or effort intended to enhance the PAP's institutional capacity. Any attempt to enhance the institution capacity is challenged by the absence of administration procedures, Dual MPs mandates, Limited skills in PAP core areas such as legal drafting and limited PAP public participation. These handicaps are reflected in shortage of staff and high turnover of PAP Clerk, leading to slow progress towards sustainability of the Parliament. Furthermore, such limitations when associated with limited synergy with AUC, lack of research capacity, media, and communication capacities, low solidarity spirit and ineffective coordination impact on mobilizing African (domestic) resources leading to budgetary constraints and weakened programmes.

49. **Overambitious Objectives Targets for SP2014-2017**. During the design of Strategic Plan 2014-2017, the drivers were anticipated as those of the SDGs and Agenda 2063, but without the identification of specific goals or operational measures. Those were reflected in

thinly spread six Strategic Objectives and a very wide range of Strategic Objectives Indicators and Output indicators. The proposed Outcomes and Impacts (solutions) of the Strategic Objectives were too many and too ambitious, heterogeneous and diverse. In reality, the alignments were not supported by clearly defined, cause-effect based and time-bound implementation logic. This was reflected in poorly understood strategic result framework (SRF) not sufficiently operational or involving PAP stakeholders.

50. **Absence of knowledge management, information sharing, communication and advocacy instruments** to enhance its visibility PAP needs to be able to develop relevant model laws, to address centralization/decentralization issues, be equipped with communication and networking capacities and to be able to develop smart strategies to turn the existing negative perception of the Pan African Parliament. In spite of the fact that PAP has a focal person in every national Parliament, there were no well-defined operational communication and visibility plans during the implementation of the SP 2014-2017. The concern about visibility was raised during the consultative process with stakeholders which called for the need for an enhanced communication capacity, visibility of the PAP and knowledge sharing with regional parliaments.

51. **Inadequate technical and financial resources limiting full operationalization of the M&E in the PAP to meet expectations.** Fully operational and action-oriented PAP needs the support of an M&E system that assures credibility of data and information, evaluates performance and functions as/ or is supported by a "knowledge clearing house" that generates, and shares experiences and lessons learned from achieved indicators reflecting the needs and aspirations of the PAP's stakeholders along a vibrant and evolving value chain. Accordingly, the following challenges need be addressed:
    - Inadequate technical and financial resources which limits the full operationalization of the M&E in the PAP to meet expectations.
    - Limited staff in the M&E office as the Unit disposes of one staff member only. This is an office which requires a minimum of three well-qualified persons.
    - Performance reporting based on Strategic Objective Indicators and Outcome Indicators, and not relying on activities implemented to evidence the achieved results.
    - Absence of knowledge management in the PAP.
    - Absence of budget dedicated to supporting fact-finding missions, pre and post-election observations and other monitoring activities.
    - Lack of risk mitigation systems needed to minimize risk factors associated with the implementation of the Strategic Plan.

52. In specific, challenges were summarized as follows:
    - Quest for full legislative powers remains a challenge;
    - Inadequate budget which impact negatively on the work of the PAP Permanent Standing Committee.
    - Lack of autonomy over the AU budget which limits PAP's oversight role; and
    - Inability of the Pan African Parliament to observe elections in Africa independently
    - Ratification and domestication of PAP Protocol, AU Human Rights and other AU Legal instruments is still slow

- Problem of attribution since the PAP does not implement activities directly but exercise its oversight, advisory and consultative role;
- Low visibility of the PAP which impacts negatively on the ratification of the PAP revised Protocol.
- Sustainability: The SP 2014-2017 was too ambitious with many and diverse SPs and Outcomes and key sustainability aspects were left out right at the beginning of the implementation. No mechanisms in place to ensure that the benefits accruing during the implementation of the SP 2014-2017 are sustained.

2.1.3 CONCLUSIONS

53. The review of the implementation of the PAP Strategic Plan (SP) 2014-2017 offered three conclusions:
    I. The overall performance of the Strategic Plan (relevance; effectiveness *and its attributes - sustainability, partnership, capacity building, learning, sharing and knowledge management-;* and efficiency*)* was adequately positive and contributed to realizing its objectives;
    II. The implementation of the Strategic Plan contributed minimally to the foreseen targets of enhancing the capacities of PAP for resource mobilization and forging strategic partnerships; and
    III. The Strategic Plan has failed to address the need for financial independence through effective and sufficient financial resource mobilisation.

2.1.4 RECOMMENDATIONS

54. **Recommendation 1: To establish an effective mechanism for the speedy ratification of the revised protocol** in order for Pan African Parliament to play an instrumental role in the speedy ratification of the revised protocol, it need to be visible to the member states and must have the capacity to push the governance platform. However, this undertaking is difficult under the present status of frequent change in Pan African Parliament leadership and lack of trust/ credibility by other AU organs. These were further complicated by the weak institutions and the economic and political instability of several African countries. Further complication is the extent of diversity of the member states and the democratic process in general and the lack of an approach for harmonizing diversity.

55. **Recommendation 2: To maintain functional, effective knowledge management, communication, documentation and reporting.** An integral linkage between all information dissemination systems would lend to Pan African Parliament reports an action-oriented approach that integrates information sharing with up-to-date analytical approaches that focuses on sharing experiences with the purpose of disseminating learned lessons as tools for advocating good practices Pan African Parliament should also endeavor to diversify its website and communication outlets and should harness developments in social media communication. The utility of such information outlets will also be strengthened by

strengthening the capacities of the MS and the Regional institutions (e.g. Regional Economic Communities -RECs).

56. **Recommendation 3: To enhance the visibility of the PAP and develop smart and creative resource mobilization strategy:** So far Pan African Parliament relies on certain donors, especially EC. Effort to attract national and regional entrepreneurs, national donors as minimal or non-existing. There is need for Pan African Parliament to develop relationships with new donors in a way that ensure a consistent flow of funds This momentum need to be reinforced by establishing smart, creative and robust resource mobilization strategy capable of attracting new donors and diverse funding.

57. **Recommendation 4: To establish measures for strengthening the Pan African Parliament institutions and bodies.** PAP internal organs are limited to the Plenary, Bureau, Regional Caucuses, the Permanent Standing Committees and the Secretariat. However, there is need to expand the institutional outreach to research and academic institutions capable of identifying priority needs for research, training and knowledge dissemination in structured and sustainable basis. The Pan African Parliament could link these with outreach mechanisms (early reaction, rapid response, global and continental).

58. **Recommendation 5: To enhance collaboration and synergy between the Pan African Parliament and AUC and other AU institutions.** The opportunity is to address this recommendation within the framework H.E. Paul Kagame report on the proposed recommendations for the institutional Reform of the African Union. The recommendation offers PAP and AUC the opportunity to develop a coordinated plan that assists in enhancing the managerial capacities, ensures accountability of performance at all level, ensures coordination of all relevant bodies (AGA, PRC, RECs) and improve synergy among all AUC departments and PAP.

59. **Recommendation 6: To establish a Pan African Parliament's M&E System to support the implementation of the new Strategic plans:** There is need for an M&E system that provides support for monitoring progress in the various Pan African Parliament initiatives. This system needs to be linked with the implementation of the new Strategic Plan.

60. **Recommendation 7: To facilitate an intensive resource mobilization approach needed to reduce the financial gaps with the aim of making Pan African Parliament self-sufficient and independent to undertake its oversight responsibilities fully.**

CHAPTER 3: THE STRATEGIC PLAN 2019-2023

3.1 FORMULATION PROCESS OF THE SP 2019-2023

3.1.1 THE THEORY OF CHANGE (BETWEEN 2019 AND 2023)

61. The Strategic Plan 20218-2023 is motivated by the **Theory of Change** reflecting the time-wise planned aspiration and commitment of the Pan African Parliament's stakeholders for a determined change aimed at shifting the *status quo* to a highly visible, relevant, and well achieving Organ of the African Union.

62. The Theory of Change is geared towards achieving the declared AU commitments for a continent where the voices of the African people are mainstreamed into its functions and business processes to promote popular participation and representation of the African peoples in decision-making, good governance, representation, oversight, accountability and transparency.

63. The ***change focuses on***: a Pan African Parliament at the helm of the architectural processes aimed at the speedy transformation of the African continent; a continent where mobility and dialogue are the norm supported by healthy and peaceful environment; a continent where research contributes to shared knowledge that enhances food security, human dignity and wellbeing; a self-reliant continent able to meet its commitments and aspirations; a Pan African Parliament with strengthened oversight capacity and ability to make decisions on AU budgetary mechanism; and a Pan African Parliament that enjoys visibility and respect to be entrusted to observe and monitor elections independently and peace initiatives throughout the continent. The PAP TOC is focused and geared to achieving its ultimate goal of being a truly African legislative platform with the full understanding that the new protocol must be ratified within the first two years of the implementation of the SP 2019-2023 supported by strengthened institutional capacity and effective execution of its current Advisory and Consultative Mandate (Figure 3.1).

THE THEORY OF CHANGE

Transform the Pan African Parliament (PAP) from
Consultative Advisory Body to a strongly legislative function

CURRENT (HISTORIC) OUTCOMES

- Consultative & advisory role
- Partially ratified revised protocol & other UN instruments

Continental/regional action on issues related to legislation, policy regulations and administrative procedures

Strengthened oversight capacity of national Parliaments

Continental mechanism for bringing and sustaining democratic values

Institutionalize the observation of elections in African countries

Promoted gender parity and youth opportunities

Tolerance for diversity with diverse political affiliations.

Minimal contribution to resource mobilization and forging strategic partnerships

Lack of MPs effective and sufficient financial support from National Parliaments

INFLUENCED BY:

- The evolution of the PAP over the years as affected with the progress of national parliamentary and democratic systems
- Introducing new approaches for PAP's engagement coherent with its vision, mission, core values and overall mandate
- Handicapped by poor synergy between PAP and the AUC specially towards the timely implementation of Agenda 2063

FEATURES:

- Poor Transparency
- Overlapping thematic and technical Committees
- Lost opportunity of coordinating AGA
- Lack of common laws and common strategies
- High Transaction Cost
- Funding gap

PREPARED BY AHMED E. SIDAHMED 2018

THE THEORY OF CHANGE

Transform the Pan African Parliament from Consultative Advisory Body to a strongly Legislative function

LONG-TERM SUSTAINABLE OUTCOMES

FULLY LEGISLATIVE PAP	INCREASED AWARENESS	PROMOTED MOBILITY & DIALOGUE
Voices of the African people mainstreamed into its functions and business processes specifically law making, representation, subsidiarity, democratization and ratification	An increased awareness amongst African citizenry on AU decisions and policies.	Promote mobility and dialogue of parliamentarians and legislators between MS, Regional Bodies and PAP.
ENHANCED INSTITUTIONAL CAPACITY	ACTION PLAN	RESEARCH, KNOWLEDGE MANAGEMENT & DISSEMINATION
Enhanced PAP institutional capacity for coordination, participation and partnership.	Operationalization of the action plan for the Ten Year Human Rights Strategy for Africa.	Enhanced knowledge generation and utilization for effective function and visibility of the PAP.

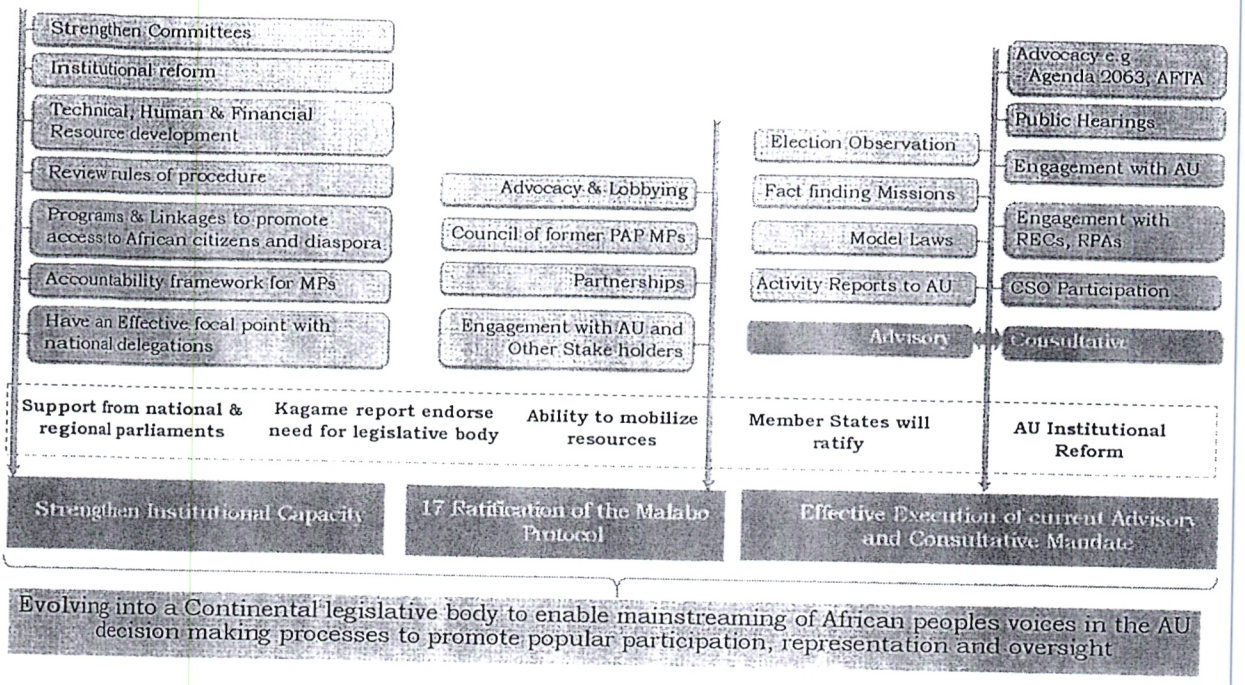
INFLUENCED BY

- Ratified revised protocol
- Fully functional legislative bodies
- Highly visible PAP
- Strengthened oversight capacity of PAP

FEATURES

- More transparency
- Streamlined and reduced overlap within committees
- Strategic synergy with AUC
- Adoption of common laws and common strategies
- Low transaction cost
- Self-reliance and closed funding gaps

Figure 3.1 TOC flowchart for achieving the anticipated change by end of the SP 2019-2023



3.1.2 THE LOGICAL STRUCTURE OF THE STRATEGIC PLAN

Strategic Objective 1. Strengthening parliamentary functions of the PAP

Objective:

64. To strengthen the Pan-African parliament as a representative body of the African people so that it plays its parliamentary functions effectively in the realization of Agenda 2063, post 2015 UN development Agenda and SDGs and other AU and Int'l initiative Also, the Pan African Parliament will be highly committed to realizing the recommendations in H.E. Paul Kagame Report for the Institutional Reform of the African Union and to the AU Transformation objectives

Context:

65. While the long-term goal of the Pan African Parliament is to exercise full legislative power, its current functions are advisory and consultative. Since inception, the evolution of the Pan African Parliament was influenced by the progress of the national parliamentary and democratic systems. This is mainly because the legislative composition and nature vary between countries (e.g. some parliamentarians are elevated, and some are nominated or assigned). This situation impacts on: the extent of coordination and harmonization of national laws, policies and programmes; the activities of Africa's parliamentary forums, and; the extent of good governance, transparency and accountability of the member states.

66. Therefore, the speedy ratification of the revised protocol during the first or at least the second year of the implementation of the Strategic Plan 2019-2023 is very crucial to the success of the Strategic Plan. This process requires enhanced visibility of the Pan African Parliament, and a smart creative resource mobilization strategy.

67. Ratification will also facilitate greater synergy between Pan African Parliament and the AUC, and would enhance the effectiveness of the Pan African Parliament in supporting timely implementation of the continental and global initiatives impacting on the freedom, security and wellbeing of the African people,

Challenges

- Inability to exercise full legislative power
- Slow pace of ratification and domestication of the revised Protocol, and other AU legal instruments (lack of support of member states);
- Broad and overlapping mandates of PAP and other AU organs in absence of unified functional models, thus leading to uneven or indecisive decision-making processes
- High turnover of MPs including the leadership of PAP
- Inadequate financial and human resources
- Insufficient interconnection between PAP and Other AU Organs
- Lack of autonomy over the AU budget which limits PAP's oversight role;
- Inability of the Pan African Parliament to observe elections in Africa independently
- Lack of support by other AU organs to speed the ratification of 2014 PAP revised protocol

- Low visibility and lack of legal support by the member states who have diverse parliamentary functions and governance systems;
- Varied parliamentarian terms and legislative nature depend on each member country (some are elevated, and some are nominated or assigned);
- Week or poor harmonization of the national laws, coordination and harmonization of policies, measures, programmes and activities of Africa's parliamentary forums;
- Varied levels of governance, transparency and accountability among the member states;
- Absence of internal planning strategy, poor involvement of Pan African Parliament in AGA activities, centralization of AUC control of AGA activities and poor funding;
- Frequent change in Pan African Parliament leadership;
- Weak institutions and the economic and political instability of several African countries;
- Absence of an independent financial resources..

Opportunities

68. Opportunities
    - Diversity of the member states which can be advantageous in enhancing PAP visibility and increase the use of social media by the youth is critical for the PAP activities;
    - H.E. Paul Kagame report on the recommendations for the institutional Reform of the African Union calls for restructuring and improving AUC relations with Pan African Parliament and ensure performance and accountability at all levels;
    - Member States can host Pan African Parliament focal points and events which can be advantageous in enhancing visibility;
    - The ratification of PAP protocol will enhance the legislative and oversight of PAP;
    - Dual membership of parliamentarian;
    - Sound and productive relationship between the Pan African Parliament and the External Partners (e.g. EC).

Value proposition of the Pan African Parliament

69. Considering its niche and experience as a consulting and advisory body to the national Parliamentarians for over two decades, its evolving mandate, and specifically its experience in supporting the enhancement of rule of law, democracy and human rights at the continental, regional and national levels, the PAP aims to address the challenges and opportunities defined above with the aim of achieving breakthroughs and successes in the following areas:.
    - Ratification of the revised Protocol (of June 2014) by year 1 or year 2 of the Implementation of SP 2019-2023;
    - Strengthening visibility and legal support by the member states who have diverse parliamentary functions and governance systems;
    - Harmonizing national laws, coordination and harmonization of policies, measures, programmes and activities of Africa's parliamentary forums;
    - Enhancing governance, transparency and accountability of the member states;
    - Reducing overlapping mandates of the Permanent Committees in the absence of unified functional models thus leading to uneven or indecisive decision-making processes;
    - Strengthening Pan African Parliament's internal planning strategy and its involvement in AGA activities;

- Increasing funding from independent external and local resources;
- Expanding the tasks and mandates of the Pan African Parliament focal points in the member states to improve the PAP visibility;
- Strengthen the relation with regional and Continental Parliament;
- Drafting and dissemination of model laws;
- Strengthen PAP internal planning strategy and its involvements in AGA and other AU initiative;
- For the PAP to play its oversight and legislative role.

Outcome (s)

70. Outcomes
    - Strengthened role of the PAP in governance reflected in operationalized and visible clusters (rule of law, humanitarian affairs, human rights, governance and democracy);
    - Strengthened and functionalized organs of the Pan African Parliament, regional and national levels e.g. to draft model laws and to implement mechanisms to strengthen harmonization of laws;
    - Fully legislative PAP with the voices of the African people mainstreamed into its functions and business processes specially law making, representation, democratization and ratifications of AU legal instrument;
    - Increased awareness amongst African citizens on AU decisions, policies and initiatives (Agenda 2063, African Passports, Free movement of goods and services African Continental FTA (CFTA).

Milestones Indicators

71. showing progress towards achieving the strategic objectives (*to be monitored at base, midterm and end of SP*):
    - Parliamentary organs with capacity to develop oversight mechanisms and advocate model laws, human rights, governance and democracy initiatives;
    - The legislative powers of the Parliament with clear extent and content;
    - Rule of law, reliable public institutions, free and fair elections;
    - Specific indicators of mainstreamed voices of the African people (e.g law making, representation, public hearings democratization and ratification).

KRAs

72. Key Result Areas
    - *Synergy and linkages with AUC reinforced and expanded*
    - *Secretariat functionality strengthened to achieve mandate of Pan African Parliament*
    - *Pan African Parliament involvement in AGA activities strengthened and activated*
    - *Ratification process for the revised protocol enhanced and strengthened*
    - *PAP involvement in AGA and in other AU initiatives strengthened and activated;*
    - *Trust/credibility of Pan African Parliament by other AU organs enhanced*
    - *Pan African Parliament legal drafting and* developing the rules of procedure *skills developed*

- *Synchronizing and improving working relations with AU organs e.g.* Permanent Representatives Committee (**PRC**), The African Court, the commission on gender, African Anticorruption Board, etc.
- Capacitate of PAP MPs and secretariat enhance.

Strategic Objective 2. Strengthening partnership, coordination, outreach and institutional capacity of the PAP.

Objective:

73. To support capacity revitalization and strengthening the PAP stakeholders (Parliamentarians PAP Secretariat, parliamentarians at REC and member state levels) through strengthening institutional arrangements that support coordination, partnerships, participation and outreach.

Context

74. Since inception as an OUC organisation and throughout its evolution within the forward looking strives of the AU to strengthen the capacities of the people of Africa the Pan African Parliament coordinated institutional arrangements and empowerment mechanisms to realize its mandate to institutionalize a popular framework which allows citizens to engage and drive the processes that affect the continent. The Pan African Parliament was created as one of the Organs of the AU to: facilitate the effective implementation of its policies and objectives and; promote the principles of human rights and democracy in Africa, and; encourage good governance, transparency and accountability in member states. According to the relevant AU articles, the Pan African Parliament was vested with legislative powers to be defined by the Assembly.

Challenges

75. Achieving the Pan African Parliament mandate require effective institutions, coordination and partnership capacities as well as strategies needed to strengthen and speed up the transformation processes. Any attempt to enhance the above-mentioned capacities is challenged by:
    - absence of administration procedures, dual MPs mandates, limited skills in the core areas such as legal drafting, and limited public participation;
    - shortage of staff and high turnover of the Pan African Parliament Clerk, leading to slow progress towards developing rules of procedure;
    - limited synergy with AUC, lack of research, media, and communication capacities and low solidarity spirit;
    - ineffective coordination impact on mobilizing African resources leading to budgetary constraints and weakened programmes.

Opportunities

76. Opportunities
    - Large untapped and underutilized African civil society including diaspora contributing to PAP activities;

- Greater collaboration and synergies with AUC departments: For example, there are opportunities from implementing H.E. Paul Kagame recommendations that require developing coordinated plans that assist in enhancing the managerial capacities and ensure accountability and performance at all level. Such opportunities would offer the Pan African Parliament the mandate to make final decisions on AU budget, and to represent AU in monitoring election and voting in member states;
- The PAP media and communications unit and its social media advantage could be used to enhance partnership and coordination needed to vitalize the PAP institution.

Value proposition of the Pan African Parliament

77. The Pan African Parliament aims to address the challenges and opportunities defined above through:
    - increasing integration and coordination with AU policies that enhance its visibility;
    - Increasing the number of skilled trained dialogue-oriented PAP staff and parliamentarians;
    - developing the capacity of the parliamentarian institutions through selected un-overlapping committees to embrace relevant technical solutions to major challenges such as climate change, water scarcity and human health;
    - developing the capacity of the parliamentarian institutions through selected un-overlapping committees to embrace oversight mechanisms and advocate model laws, human rights, governance and democracy initiatives;
    - paying attention to coordination and outreach capacities such as engaging in planned advocacy, enhanced visibility missions in countries in conflict and crisis and those with lower capacity in engaging parliamentarians in outreach and partnerships
    - addressing gaps in capacities and resources through advocating quality and usefulness of youth and women parliamentarian networks at all levels

Outcome(s)

78. Outcomes
    - Promoted mobility and dialogue of parliamentarians and legislators between member states, regional bodies and the Pan African Parliament;
    - Enhanced capacities of the Pan African Parliament to engage the parliamentarians in outreach and public activities at national, regional and continental levels;
    - Enhanced capacity of the Pan African Parliament to influence the positions and decisions of its structural bodies in sectoral and social (e.g. unmet health and social development) issues, and specifically to benefit the youth and women caucuses;
    - Enhanced institutional capacity of the Pan African Parliament for coordination, participation and partnership.

Milestones Indicators

79. showing progress towards achieving the strategic objectives (*to be monitored at base, midterm and end of SP*)
    - Integrated and coordinated AU policies leading to enhanced visibility of the Pan African Parliament;
    - PAP with coordination and outreach capacities such as engaging in planned advocacy, enhanced visibility missions;
    - Skilled trained dialogue-oriented PAP staff and parliamentarians;
    - Parliamentarian institutions with capacity to develop oversight mechanisms and advocate model laws, human rights, governance and democracy initiatives;
    - Quality and usefulness of youth and women parliamentarian networks at all levels.

KRAs

80. *Key Result Areas*
    - *Capacities of PAP stakeholders (Parliamentarians, PAP Secretariat, parliamentarians at REC and member state levels) revitalized and strengthened*
    - *Institutional arrangements to support coordination, partnerships, participation and the outreach strengthened*
    - *Partnerships and inclusive participation arrangements promoted and enhanced*

Strategic Objective 3. Promoting Human Rights and Shared Values of the African Union

Objective:

81. To promote the principles of human rights and democracy in Africa; to encourage good governance, transparency and accountability in Member States; and
82. To promote peace, security and stability. The Pan African Parliament Protocol underscores the objective of giving the African peoples a voice through promoting human rights and democracy, the rule of law, transparency and accountability of member states, institute stability, peace security, social justice, gender equality and the democratic values of human dignity, equality and freedom

Context

83. The Protocol of the Pan African Parliament underscores the objective of giving the African peoples a voice through promoting human rights and democracy, the rule of law, transparency and accountability of Member States, institute stability, peace, security, social justice, gender equality and the democratic values of human dignity, equality and freedom Since inception, the Pan African Parliament has been engaged in the promotion of the principles of human rights and democracy in Africa; to encourage good governance, transparency and accountability in Member States. An added value of the Pan African Parliament is to promote tolerance for political diversity given that it is composed of elected or designated members from National Parliaments with diverse political affiliations. This value is basic for building trust and for initiating the principles of peaceful negotiations and harmony.

Challenges

84. The following challenges limit the Pan African Parliament from achieving its mandates to support Human Rights and Shared Values of the AU :
    - Lack of autonomy which limits PAP's oversight role relating to human rights, good governance and the rule of law;
    - Inability of the Pan African Parliament to observe elections in Africa independently;
    - Slow rate of ratification and domestication of new PAP Protocol, AU Human Rights and other AU Legal instruments is still slow;
    - PAP not being properly integrated into the AU Peace and Security architecture;
    - Lack of legislative powers to effectively engage in conflict resolution activities.
    -

Opportunities

85. Opportunities
    - Availability of PAP generated resolutions and recommendations on the Human Rights situations in AU Member States which could assist in developing AU actions and recommendations;
    - Access to forums such as Speakers' Conferences, Clerks' Meetings, Women and Youth Conferences, to influence and facilitate the domestication of AU legal instruments in Member States;
    - Direct contact with grass root organizations and the peoples of Africa
    - Ratified protocols and declarations by AUC, AU RECs and AU Member States such as the Maputo Protocol, the Protocol relating to the African Court, and other Protocols;
    - The Pan Africa Parliament Assembly resolutions, recommendations, etc. on peace and security.

Value proposition of the Pan African Parliament

86. Considering its experience in setting the foundation for a Continent that cherishes human rights as a core value, the Pan African Parliament aims to address the challenges and opportunities defined above with the aim of achieving breakthroughs and successes in the following areas:
    - Peace, security and stability within and across Member States;
    - Human rights, including protections, safety, social justice, dignity, equality and freedoms related to gender, children and youth, the poor, and other vulnerable groups in Africa;
    - Free, free and democratic elections among African Union (AU) Member States;
    - Good governance among African Union (AU) Member States

Outcome(s)

87. Outcomes
    - Developed and promoted advisory services for the coordination of peace, security, stability, human rights, social justice and employment initiatives in Africa;
    - Functionalized African Charter on the African Shared Values Instruments and Principles of Decentralization, Local Government and Local Development;

- Developed and implemented the action plan for the Ten-Year Human Rights Strategy for Africa;
- People-centered, politically and socially integrated and transformed PAP in harmony with AU Structure and aligned with Agenda 2063 aspirations and first phase targets;
- Improved perception of relevance of PAP to African citizens;
- Democratic values, practices, universal principles of human rights, justice and the rule of law entrenched

Milestones Indicators

88. Showing progress towards achieving the strategic objectives (*to be monitored at base, midterm and end of SP*)
    - Number of ratifications of the African Charter on the Values and Principles of Decentralization, Local Government and Local Development;
    - Operational African Peace and Security Architecture, (APSA) Pillars;
    - Developed and implemented Action Plan for the Ten-Year Human Rights Strategy for Africa

KRAs

89. Key Result Areas
- *Good Governance, Respect for Human Rights, Justice, and the Rule of Law enhanced;*
- *Measures for inclusive growth and sustainable development established;*
- *Political and economic stability in Africa enhanced,*

Strategic Objective 4: Strengthening Research, Learning & Sharing, Knowledge Management, Communication and Advocacy of PAP

Objective:

90. To support effective functioning of the Pan African Parliament through research, knowledge management and dissemination and advocacy of PAP

Context

91. The Pan-African Parliament needs many communication mechanisms. The coordination of all of these mechanisms will result in effective knowledge management and dissemination, The Pan African Parliament has many reporting outlets through its widely browsed website. However, a coordinated linkage between all information dissemination systems could result to an action-oriented approach that integrates information sharing with up-to-date analytical approaches that focuses on knowledge management and dissemination. The Pan African Parliament could further diversify its website and communication outlets and harness new developments in social media communication. The utility of such information outlets could also be strengthened by developing the capacities of the member states and the regional institutions (e.g. RECs).

Challenges

92. The concern about visibility was raised in most of meetings the Consultant held with the PAP's Permanent Committees. The Committees frequently called for enhanced communication capacity, visibility of the Pan African Parliament AP knowledge sharing with regional parliaments. In order to support the stated objective and to sustain PAPs capacity as a strong institution with functional, effective knowledge management, communication, documentation and reporting system, the PAP needs to address the following challenges:
    - Inadequate visibility to showcase the work of the Pan-African Parliament
    - Lack of channels and strategies to improve the image of the Pan-African Parliament;
    - Lack of a well-functioning network of parliamentary focal points in national and regional parliaments;
    - Lack of feedback mechanisms between PAP, national and regional parliaments;
    - Lack of properly defined public outreach and advocacy missions; insufficient use of former PAP parliamentarian network;
    - Lack of information and document management systems to achieve an integrated e-Parliament.
    - Lack of visibility needed for the development of relevant laws and bills, and for addressing centralization/ decentralization issues;
    - Inadequate communication and networking capacities and lack of smart strategies needed to turn the existing negative opinion help by the member states;
    - Lack of well identified communication and visibility plans during the implementation of the SP 2014-2017 and previous SPs. This happened in spite of the fact that the PAP has a focal person in every national Parliament and Conference of speakers;
    - Lack of progress in fully implementing the provisions of Article 11 of the Protocol that allows the Pan African Parliament to: examine, discuss or express an opinion on any matter; make any recommendations it may deem fit; request officials to attend its sessions, produce reports or assist it; or perform such other functions as it deems appropriate to advance the objectives of the Protocol'.

Opportunities:

93. Opportunities
    - The political mandate for Pan African Parliament to strengthen information and knowledge management across the continent and to convene high level policy for a;
    - Existence of a wide range of research Institutions, universities and vocational training Institutions – with nearly adequate manpower/human resource capacities;
    - Existence of technical, communication and information networks at regional and member states levels in areas such as climate change, public health, political science;
    - Existence of many Pan African Parliament communication outlets mostly through its widely browsed website and publications;
    - The Malabo Protocol, which once in force, would define the legislative function of the Pan-African Parliament;
    - Mandate of the Pan-African Parliament as a platform for the citizens of Africa to raise and discuss their concerns at a continental level;
    - Availability of a wide range of research institutions and universities;

- Availability of technical, communication and information networks at national and regional levels.
-

Value proposition of the Pan African Parliament

94. As the organ of the African Union with the mandate to represent the voices of the peoples of Africa, the Pan African Parliament aims to address the challenges and opportunities defined above with the aim of achieving breakthroughs and successes in the following areas:
    - Dissemination of African Union policies translated into regulations and model laws by the Pan-African Parliament;
    - Enhanced information sharing and communication between the Pan-African Parliament, national and regional stakeholders;
    - Facilitated cooperation and development among Regional Economic Communities and their Parliamentary fora;
    - Strengthened capacity for accessing, act as knowledge clearing house and dissemination of appropriate research results.;
    - Enhanced capacity to promoting and facilitating strong linkages between science, sound decision making, coherent policies, regulations and laws;
    - Improved data generation and information sharing to enhance communication and networking between different categories of stakeholders specifically between the parliamentarians at the continental, regional and national levels.

Outcome (s)

95. Enhanced research, knowledge management and dissemination for effective functioning of the Pan African Parliament.

Milestones Indicators

96. showing progress towards achieving the strategic objectives (*to be monitored at base, midterm and end of SP*)
    - Extent of alignment of PAP Committees with the sector departments of the AUC;
    - Operational communication and advocacy procedures;
    - Effective and functional communication, documentation and reporting systems;
    - Policies and resolutions developed/ reviewed at Pan African Parliament, Regional and member states levels on research knowledge/analyses, provided by established information sharing systems;
    - Smart and creative resource mobilization strategies developed and implemented;
    - Outreach of the Pan African Parliament information networks and degree of information sharing among member states and RECs;
    - Knowledge sharing platforms on labour, employment, social protection amongst member states and RECs in place.
    - Legislative acts adopted at Pan-African Parliament, regional and member state levels, disseminated through established information sharing systems;

KRAs

97. Key Result Areas

- *Knowledge management, communication, networking and advocacy strengthened;*
- *Level of knowledge and skills of PAP members and staff in generation of knowledge and adoption of innovation enhanced;*
- *Research, information and reporting systems, networking/information sharing, and advocacy strengthened;*
- *Effective and functional documentation, communication and outreach systems enhanced*
- *Policies/resolutions developed, and legislation reviewed by PAP based on research results and analyses provided by established information sharing and learning systems;*
- *Mechanisms that enhance capacity for data generation and knowledge management to strengthen planning developed and made operational;*
- *MPs terms of office focused and supported by mechanism for learning, sharing of experiences and preservation of the institutional memory;*
- *Network of former PAP parliamentarians revamped;*
- *Legislative acts adopted at Pan-African Parliament, regional and member state levels, disseminated through established information sharing systems;*

Table 3.1 Key Results Framework (KRF) - Outcomes and Milestone Indicators Budget and Source of Funds

Strategic Objectives	Outcomes	The Milestone Indicators showing progress towards achieving the strategic objectives	Budget USD	Source of Funds
SO1 Strengthening parliamentary functions of the Pan African Parliament	• Strengthened and functionalized role of the Pan African Parliament in governance reflected in operationalized and visible clusters (rule of law, humanitarian affairs, human rights, governance and democracy); • Strengthened and functionalized organs of the Pan African Parliament, regional and national levels e.g. to draft model laws and to implement mechanisms to strengthen harmonization of laws; • Fully legislative Pan African Parliament with the voices of the African people mainstreamed into its functions and business processes specially law making, representation, democratization and ratifications; • Increased awareness amongst African citizens on AU decisions, policies and initiatives (Agenda 2063, African Passports, Free movement of goods and services African Continental FTA (CFTA).	• Parliamentary organs with capacity to develop oversight mechanisms and advocate model laws, human rights, governance and democracy initiatives; • The legislative powers of the Parliament with clear extent and content; • Rule of law, reliable public institutions, free and fair elections; • Specific indicators of mainstreamed voices of the African people (e.g law making, representation, public hearings democratization and ratification).	•	
SO2 Strengthening partnership, coordination, outreach and institutional capacity of the Pan African Parliament.	• Promoted mobility and dialogue of parliamentarians and legislators between member states, regional bodies and the Pan African Parliament; • Enhanced capacities of the Pan African Parliament to engage the parliamentarians in outreach and public activities at national, regional and continental levels; • Enhanced capacity of the Pan African Parliament to influence the positions and decisions of its structural bodies in sectoral and social (e.g. unmet health and social development) issues, and specifically to benefit the youth and women caucuses;	• Integrated and coordinated AU policies leading to enhanced visibility of the Pan African Parliament; • PAP with coordination and outreach capacities such as engaging in planned advocacy, enhanced visibility missions; • Skilled trained dialogue-oriented PAP staff and parliamentarians; • Parliamentarian institutions with capacity to develop oversight mechanisms and advocate model laws, human rights, governance and democracy initiatives; • Quality and usefulness of youth and women parliamentarian networks at all levels.	•	•

	• Enhanced institutional capacity of the Pan African Parliament for coordination, participation and partnership.			
SO3 Promoting Human Rights and Shared Values of the African Union	• Developed and promoted advisory services for the coordination of peace, security, stability, human rights, social justice and employment initiatives in Africa; • Functionalized African Charter on the African Shared Values Instruments and Principles of Decentralization, Local Government and Local Development; • Developed and implemented the action plan for the Ten-Year Human Rights Strategy for Africa; • People-centered, politically and socially integrated and transformed PAP in harmony with AU Structure and aligned with Agenda 2063 aspirations and first phase targets. • Improved perception of relevance of Pan African Parliament to African citizens	• Number of ratifications of the African Charter on the Values and Principles of Decentralization, Local Government and Local Development; • Operational African Peace and Security Architecture, (APSA) Pillars; • Developed and implemented Action Plan for the Ten-Year Human Rights Strategy for Africa.	•	
SO4 Strengthening Research, Learning & Sharing, Knowledge Management, Communication and Advocacy of Pan African Parliament	• Enhanced research, knowledge management and dissemination for effective functioning of the Pan African Parliament	• Extent of alignment of PAP Committees with the sector departments of the AUC; • Operational communication and advocacy procedures; • Effective and functional communication, documentation and reporting systems; • Policies and resolutions developed/ reviewed at PAP, Regional and MS levels on research knowledge/analyses, provided by established information sharing systems; • Smart and creative resource mobilization strategies developed and implemented; • Outreach of the PAP informatic networks and degree of information sharing among member states and RECs • Knowledge sharing platforms on labour, employment, social protection etc amongst member states and RECs in place.	•	•

3.1.3. THE STRATEGIC AND TECHNICAL CONTEXT OF THE SP

98. The SP 2019-2023 will be responsive to the requirements needed by the Pan African Parliament to support the national and the regional parliaments to consolidate political development processes, good governance, transformation and democratization needed for human freedom and economic growth and wellbeing, especially young women and men in accordance with SDGs and the Goals and aspirations of Agenda 2063 in full synergy with all AU Departments. The new SP will in harmony with the recommendations of H.E Paul Kagame report that focuses administrative and political reform of AU through giving Pan African Parliament leverage on being the supportive governance mechanism for transparent budgeting and financing of AU resources. Specifically, the new SP will be a driving force for the ratification by the MSs of the revised Protocol and will be.

99. The PAP Functions and future are totally dependent on the progress of the AUC. The evolution of the African Union (AU) since its inception in the form of the Organisation of African Unity (OAU) in 1963 to its present form in 2001[3] tells volumes about the efforts of a continent faced with challenges of magnitudes beyond the grasp of its forefathers. Both the OAU and AU were built on the ideals of African unity and anchored in the values of respect, tolerance, and solidarity that all Africans share and strive to maintain. However, the lessons learned point to the need for pragmatism rather than well wishes, solidarity rather than rhetoric, team spirit and separate of roles rather than competition

100. The most recent report by H.E. Paul Kagame on the *Proposed Recommendations for the Institutional Reform of the African Union*[4] is an important pathfinder that offers the African governments, politicians, policy makers, strategists, scientists, educators, academicians and development experts a rare opportunity to reform the AU and its complicated and complex organisations and institutions. This report followed two major AU commissioned reviews by international firms. Therefore, important inscriptions in this PAP SP 2019-2023 are based on the following key challenges identified in H.E. Paul Kagame's Report:

- The chronic failure to see through African Union decisions has resulted in a crisis of implementation
- A perception of limited relevance to African citizens
- A fragmented organisation with a multitude of focus areas
- Overdependence on partner funding
- Underperformance of some organs and institutions due to unclear mandates or chronic

[3] A major report on the AU Institutions and governing bodies is the **African Union Handbook 2017**: A guide for those working with and within the African Union:
https://d3japsuikk00rot.cloudfront.net/wp-content/uploads/2017/02/AU-Handbook-2017_EN.pdf
The book has at its heart information about the principal organs established by the AU Constitutive Act and subsequent protocols: The Assembly; Executive Council; Permanent Representatives Committee; Specialised Technical Committees; Peace and Security Council; AUC and its technical; Pan-African Parliament; Economic, Social and Cultural Council; and judicial, human rights, legal and financial institutions. It also contains information about the specialised agencies and structures, as well as regional and other arrangements, including the Regional Economic Communities, which are the pillars of the AU and work closely with its institutions. Non-governmental organisations, inter-governmental organisations and political groups are not included, except where they have a formal agreement with the AU.

[4] Final AU Reform Combined report_28012017 (1).pdf

underfunding

- Limited managerial capacity
- Lack of accountability for performance, at all levels
- Unclear division of labour between the African Union Commission (AUC), the Regional Economic Communities (RECs), other regional mechanisms (RMs), and Member States
- Inefficient working methods in both the Commission and the Assembly

101. The **table below** summarizes Alignment of SP 2019-2023 Strategic Pillars and Priorities, with Agenda 2063, SDG, Kagame Report Recommendations and PANAF Priority Areas

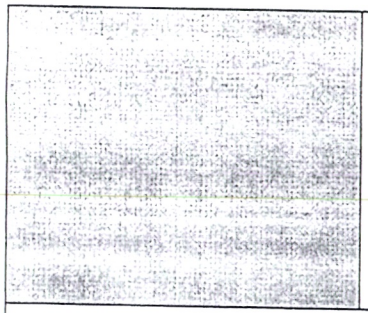
Table 3.2: Alignment of SP 2019-2023 with Agenda 2063, AUC SP Strategic Pillars and Strategic Priorities, SPAs, SDG Kegame Recommendations and with the PANAF

Strategic Objective (SO)	Agenda 2063		AUC		
	Aspirations	**Goals**	**AUC Strategic Pillars**	**AUC Priorities**	Strategic Priority Areas (SPAs)
SO1: STRENGTHENING PARLIAMENTARY FUNCTIONS OF THE PAP	**A2** An Integrated Continent, politically united, based on the ideals of Pan Africanism; **A6** An Africa whose development is people-driven, especially relying on the potentials offered by its youth and women	**Goal 8**: A United Africa **Goal11**: Democratic values, practices, universal principles of human rights, justice and rule of law introduced **Goal 12:** Capable institutions and transformative leadership in place **Goal17**: Full gender equality in all spheres of life **Goal 18**: Engaged and Empowered Youth and Children **Goal 19**: Africa as a major partner in global affairs and peaceful co-existence **Goal 20**: Africa takes full responsibility for financing her development	Peace and security; Social, Economic Human Development;	Peace and stability; Economic integration	Investing in the African People; Enhancing Africa's Role and Position in Global Context

	A7 Africa as a Strong, united, Resilient and Influential Global Player and Partner	**Goal 20**: Africa takes full responsibility for financing her development **Goal 19**: Africa as a major partner in global affairs and peaceful co-existence			
SO2: STRENGTHENING PARTNERSHIP, COORDINATION AND INSTITUTIONAL CAPACITY OF THE PAP	**A6** An Africa whose development is people-driven, especially relying on the potentials offered by its youth and women.	**Goal17**: Full gender equality in all spheres of life **Goal 18**: Engaged and Empowered Youth and Children **Goal 12:** Capable institutions and transformative leadership in place	Institutions, Capacity Building & Communication; Social, Economic Human Development; Integration, Cooperation Partnerships; Shared Values;	Institutional Capacity; Africa's human capacity; Women & Youth empowerment	Investing in the African People; Advancing Continental Integration; Governance Human Rights and Institutions; Consolidating Peace and Security; Enhancing Africa's Role and Position in Global Context; Flagship Projects of Agenda 2063; Service Delivery, Capacity Development, Partnership and Outreach
	A1 A Prosperous Africa based on inclusive growth and sustainable development	**Goal 2**: Well educated citizens and skills revolution underpinned by science, technology and innovate **Goal 3**: Healthy and well-nourished citizens **Goal 4:** Transformed Economies???			

	A2 An Integrated Continent, politically united, based on the ideals of Pan Africanism;	**Goal 8**: A United Africa **Goal 9**: Continental Financial and Monetary Institutions are established and functional **Goal 20**: Africa takes full responsibility for financing her development **Goal 19**: Africa as a major partner in global affairs and peaceful co-existence			
	A7 Africa as a Strong, united, Resilient and Influential Global Player and Partner	**Goal 20**: Africa takes full responsibility for financing her development **Goal 19**: Africa as a major partner in global affairs and peaceful co-existence			
SO3: Promoting Human Rights and Shared Values of the African Union:	**A3** An Africa of Good Governance, Respect for Human Rights, Justice, and the Rule of Law **A4** A Peaceful and Secure Africa **A5.** An Africa with a strong cultural identity, common heritage, values and ethics	**Goal11**: Democratic values, practices, universal principles of human rights, justice and rule of law introduced **Goal 12:** Capable institutions and transformative leadership in place Goal 13 Peace, security and stability is preserved Goal 14 A stable and peaceful Africa	Peace Security; Shared Values	Peace and stability; Institutional Capacity; Food security; Economic integration; Resource mobilization; Effective communication	Governance Human Rights and Institutions Consolidating Peace and Security; Consolidating Peace and Security; Environmental Sustainability ;

	A6 An Africa whose development is people-driven, especially relying on the potentials offered by its youth and women.	Goal 15 A Fully functional and operational APSA Goal 16 African cultural renaissance is pre-eminent **Goal17**: Full gender equality in all spheres of life **Goal 18**: Engaged and Empowered Youth and Children			
	A4 A Peaceful and Secure Africa	**Goal 13**: Peaceful Security and Stability Preserved **Goal 14**: Stable peaceful Africa Goal 15??: A fully functional and operational APSA			
SO4: STRENGTHENING RESEARCH, LEARNING SHARING, KNOWLEDGE MANAGEMENT, REPORTING, COMMUNICATION AND ADVOCACY OF PAP	**A2** An Integrated Continent, politically united, based on the ideals of Pan Africanism **A5.** An Africa with a strong cultural identity, common heritage, values and ethics	**Goal 10**: World class infrastructure Priority Area: Communications and Infrastructure Connectivity Goal 16 African cultural renaissance is pre-eminent **Goal 19**: Africa as a major partner in global affairs and peaceful co-existence	Institutions, Capacity Building and Communication Integration, Cooperation Partnerships; Shared Values;	Effective communication; Resource mobilization;	Advancing Continental Integration;

	A7 Africa as a Strong, united, Resilient and Influential Global Player and Partner				

SDGs

The four SOs of the SP 2019-2023 will be broadly aligned with the following SDGs:

- **Goal 2**. End hunger achieve food security and improved nutrition and promote sustainable agriculture
- **Goal 4**. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all Statistical capacity building for SDGs
- **Goal 5**: Achieve gender equality and empower all women and girls
- **Goal 9**. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation **SDG12:** ensure sustainable consumption and production patterns
- **Goal 13**: Take urgent action to combat climate change and its impacts
- **Goal 15**. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss
- **Goal 16**

The four SOs of the SP 2019-2023 will be broadly aligned with the major recommendations of Kagame Report

- Efficient implementation of streamlined organization with focused areas
- Enhanced relevance to African citizens
- Clear mandates of some AU organs and institutions
- Division of labour between the AUC, the RECs, other continental and regional mechanisms such as PAP, and the MSs
- Sustainable and adequate funding resources
- Enhanced managerial capacity and accountability for performance at all levels
- Efficient working methods in both the Commission and the Assembly

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PANAF Supporting PAP and other AU functions Priority Areas of the Joint Africa-EU Strategy Roadmap

Priority Area 1: Peace and Security Covered under African Peace Facility

Priority Area 2: Democracy, Good Governance and Human Rights

Priority Area 3: Human Development

Science Technology and Innovation (STI); Higher education; Mobility, migration and employment
Priority Area 4: Sustainable and Inclusive Development and Growth and Continental Integration
Private Investment, Infrastructure and Continental Integration; Infrastructure (Energy, Transport, Water and Information Communication Technologies - ICT); Agriculture, Food Security and Food Safety
Priority Area 5: Global and Crosscutting Issues
Climate Change and Environment

Table 3.3. Permanent Committees' Alignment with SOs and KRAs

Strategic Objectives	Key Result Areas	Permanent Committees alignment with KRAs	Committees Responsible
SO1 Strengthening parliamentary functions of the Pan African Parliament	• *Synergy and linkages with AUC reinforced and expanded* • *Secretariat functionality strengthened to achieve mandate of Pan African Parliament* • *Pan African Parliament involvement in AGA activities strengthened and activated* • *Ratification process for the revised protocol enhanced and strengthened* • *Trust/credibility of Pan African Parliament by other AU organs enhanced* • *Pan African Parliament legal drafting and* developing the rules of procedure *skills developed* • *Synchronizing and improving working relations with AU organs e.g.* Permanent Representatives	• Speed ratification of the revised protocol • focus on bringing on board the legislative power • Improvement from advisory to Legislative requires capacity building both for the PAP members • Improve PAP visibility • Improve Synergy between AUC bodies and PAP • PAP should have a leading role in AU Budgets (look at issues with PRC) • Harmonised national laws that could be used in all countries	• Transport, Industry, Communications, Energy and Technology • Cooperation, international relations and conflict resolution • Rules, privileges and discipline • Justice and Human rights • Education, culture, tourism and human resources • • Trade customs and immigrations • Audit and Public Accounts (CAPA) • Health, Labor and Social Affairs • Gender, Family, Youth and People with Disability

	Committee (PRC), The African Court, the commission on gender, African Anticorruption Board, etc.	• PAP could exercise independence • PAP should have its own election desk and should monitor election	• Monetary and Financial Affairs • Rural Economy, Agriculture, Natural Resources and Environment • Women Caucus • Youth Caucus
SO2 Strengthening partnership, coordination, outreach and institutional capacity of the Pan African Parliament.	• *Capacities of PAP stakeholders (*Parliamentarians, PAP Secretariat, parliamentarians at REC and member state levels*) revitalized and strengthened* • *Institutional arrangements to support coordination, partnerships, participation and the outreach strengthened* • *Partnerships and inclusive participation arrangements promoted and enhanced*	• A common Committees Platform needed for cooperation and sharing • PAP visibility or sovereignty • Improvement from advisory to Legislative requires capacity building both for the PAP members • Need to work together with the RECs • Objectives of the Committees aligned with Strategic Plan objectives • Resources and actions to enhance its visibility • Correlation between Illicit Financial Flows and Taxation • Financial implications with regards to the ratification.	• Transport, Industry, Communications, Energy and Technology • Cooperation, international relations and conflict resolution • Rules, privileges and discipline • Justice and Human rights • Education, culture, tourism and human resources • Trade customs and immigrations • Audit and Public Accounts (CAPA) • Health, Labor and Social Affairs • Gender, Family, Youth and People with Disability • Monetary and Financial Affairs • Rural Economy, Agriculture, Natural Resources and Environment • Women Caucus

			Youth Caucus
SO3 Promoting Human Rights and Shared Values of the African Union :	• *Good Governance, Respect for Human Rights, Justice, and the Rule of Law enhanced;* • *Measures for inclusive growth and sustainable development established;* • *Political and economic stability in Africa enhanced,*	• There are needs for laws in Human Rights and economics • • The concept of Youth Parliament should be adopted • • Need for legally binding Models Laws • • How to operationalize the. SP • • Formulation of the Model Law on Food Security and Nutrition • impact on governance, employment, health, social education protection, housing etc. more focus on Women, Children and Gender	• Justice and Human Rights • Gender, Family, Youth and People with Disability • **Rules, Privileges and Discipline** • Education, Culture, Tourism and Human Resources • **Rural Economy, Agriculture, Natural Resources and Environment** • Cooperation, international relations and conflict resolution • **Women Caucus** • Youth Caucus
SO4 Strengthening Research, Learning & Sharing, Knowledge Management, Communication and Advocacy of Pan African Parliament	• *Skills of PAP in generation of knowledge and adoption of innovation enhanced;* • *Research, information and reporting systems, networking/information sharing, and advocacy strengthened;* • *Effective and functional documentation, communication and outreach systems enhanced* • *Policies/resolutions developed, and legislation reviewed by PAP based on research results and analyses*	• Formulation of the Model Law on Food Security and Nutrition • Relationship between PAP and the RECs • Members to submit the SP to their various Parliament • Enhance visibility of PAP by improved communication and networking capacities	• **Rural Economy, Agriculture, Natural Resources and Environment** • **Education, Culture, Tourism and Human Resources** • Health, Labor and Social Affairs • Gender, Family, Youth and People with Disability

	provided by established knowledge management and dissemination systems; • *Mechanisms that enhance capacity for data generation and knowledge management to strengthen planning developed and made operational;* • *MPs terms of office focused and supported by mechanism for learning, sharing of experiences and preservation of the institutional memory;* • *Network of former PAP parliamentarians established.*	Need for communication intelligence Strategy • Monitor Illicit Financial Flows and Taxation •	• Monetary and Financial Affairs

CHAPTER 4: IMPLEMENTATION, MONITORING AND EVALUATION

102. The Pan African Parliament (PAP) Strategic Plan 2019-2023 puts forth the vision, mission and strategic objectives of the PAP for the defined period, as well as its operational model as driven by a Theory of Change. The Theory of Change describes how the Pan African Parliament will attain the objectives of the strategic plan through the stipulated outcomes and the outputs to be defined in the implementation plan.

4.1 Implementation Arrangements

103. The implementation of the Strategic Plan will be through the internal governance structure of the Pan African Parliament which comprises (i) the Plenary, (ii) the Bureau, (iii) the Regional Caucuses, (iv) the Permanent Standing Committees, and (iv) the Secretariat.

4.1.1 The Plenary

104. The Plenary of Parliamentarians is the highest governance organ of the Pan African Parliament. With its oversight and accountability role, the Plenary is empowered to scrutinize, summon and receive briefings and performance reports from the internal governance structure of the Pan African Parliament and other AU institutions. The Plenary submits resolutions to inform Executive decisions.

4.1.2 Bureau of the Pan African Parliament

105. The Bureau is accountable for the overall implementation of the strategic plan and will prepare and submit bi-annual performance (activity) reports to the Plenary and other reports as may be deemed necessary by the Plenary. The Bureau will ensure the mobilization and provision of adequate resources for the implementation of the plan.

106. Furthermore, the Bureau ensures compliance with African Union procedures, especially adherence to and timely implementation of audit recommendations during the implementation period. It further oversees the conduct of the mid-term and final evaluations of the strategic plan.

4.1.3 Regional Caucuses

107. The regional Caucuses will track and ensure the implementation of regional activities. Specific among these will be the convening annual consultative fora with the Parliaments of the Regional Economic Communities and the National Parliaments; coordinate fact-finding missions; and election observer missions.

4.1.4 Permanent Standing Committees

108. Substantive work and overall implementation of the 4 Objectives of the strategic plan lies with the 11 Permanent Standing Committees. The Committees will develop and implement annual work plans and present reports to the Plenary at various intervals. The Committees will ensure the timely attainment of the Key Performance Indicators selected for each of the strategic objectives.

4.1.5 Secretariat of the Parliament

109. The Secretariat ensures the timely design, implementation, monitoring and evaluation of the annual institutional, departmental, unit and individual work plans. It undertakes resource mobilization and forge partnership with key stakeholders and development partners. The Secretariat, through the Committee Clerks, provides the requisite technical and other support to the standing committees and monitor the implementation of the committee work plans. The implementation of the result matrix for the strategic plan also lies with the Secretariat.

4.2 Monitoring, Evaluation and Reporting

110. The implementation of the PAP Strategic Plan is accompanied by a dedicated Implementation, Monitoring and Evaluation Framework (IM&EF) which is closely aligned with the M&E Framework designed for the First 10 Year Implementation Plan of Agenda 2063[5]

4.2.1 Monitoring

111. Periodic monitoring and assessment will be conducted in order to examine the performance of the Strategic Plan 2019-2023. Monitoring will be undertaken to determine (i) the verification of results and quality assurance; and, (ii) learning and knowledge management. It further defines the Key Performance Indicators (KPIs) to track the achievement of targets set against each of the Key Result Areas at the Outcomes and Outputs levels along the results chain. The Framework further guides the identification of the annual priorities and targeted approaches for implementation, advocacy and resource mobilization.

112. The following tools will be developed to enhance the monitoring process:

- Development of M&E Plan for each Permanent Committee to track and report on performance
- Designing of Dashboard/Score Card for each Permanent Committee
- Selection of a minimum set of Core Key Performance Indicators (KPIs)
- Development and implementation of annual Institutional Work Plan; Departmental Work Plan; Unit Work Plans; and Individual Work Plans to form the basis for performance appraisals.

4.2.2 Evaluation

[5] It is worth noting that an Implementation Plan and Monitoring and Evaluation Framework will be developed in line with the Agenda 2063 Ten-Year Implementation Cycles; thus, the 2019 - 2023 implementation plan and M & E Framework for the PAP Strategic Plan will be developed and implemented within the framework of Agenda 2063 First Ten-Year Implementation Plan 2014 - 2023. The implementation cycles for future SPs will align with the Second Ten-Year Implementation Plan 2024 – 2033 of Agenda 2063, etc.

113. A Mid-Term Evaluation (MTE) and Final-Evaluation is foreseen during the lifespan of the Strategic Plan to measure progress made towards attainment of the expected outputs and outcomes through the defined milestone indicators and in line with the elements of PAP's Theory of Change. The focus of the evaluation will be to identify "changes" that are expected to have taken place because of the implementation of the Strategic Plan 2019-2023, thus giving emphasis to "effectiveness" of the Strategic Plan by focusing on the priority and important outcomes.

114. The evaluations will assess performance to determine ***relevance, effectiveness, efficiency, impact,*** *and* ***sustainability*** of the Strategic Plan 2019-2023 towards the ultimate goal of achieving the PAP objectives as enshrined in the 2019-2023 Strategic Plan. These combined criteria will allow the systematic and objective assessment of the PAP Strategic Plan 2019-2023 design, implementation and results as stipulated below:

- **Relevance:** well evidenced judgment to determine the continuous relevance of the 4 objectives of the strategic plan;
- **Effectiveness:** assessment of progress made towards the attainment of the key result areas
- **Efficiency:** internal control systems and the management of human, financial and other resources. It further seeks to determine the coordination mechanisms put in place for the timely implementation of planned activities.
- **Sustainability:** benefits accruing during the implementation of the strategic plan in terms of ownership, institutional capacities and financial independence to carry forward some of the benefits sustainably.

115. Learning is embedded in each stage of the implementation cycle, including learning from evaluative evidence to improve implementation.

4.2.3 Reporting

116. In line with Result-Based Management (RBM) principle, the timely preparation and submission of reports on implementation and performance is foreseen during the life span of the strategic plan. Reports will focus on outcomes and outputs achieved (effectiveness) and on activities implemented with resources invested (efficiency). The schedule of reports and those accountable are highlighted below:

PAP's Governance Structure	Reporting requirements
Bureau of PAP	a. Biannual Performance (Activity) Reports b. Bi-annual Reports to the Executive c. Joint Africa Europe Strategy (Monitoring report)

Regional Caucuses	a. Bi-annual reports to Plenary on status of ratification and domestication of the AU Legal Instruments & PAP Protocol b. Reports on fact-finding and election observer missions c. Annual Performance report to Joint Planning of Bureau & Bureauxes
Permanent Committees	a. Bi-annual Reports to the Plenary of PAP b. Annual Performance report to Joint Planning of Bureau & Bureauxes
PAP Secretariat	a. Monthly, Quarterly and Annual reports to PAP Bureau b. Budget Framework Paper to PRC c. Status of Implementation – recommendations of internal & external audits

4.3 Critical Success factors for effective SP 2019-2023 Implementation and M & E systems

117. Some of the critical factors required for the successful implementation of the Pan African Parliament (PAP) M&E framework are highlighted below:

4.3.1 Integrated and well-staffed M&E – KMD capabilities

118. Currently, the PAP secretariat M & E unit is grossly understaffed to undertake its functions effectively. Similarly, research, informatica and knowledge management systems are constrained by lack of orientation and integrated functions needed for developing and generating research results, data integrity, information processing, reporting and publishing, learning and sharing platforms and dedicated advocacy and outreach capacities. Under such conditions it would be problematic to support a meaningful and problem-solving implementation and M&E systems for the SP 2019-2023. Approval of the new SP need to be linked to the support of adequate human and financial resources for an M&E system well equipped and linked to Knowledge Management and Dissemination (KMD) capabilities.

4.3.2 Comprehensive Technical and Institutional Capacity

119. A strengthened technical and institutional capacity is a necessary pre-condition for the smooth and progressive implementation of the SP 2019-2023. The strengthened capacities will improve the operational efficiency of the PAP to promote measures aimed at organizational change, knowledge management, mainstreaming innovative idea, strengthen internal communication and debate, especially among the Permanent Committees and through an integrated synergy promotion programme with the relevant AUC departments and other Organs of the African Union. An important target of capacity building will be directed towards enhancing PAP visibility at the Member States level, empowering women and youth.

120. The following indicative areas are suggested with plans for further detailed focus during implementation:

- *Organizational development: Designate* an M&E resources pools from the members of PAP bodies, regional parliament and member states. The pool members will be trained to identify skilled staff who can train and coach their colleagues on a regular basis
- *Institutional learning:* Develop and support regular peer review processes/mechanisms between PAP members, PAP Standing Committees, Regional and National Parliaments, and relevant departments within AUC
- *Research and Knowledge Management:* Identify and build the capacity PAP research and knowledge sharing entities. PAP need to be a clearing house for the legislative and democratic experience of the Continent. This could be reinforced by strengthened collaboration and partnerships among the regional and national parliamentarians
- *Communication and advocacy:* Organize communication and advocacy campaigns to consolidate ownership, raise awareness, streamline and reduce overlapping committee thematic areas and enhance participation of the citizens in the implementation of the SP
- *Resource mobilization*: Develop measures – such as forging strategic partnerships - to enhance the capacity of the PAP for resource mobilization, financial gap analysis, public and private sector partnership.

Key actors and responsibilities

121. *An* overall unified and standardized **Implementation, M&E and Learning System (IMELS)** will be established to support the effective and timely implementation of the SP 2019-2023. The System will be supported by key actors representing the parliamentarians at the continental, regional and national levels, as detailed in the table 4.1 below. The key actors will be designated as a *SP Technical Working Group* coordinated by senior M&E Officer supported by a senior KM officer. The PAP Knowledge Management and Dissemination Team will manage and communicate information critical to the functioning of the System. The national and regional PAP focal points will support implementation through: (i) collection of data in the appropriate format; (ii) generation of relevant M&E information at the Member States level, and; (iii) ensure quality and integrity of data prior to submission to the *SP technical working group.*

Table 4.1: SP 2019-2023 Knowledge and M&E Framework (KMEF) -key actors and responsibilities

Level	Key Actor(s)	Responsibilities
PAP	• PAP units (*M&E; R, L & KM Directorate, ICT, SP Technical Advisory Committee*) • Permanent Representative Committee • AUC • Development Partners	Developing and implementing activities to evidence the achieved results: • Data generation, quality assurance , information and knowledge management, analysis and dissemination • Overall management of the M&E Unit (including budget and work plans) • Management of results and quality assurance

		• Communication, reporting and dissemination • Enhancement of knowledge sharing-culture • Overall support and advisory
Regional Parliaments	• PAP Regional offices (PAP Focal Points) • RECs • Development Partners	• Regional level data generation, quality assurance, information and knowledge management, analysis and dissemination • Facilitation of M&E unit administration • Support to regional Communication, reporting and dissemination hubs and portals • Enhancement of knowledge sharing-culture
National Parliaments	1. Member States 2. PAP Focal Points	• National level data generation, quality assurance, information and knowledge management, analysis and dissemination • Facilitation of M&E unit administration • Support MS level communication, reporting and dissemination outlets • Enhancement of knowledge sharing-culture

Limitations and Risk

122. The PAP's Monitoring and Evaluation System faces two major fundamental limitations and risks such as (1) gaps in obtaining base-line information, which might inhibit setting realistic targets and reporting on selected indicators; and (2) limited resources both in terms of financial and man-power on delivery of the M&E System. These risks will be mitigated through a range of measures that includes developing a PAP SP 2019-2023 implementation risk management system. The system will allow for the analysis and monitoring of the following risk factors that have the potential of preventing SP 2019-2019 projects/programmes from reaching their objectives:

Internal factors (within the PAP domain): Poor planning (*lack of staff, inadequate funding, inadequate problem analysis, insufficient stakeholder analysis, lack of adequate stakeholder awareness and ownership, overlapping functions of the Permanent Committees*) and/or organizational issues (lack of commitment, poor management, etc.)

External factors: Such as the legal, political, economic, social, technological and environment factors that might affect the timely achievement of the Strategic Objectives as set out in the 2019-2023 PAP Strategic Plan.

Table: 4.2 Results Framework Matrix and contribution and alignment to the relevant initiatives

Strategic Objective 1. Strengthening parliamentary functions of the PAP

KEY RESULT AREAS (KRAs)	INDICATORS	MILESTONES			MEANS OF VERIFICATION	Contribution/alignment to Agenda 2063 Medium Term Plan 2019 –2023, synergy with all AU Departments. The new SP will responsive to the recommendations of Kagame report that focuses administrative and political Reform
		Baseline (2019)	Midterm (2021)	Final (2023)		
KRA 1.1 Synergy and linkages with AUC reinforced and expanded						
KRA 1.2: *Secretariat functionality strengthened to achieve mandate of PAP*						
KRA 1.3: *PAP involvement in AGA activities strengthened and activated*						
KRA 1.4 *Ratification process for the revised protocol enhanced and strengthened*						
KRA 1.5. PAP involvement in AGA and in other AU initiatives strengthened and activated;						
KRA1.6*Trust/credibility of PAP by other AU organs enhanced*						

KRA 1.7 *PAP legal drafting and* developing the rules of procedure *skills developed*						
KRA 1.8 *Synchronizing and improving working relations with AU organs e.g.* Permanent Representatives Committee (**PRC**); The African Court, the commission on gender, African Anticorruption board, etc						
KRA 1.9 Capacitate of PAP MPs and secretariat enhanced.						

SO2. Strengthening partnership, coordination, outreach and institutional capacity of the PAP.

KEY RESULT AREAS (KRAs)	INDICATORS	MILESTONES			DELIVERABLES AND MEANS OF VERIFICATION	Contribution/alignment to Agenda 2063 Medium Term Plan 2019 –2023, synergy with all AU Departments. The new SP will responsive to the recommendations of Kegame report that focuses administrative and political Reform
		Baseline (2019)	Midterm (2021)	Final (2023)		
KRA 2.1 Capacities *of PAP stakeholders (PAP Secretariat staff, parliamentarians at REC and MS levels) revitalized and strengthened*						

KRA 2.2 Institutional *arrangements to support coordination, partnerships, participation and the outreach strengthened*						
KRA 2.3 Partnerships *and inclusive participation arrangements promoted and enhance*						

SO3. Promoting Human Rights and Shared Values of the African Union:

KEY RESULT AREAS (KRAs)	INDICATORS	MILESTONES			DELIVERABLES AND MEANS OF VERIFICATION	Contribution/alignment to Agenda 2063 Medium Term Plan 2019 –2023, synergy with all AU Departments. The new SP will responsive to the recommendations of Kegame report that focuses administrative and political Reform
		Baseline 2019	Midterm 2021	Final 2023		
KRA 3.1: *Good Governance, Respect for Human Rights, Justice, and the Rule of Law enhanced*	# of					
KRA3.2: *Measures for inclusive growth and sustainable development established*	# of # of					
KRA3.3: *Political and economic stability in Africa enhanced*	# #					

SO4: SO4: Strengthening Research, Learning & Sharing, Knowledge Management, Communication and Advocacy of PAP

Results Framework Matrix

KEY RESULT AREAS	INDICATORS	MILESTONES		

(KRAs)		Baseline 2019	Midterm 2021	Final 2023	DELIVERABLES AND MEANS OF VERIFICATION	Contribution/alignment to Agenda 2063 Medium Term Plan 2019 –2023, synergy with all AU Departments. The new SP will responsive to the recommendations of Kegame report that focuses administrative and political Reform
KRA 4.1. *Knowledge management, communication, networking and advocacy strengthened;*						
KRA 4.2. *Level of education and skills of PAP Staff and parliamentarians in generation of knowledge and adoption of innovation enhanced*	% No. of					
KRA 4.3 *Research, information and reporting systems, networking/information sharing, and advocacy strengthened*	No.					
KRA 4.4 Effective *and functional documentation, communication and outreach systems enhanced*	No. No. No. of					
KRA 4.5 Policies/*resolutions developed, and legislation reviewed by PAP based on research results and analyses provided by established information sharing and learning systems*						
KRA 4.6 Mechanisms *that enhance capacity for knowledge*						

and data generation and management to strengthen planning developed and made operational						
KRA 4.7 MPs *terms of office focused and supported by mechanism for learning, sharing of experiences and preservation of the institutional memory*						
KRA 4.8 Network *of former PAP parliamentarians revamped*						
KRA4.9 *Legislative acts adopted at Pan-African Parliament, regional and member state levels, disseminated through established information sharing systems*						

CHAPTER 5:RESOURCE REQUIREMENTS FOR THE IMPLEMENTATION OF 2019-2023 STRATEGIC PLAN.

5.1 Resource Requirements

5.1.1. Budget

123. The projected total programme budget for the PAP 2019-2023 Strategic Plan is estimated at **USD 48,034,087.** The allocations for the respective four proposed Strategic Objective Areas and the budget for the support staff required are summarized in the Table below:

124.

Table 5.1. PAP Strategic Plan budget allocations by strategic objectives

STRATEGIC OBJECTIVE	BUDGET (USD)
Strategic Objective 1: Strengthening parliamentary functions of the PAP	19,683,844
Strategic Objective 2: Strengthening partnership, coordination, outreach and institutional capacity of the PAP	6, 578,677
Strategic Objective 3: Promoting Human Rights and Shared Values of the African Union ;	17,213,996
Strategic Objective 4: Strengthening Research, Learning & Sharing, Knowledge Management, Communication and Advocacy of PAP	1, 258,920
Technical Support required for implementation of the Strategic Plan	3,298,650
GRAND TOTAL	48,034,087

125. Table 5.2 below provides an indication of the budget allocation required per fiscal year and by Strategic Objective area for the entire Strategic Plan implementation period. Strategically PAP should put emphasis on strategic priorities 1 and 3 as these will be the strategic niche for the mobilization of financial resources required during the implementation of the strategic plan as shown below.

Table 5.2. Budget allocation by strategic objective area spread by fiscal 2019-2023

STRATEGIC OBJECTIVE	FISCAL YEARS				TOTAL USD
	2019	2020	2021	2022	
Strategic Objective 1: Strengthening parliamentary functions of the PAP	3,936,769	5,249,025	5,249,025	5,249,025	**19,683,844**
Strategic Objective 2: Strengthening partnership, coordination, outreach and institutional capacity of the PAP	1,315,738	1,754,313	1,754,313	1,754,313	**6, 578,677**
Strategic Objective 3: Promoting Human Rights and Shared Values of the African Union	3,442,799	4,590,399	4,590,399	4,590,399	**17,213,996**
Strategic Objective 4: Strengthening Research, Learning & Sharing, Knowledge Management, Communication and Advocacy of PAP	251,784	335, 712	335, 712	335, 712	**1, 258,920**
126. Technical Support required for implementation of the Strategic Plan	909, 210	796, 480	796, 480	796, 480	**3,298,650**
GRAND TOTAL	**9,856,300**	**12,725,929**	**12,725,929**	**12,725,929**	**48,034,087**

5.1.2. Financial Arrangements

127. The financial arrangements are detailed below

a. **Member States Contributions**: The Member States contributions are envisaged to support the Pan African Parliament (PAP) operational costs and up to 10% of the programme budget for the life span of the Strategic Plan. The Pan African Parliament submits its Multi-Year Funding requirement and report on status of implementation for each fiscal year to the Permanent Representatives Committee (PRC) on an annual basis.

b. **Collaboration with Development Partners**: Extra-budgetary resources are mobilized from traditional and other PAP partners to support the implementation of the following:

    a. Annual Work Plans for all Committees Strategic Objectives 1, 2 and 3;
    b. Secretariat activities relating to Strategic Objective 4, and
    c. Cost associated with technical support in terms of consultancies and other related support required for the implementation of the Strategic Plan

128. The European Commission (EC), as a major traditional partner of the Pan African Parliament, is currently implementing phase 1 of the Strengthening the African Human Rights System" programme of which the Pan African Parliament is a direct beneficiary. Phase 2 of the programme will coincide with the implementation of the Pan African Parliament 2019-2023 Strategic Plan, which would go a long way towards closing the funding gap required for the implementation of this Strategic Plan.

c. **Permanent Committees and Secretariat of the Pan African Parliament (PAP) Resource Mobilization:** The Pan African Parliament will develop a Resource Mobilization Strategy to provide guidance for the engagement of the PAP Permanent Committees and Secretariat to mobilize resources for the implementation of their programs and activities. In line with the principles of Results-Based Management (RBM), the PAP Secretariat will develop Annual Institutional Work Plans (AIWPs) in close alignment with the Strategic Plan. The IAWP will guide budget allocation per fiscal and mobilization of the requisite financial, human and technical resources for the implementation of planned activities.

d. **Other Alternative Sources of Funding**: The Pan African Parliament, as one of the Organs of the African Union, will rely on additional funding obtained from funds mobilized through the operationalisation of the AU Resource Mobilisation Strategy in line with recommendations of the **High Level Panel on Alternative Sources of Funding the African Union.**

PAP SP 2019-2023 WORK PLAN FOR YEAR ONE

SP 2019-2023 FIRST YEAR WORKPLAN		2019												BUDGET $MILLION
		1	2	3	4	5	6	7	8	9	10	11	12	
S01: STRENGTHENING PARLIAMENTARY FUNCTIONS OF THE PAP														19,683,844/5= 3,936768.8
	KEY RESULT AREA													
	Synergy and linkages with AUC reinforced and expanded • Participation in AU summits • Participation in PAP Committees • Participation in PAP Sessions	X		X		X	X		X		X			700,000
	Secretariat functionality strengthened to achieve mandate of Pan African Parliament • Training • Revamped systems	X	X	X	X	X	X	X	X	X	X	X	X	1,000,000
	Pan African Parliament involvement in AGA activities strengthened and activated • AGA has its own budget • Increased participation of PAP			X								X		100,000

	Ratification process for the revised protocol enhanced and strengthened • Embark on an aggressive campaign to take PAP to the people • Public hearings • Research • Media promotion • Workshops	X	X	X	X	X	X	X	X	X	X	X	X	1,000,000
	Trust/credibility of Pan African Parliament by other AU organs enhanced	X	X	X	X	X	X	X	X	X	X	X	X	0
	Pan African Parliament legal drafting and developing the rules of procedure skills developed • Training of members • Hiring of legal drafters • Hiring of consultant • Workshops • Benchmarking		X	X	X	X	X	X	X	X	X	X		450,000
	Synchronizing and improving working relations with AU organs e.g. Permanent Representatives Committee (PRC), The African Court, the commission on gender, African Anticorruption Board, etc • Inter organ bilaterals	X	X	X	X	X	X	X	X	X	X	X	X	600,000

Total														3,850,000
SO2: STRENGTHENING PARTNERSHIP, COORDINATION, OUTREACH AND INSTITUTIONAL CAPACITY		1	2	3	4	5	6	7	8	9	10	11	12	6,578,677/5= 1,315,735.4
	KEY RESULT AREA													
	Capacities of PAP stakeholders (Parliamentarians, PAP Secretariat, parliamentarians at REC and member state levels) revitalized and strengthened • Study visits • Regional meetings • International conferences			X	X	X	X	X	X	X	X	X	X	700,000
	Institutional arrangements to support coordination, partnerships, participation and the outreach strengthened • Communication and branding material	X	X	X	X	X	X	X	X	X	X	X	X	300,000
	Partnerships and inclusive participation arrangements promoted and enhanced • Civil society engagement • Public hearings			X	X	X	X	X	X	X	X	X	X	300,000
TOTAL														1,300,000

SO3. Promoting Human Rights and Shared Values of the African Union												**2,295,000**
Key Result Areas:												
Good Governance, Respect for Human Rights, Justice, and the Rule of Law enhanced;												**545,000**
Activities:												
Capacity Building on Election Observation					X				X			120,000
Fact finding Missions on Human Rights				X		X	X		X			120,000
Women's Conference									X			100,000
Speakers Conference							X					200,000
Women's day Celebration			X									5,000
Measures for inclusive growth and sustainable development established;												**990,000**
Activities:												
Regional Consultative Meetings relating to Inclusive Growth and Sustainable Development (5 meetings)						X				X		800,000
Study visits				X		X			X		X	190,000
Political and economic stability in Africa enhanced												**760,000**
Activities:												
Forums, Workshops, Campaigns, Conferences ...etc						X	X		X		X	760,000
TOTAL												**2,295,000**
SO4: Strengthening Research, Learning & Sharing, Knowledge Management, Communication and Advocacy of PAP												**2,678,000**
Key Result Areas:												
Level of knowledge and skills of PAP members and staff in generation of knowledge and adoption of innovation enhanced;												**360,000**
Activities:												
Study Visits				X					X			120,000
Trainings (SAP, Audit, RBM)						X	X		X		X	240,000

	Research, information and reporting systems, networking/information sharing, and advocacy strengthened;													**733,000**
	Activities:													
	Establishment of Research Unit Systems / Consultancy and Infrastructure				X									250,000
	Staffing				X	X	X	X	X	X	X	X	X	468,000
	Staff Trainings						X							15,000
	Effective and functional documentation, communication and outreach systems enhanced;													**1,160,000**
	Activities:													
	Consultancy to develop Multifunction Knowledge Management System				X									60,000
	Strengthen the IT infrastructure (Upgrade)			X										100,000
	Upgrade of Chamber to Paperless Conference						X							1,000,000
	Policies/resolutions developed, and legislation reviewed by PAP based on research results and analyses provided by established information sharing and learning systems;													Part of the Statutory Activities
	Activities:													
	Sessions					X						X		
	Committee Sittings			X		X			X			X		
	Mechanisms that enhance capacity for data generation and knowledge management to strengthen planning developed and made operational													No budget/ Merge with (Key Result 2)
	MPs terms of office focused and supported by mechanism for learning, sharing of experiences and preservation of the institutional memory													**125,000**

	Activities:												
	Publications of relevant documents on Resolutions						X				X		5,000
	Preparations of Policy briefs			X					X				20,000
	Outsourcing of Technical Experts in specific areas.			X					X				50,000
	Developing of PAP Website Communications				X	X	X						50,000
	Network of former PAP parliamentarians established												**300,000**
	Creation of Former PAP MPs Network (Inaugural Meeting)			X									100,000
	Organize meetings of the network					X			X				200,000
	TOTAL												2,678,000
	GRAND TOTAL FOUR SOS												10, 123.000

REFERENCES

http://www.panafricanparliament.org/

PAP Committee on rules, privileges and discipline. Report on the proposal to align the committees of the pan African parliament with the thematic departments of the African Union

PAP April 2019: terms of reference (TOR) steering committee for the development of PAP SP 2019-2023

PAP January 2019 Reference No: PAP/PROC/xx/18 - Consultancy Service to Review/Develop the Pan-African Parliament 2019-2023 Strategic Plan = 30 January 2019.

PAP March -April 2017. Report of the consultative meetings on the formulation of the PAP 2019-2021 Strategic Plan 22 March to 13 April 2017

PAP Feb 2017. Discussion Document Proposed methodology and approach for the preparation of the PAP SP 2019-2021

PAP 2016 Presentation on the report of the role of the. Pan-African Parliament, Chairperson of the African Governance Architectural Platform (AGP) 9th May 2016 by Hon. Dr. Bernadette Lahai
4th Vice-President of the Bureau of the Pan- African Parliament

PAP. 2007. Audit. Of the African Union. December 18, 2007

PAP June 2004. Protocol to the constitutive act of. The African Union Relating to the PAP

PAP 2014 the role of the PAP as an organ of the African Union in the achievement of the agenda 2063

PAP 2014: Committee on rules, privileges and discipline Report on the proposal to align the committees of the PAP with the thematic departments of the African Union

PAP 2014: protocol to the constitutive act of The African Union Relating to the PAP

PAP 2011. PAP Rules of Procedure Adopted 2004; **Amended** 2011

PAP 2009. HARMONIZATION OF EDUCATION POLICIES IN AFRICA Study of the Pan-African Parliament Committee on Education, Culture, Tourism and Human Resource.

PAP 2007 Challenges and Requirements for the Transformation of the Pan-African Parliament to a Parliamentary.

Mary Izobo Legal Officer African Peer Review mechanism processes and PAP

APRM Continental Secretariat

HE Paul Kagame 2017 - Final AU Reform Combined report_28 01 2017 recommendations for the Institutional Reform of the AU

AU- DREA_2014-2017_strategic_and_operational_plan

Ernest & Young 2012 An Assessment Concerning Joint management with PAP

Malabo Commitments Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods (June 2014 Doc: Assembly /AU/2 (XXIII),
CAADP Results Framework

AUC March 2017 - Annual report of the implementation of CAADP (2017)

AUC June 2014. Inaugural Biennial Review Report of the African Union Commission on the Implementation of the Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared prosperity and Improved Livelihoods. Assembly Decision (Assembly/AU/2(XXIII)) of June 2014

Basic documents of the Pan-African Parliament:

- Constitutive Act of African Union;
- Protocol on Amendments to the Constitutive Act of the African Union;
- Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament;
- Rules of Procedure of the Pan-African Parliament
- PAP Strategic Plan 2014-2017

- PAP Strategic Plan 2011-2013;
- PAP Strategic Plan 2006-2010 "One Africa One voice"

African Capacity Building Foundation (ACBF) Strategy for 2017 -2021

Ibrahim Jagne 2013: PAP 2013 PAP; Status Quo and SWOT Analysis

Herlu Smith, Parliamentary oversight, Investigative, Consultative and advisory Framework

Herlu Smith Pan-African Parliament context. PAP/CONF-OS/DOC.05/WP: The Consultative and Advisory Powers of the Pan-African Parliament and its Permanent Committees vis-à-vis the Functions of the AU Commission and its Departments

Gutto, S B O .2009. The Transformation of the PAP into a Legislative Body/ Contextualized Outline for Legal Issues. Director and Chair Centre for African Renaissance Studies U of South Africa

Agenda 2063 The Africa we want **A** *shared strategic framework for inclusive growth and sustainable development* First ten-year implementation plan 2014 – 2023

AU Agenda 2063. Overview of aspirations, goals and priority areas of agenda 2063

NEPAD. 2015. Implementation Strategy and Roadmap (IS&RM) to achieve the 2025 vision on CAADP: Operationalizing the Malabo Declaration on Accelerated African Agriculture Growth and Transformation for Shared prosperity and Improved Livelihoods (www.au.int)

NEPAD 2015 Planning and Coordinating Agency.2015. The CAADP Results Framework (2015-2025)
NEPAD. 2015 *(countries with Compacts / Investment Plans by November 2015 www. nepad.caadp.net/sites/default/files/files/country table/.... -)*

15*. MOTION - POLICY MEASURES TO ENSURE 100 PERCENT TRANSITION FROM SECONDARY EDUCATION TO TERTIARY EDUCATION

(The Hon. John Munene Wambugu, M.P.)

THAT, aware that according to available data from the country's education sector, a huge percentage of the students who sit for the Kenya Certificate of Secondary Education do not transition to Universities to pursue degree courses; further aware that technical skills and knowledge are fundamental in every profession; concerned that despite the importance of technical and vocational training in teaching necessary skills and building adequate human capital to achieve and sustain the Country, its uptake in the Country remains low; cognizant that promotion of technical and vocational education and skills alongside academics provides a mix of professionals and skills that the economy requires so as to create balanced manpower requirements; recognizing that Article 55 of the Constitution requires the state to take measures to ensure that the youth access relevant education and training; appreciating the Government's policy of achieving 100 per cent transition of pupils from primary to secondary schools which has seen a huge increase in enrollment in secondary schools; this House resolves that the Government puts in place policy measures to ensure 100 percent transition from secondary to tertiary education.

16*. MOTION - CERVICAL CANCER SCREENING SERVICES TO ALL WOMEN AND ISSUANCE OF THE HPV VACCINE TO BOYS AND GIRLS BY THE NATIONAL GOVERNMENT

(The Hon. (Dr.) Tecla Tum, M.P.)

THAT, aware that Cervical cancer is the leading type of cancer in the country causing the greatest number of deaths with at least 8 to 10 women succumbing every day to the disease; further aware that most women diagnosed with precancerous changes in the cervix are in their 20s and 30s, but the average age of women when they are diagnosed with cervical cancer is the mid-50s; considering that Human Papilloma Virus (HPV) is one of the most common viruses in the world with 4 out of 5 (80%) persons getting some type of HPV at least once in a lifetime; cognizant of the fact that men and women can get HPV typically with the immune system getting rid of HPV without needing treatment; deeply concerned that HPV is a major risk factor of cervical cancer with nearly 99.7 percent of cervical cancers being caused by infection from high-risk HPV; appreciating that cervical cancer could be totally eliminated and further averted by putting preventative measures through timely treatments, this House therefore **resolves** that the National Government rolls out free screening services to all women and issuance of the HPV vaccines to boys and girls to reduce the mortality rates and completely eradicate deaths caused by Cervical Cancer in the Country.

...../17*

17*. MOTION - REGISTRATION OF FARMERS AND FORMATION OF AGRI-BUSINESS ENTITIES FOR IMPROVED BENEFITS AND SUSTAINABLE FOOD AND NUTRITIONAL SECURITY
(The Hon. (Dr.) John Mutunga, M.P.)

THAT, aware that farmers in Kenya are least organized into Associations, following the collapse of the Agricultural Cooperatives; further aware that, the Crops Act, 2013 provides for registration of farmers so as to establish who they are and what they produce; noting that Government's efforts to establish farmers' organizations have ended up delivering short-lived and unsustainable initiative-based groups which fizzle out soon after their formation; further noting that the best way to organize farmers is through their organizations; appreciating that the best suited organization to undertake farmers' registration is the Kenya National Farmers' Federation which has both experience and capacity; further noting that through organized farmers, farming will be more beneficial in terms of volumes, lowered cost of production and improving organized raw material supply to industry; realizing that organizing farmers into Agri-business entities is a costly undertaking which calls for Government support, and acknowledging that through organized production systems, the country will achieve the Big 4 Agenda faster and also create more and better jobs in the Agricultural Value Chains; this **House urges** the Government to facilitate and support the Kenya National Farmers' Federation to mobilize and organize the registration of farmers into preferred entities and manage national farmers' database for use in engagements and sustainable management of the various Agricultural Product Value Chains.

18*. MOTION - FORMULATION OF A COMPREHENSIVE POLICY TO HARNESS DIASPORA KENYANS FOR NATIONAL DEVELOPMENT
(The Hon. Godfrey Osotsi, M.P.)

THAT aware that the existing Kenya Diaspora Policy provides for the mainstreaming of the Kenyan Diaspora into national development process in line with the aspirations and goals of the Kenya Vision 2030; noting that formal remittance from Kenya Diaspora account for over 3% of the country's GDP channeled by an estimated three million Kenyans; noting that, contribution by the Kenyan diaspora to the country's development goes much beyond personal remittances to include increased trade links, better access to foreign capital markets, skills and technology transfer, diaspora investments funds, knowledge exchange among other enormous potential benefits; acknowledging that, the diaspora community continues to contribute immensely to national growth and the economy through increased household investments in

...../18*(cont'd)

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PAN-AFRICAN PARLIAMENT-WORLD HEALTH ORGANIZATION DIALOGUE ON IMPLEMENTATION OF THE AFRICAN UNION DECLARATION ON UNIVERSAL ACCESS TO IMMUNIZATION

Tunis, 5 and 6 March 2019

PAN-AFRICAN PARLIAMENT
FINAL

I. Introduction

1.1 The right to health and medical care is guaranteed for all according to several international and regional legal instruments, including national laws. These include, Article 5 (iv) of the Universal Declaration of Human Rights, Article 16 of the African Charter on Human and Peoples' Rights, Article 14 of the African Charter on the Rights and Welfare of the Child and Article 14 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women (Maputo Protocol).

1.2 As health coverage is one of the aspects that fall under the social security of populations, Heads of State and Government have made commitments to ensure better health for the people, thereby ensuring the socioeconomic development of the continent. These include the Catalytic Framework for the Elimination of HIV/AIDS, Tuberculosis and Malaria by 2030 and the African Union (AU) Declaration on Universal Access to Immunization, adopted on 31 January 2017 in Addis Ababa by the 28th Conference of Heads of State and Government.

II. Addis Ababa declaration on universal access to immunization

2.1 As part of the implementation of the partnership between the World Health Organization (WHO) and PAP, signed in February 2019 in Addis Ababa, on the margins of the African Union Summit, the two institutions adopted a work plan for the current year, with activities based on the implementation of the AU decisions and declarations on health, to enable PAP to fully play its advocacy role on the continent.

2.2 The Director of the WHO Liaison Office at AU and the United Nations Economic Commission for Africa (ECA) and the Regional Advisor for immunization at the WHO Regional Office for Africa engaged in discussions with the parliamentarians and various central services of the Ministry of Health in Tunisia.

(i) Objectives of the PAP-WHO dialogue

2.3 The aim of the dialogue was to assist parliamentarians and the executive in the implementation of the Declaration, so as to reduce the gap between the needs and the services available. It also makes for enhancing cooperation between the representatives of the people and those that they represent.

2.4 Having made great strides in universal health care, Tunisia's experience will help parliamentarians understand what countries must do to achieve these outcomes. However, it is important to underline that one-fourth of the African population still does not have access to vaccines, which are still funded by donors. ***(ii) Points on the Declaration***

2.5 The Declaration is the outcome of consultation among Ministers of Health, Social Affairs, and Gender; civil society and religious leaders. It has 10 points:

- Maintain universal access to immunization at the forefront of efforts aimed at reducing mortality, morbidity and child disability;

- Increase and continue with national investments and credit allocations, including through the use of innovative financing mechanisms;

- Seek solutions to persistent obstacles encountered by the immunization and healthcare delivery systems;

- Increase effectiveness and efficiency of immunization systems;

- Carry out and maintain high quality surveillance for target populations that might not be reached for immunization;

- Monitor progress of achievement of goals of global and regional immunization programmes;

- Ensure that transmission plans of gains made in immunization against polio are put in place;

- Develop an African research sector to improve implementation and use of immunization services;

- Generate broad political will, working with communities, civil society organizations, religious and traditional leaders, and other stakeholders for the right of every child and community to universal access to vital vaccines;

- Promote regional capacity for vaccine development and production and invest in this area, in line with the Pharmaceutical Manufacturing Plan for Africa adopted by the AU, including the strengthening of national regulatory authorities.

2.6 Individualized scorecards for Member States are being prepared and may be shared with Parliamentarians at the PAP session scheduled for May 2019.

2.7. Turning to the section on Parliamentarians' commitment to Universal Health Coverage (UHC), the Head of the WHO Liaison Office informed parliamentarians that under the collaboration between WHO and the Inter-Parliamentary Union (IPU), a resolution on Universal Health Coverage is being developed and consultations will be held on it in the various regions in the world. PAP will be requested, during its May 2019 session, to provide input from parliamentarians from the Africa Region. This Resolution will be adopted in October 2019 during the IPU Forum.

III. Roadmap drawn by Tunisia

3.1 According to the WHO Regional Advisor on Immunization, Tunisia, until early 2018, had already reached 72% immunization coverage, reaching 500,000 people per year evenly throughout the country. Since early 2019, Tunisia has immunized nearly 92% of children in the country, without discrimination, in order to limit infant mortality and mitigate the spread of an epidemic that could endanger the lives of children.

3.2 The Tunisian Constitution stipulates that every person on its territory, refugees included, has the right to health care, under the universal social security coverage. However, the problematic global economic situation has made Tunisia a transit country to Europe by virtue of its geographical position, which has had an impact on the implementation of universal health coverage. Since 2011, more than 1.5 million refugees have been registered, with the support of non-governmental organizations.

3.3 The health system in Tunisia is quite well organized and the country has made strides, although it still faces some challenges. At the national level, the Minister of Health provides leadership. Doctors account for 60% of the health sector while paramedics account for 90%. The distance between two hospitals is 8km to 59 km.

3.4 Life expectancy has increased to 76 years, making Tunisia 2nd in Africa for health coverage. For drugs, the central pharmacy coordinates distribution, so as to avoid falsification.

3.5 The challenges in this area include:

- Distance between nearby centres
- Limited resources to start construction of new specialized centres
- Finalizing the e-health project to enhance good governance
- Achieving the societal health policy

IV. Statement by H.E. Abderaoul Cherif, Minister of Health of the Republic of Tunisia

4.1 In his keynote address, H.E. the Minister of Health welcomed the commitment of the Pan-African Parliament to getting closer to the people. Tunisia is honoured by the presence of PAP parliamentarians to share experiences and strengthen cooperation among African countries. Turning to the health component, he informed parliamentarians that the Government's strategy revolved around the following three objectives:

- Health coverage, with health insurance
- Universal access to immunization
- School health, to protect and guarantee the health of young people and adolescents

4.2 According to the Constitution of the country, universal access to health care is for every citizen in Tunisia. It is the State's responsibility to provide appropriate amenities to facilitate the work of stakeholders. Thanks to its political will, the country does not entirely depend on external funding for its health system, which is considered to be the sovereignty of the State. Indeed, the country produces its own meningitis vaccine.

V- Statement by Hon. Dr Zalikatou Diallo, Rapporteur of the Committee on Health, Labour and Social Affairs of the Pan-African Parliament

5-1. Hon. Zalikatou shared the experience of the Republic of Guinea on the activities of the Network of Guinean Parliamentarians on Nutrition, Immunization, HIV/AIDS, Tuberculosis

and Malaria (REPAGUI / NVTP) which she chairs, and the implementation of the roadmap of the Addis Ababa Declaration on Universal Access to Immunization.

(i) Activities of REPAGUI /NVTP

5.2 As President of the network, Hon. Zalikatou shared the experience of her country, where members of REPAGUI/NVTP have been working tirelessly, through advocacy, for the Executive to maintain immunization, as a priority, as it is an essential component of the human right to health, and an individual, collective and governmental responsibility. Immunization contributes up to 40% in the achievement of Sustainable Development Goal 3.

5.3 Also, several studies have shown that for every dollar spent on childhood immunization in Africa, the return on investment is $41. It is clear that expanding access to immunization will have significant positive effects on families, communities and entire countries. It is therefore urgent to increase budget allocations for this important sector, while monitoring and evaluation and reporting mechanisms should be enhanced.

(ii) Implementing the roadmap of the Addis Ababa Declaration on Universal Access to Immunization by the Republic of Guinea

5.4 In terms of implementation of the Addis Ababa Declaration on Universal Access to Immunization, the Guinean parliamentarian highlighted the strides made by the National Coordination of the Expanded Programme on Immunization, Primary Health Care, and Essential Medicines, from 1988 to date. She also pointed out the many challenges that persist and the recommendations for achieving the expected outcomes.

5.5 As part of implementing the roadmap, Guinea organized the National Forum on Immunization in October 2017 in Conakry. The forum brought together 420 participants to discuss the political and technical aspects of the issue, so as to strengthen the implementation of priority strategies for the revival of routine immunization, including political commitment and accountability at all levels.

5.6 The deliberations of the forum led to the Conakry Declaration, in which participants made a collective and individual commitment "to become champions of immunization, to maintain universal access to immunization and to help the country achieve its long-term health and economic and social development goals". The Conakry Declaration has recommendations on all aspects related to the promotion of immunization and sustainable financing of the Expanded Programme on Immunization.

5.7 The First Lady of the Republic of Guinea made a passionate plea for all immunization stakeholders to take action to improve immunization coverage for children and women. She also advocated for increased domestic funding for immunization in Guinea.

VI. Briefing by the Global TB Caucus, Dr. Nazar Khalid

6.1 Dr. Nazar gave a briefing on the activities of the Global TB Caucus, which brings together about 1000 parliamentarians from around the world. He informed parliamentarians about the commitments made by the various stakeholders at the UN High-Level Meeting on Ending Tuberculosis, held in New York in September 2018. This year, the African Caucus would like to organize its third Summit on Tuberculosis in collaboration with PAP. Dates and logistics are yet to be determined.

6.2 Resistance by some forms of tuberculosis to antibiotics makes it difficult to control the disease. However, scientists continue to research into finding effective vaccines.

VII. Visits to health facilities

7.1 To better understand the work being done in the field, the PAP delegation had the opportunity to visit some hospitals in Tunis. These included the:

- Radiation Therapy Center of the Ariana Region
- Maternal and Infant Protection (PMI) centre of Sejoumi
- Djebal Oust Spa, a post-healthcare rehabilitation centre, which also takes care of healthy people who come IN for health monitoring.

7.2 These health facilities showcased the equipment and advanced technology available in Tunisia. During the presentations by the various medical specialists, the delegation was informed that those facilities welcomed patients from all over the world, who benefitted from value for money. Many Tunisian doctors are solicited by other countries beyond the continent, including France, Belgium, Spain and even the United States.

Recommendations

The implementation of the Declaration on universal access to immunization was facilitated by the development of a roadmap. Some countries, such as Chad and Guinea have already taken initiatives for first lady-led vaccination campaigns. From the foregoing, it was recommended that the Parliamentarians should:

- Generate political will for the implementation of the Declaration;
- Improve health structures and health systems;
- Lobby governments to reduce the dependence of States on external financing;
- Strengthen coordination mechanisms in all areas of health;
- Create a social accountability framework, in collaboration with civil society organizations;
- Include immunization activities in the TB network, for better monitoring, and to reduce deaths from epidemics;
- Brief the ordinary session of PAP in May 2019 on the Tunis discussions and engage parliamentarians in the specific situation in their countries in order to enlist their concrete support in the implementation of the Declaration.

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WORKSHOP REPORT

THEME: Recent developments, trends and the prevailing gaps in the continent on the rights and protection of persons with albinism

5 March 2019

PAN-AFRICAN PARLIAMENT
FINAL

1. Introduction

The Disability Rights Unit of the Centre for Human Rights in collaboration with the with the office of the UN Independent expert on the enjoyment of human rights by persons with albinism hosted a workshop at the Pan African Parliament (PAP) on the rights of persons with albinism in Africa. The workshop was attended by the PAP Permanent Committees on Justice & Human Rights, and Rules, Privileges and Discipline.

The workshop was conducted during the statutory Committee sitting of the Pan-African Parliament in Midrand, South Africa on the 5th of March 2019. The main purpose of the activity was to deliberate on measures for the effective implementation of the PAP Resolution on albinism that was adopted during the ordinary session held in in the May 2018.

1.1 Scope of the workshop

The Resolution established a key role for the PAP to engage African Union member states and regional bodies to advance and protect the rights of persons with albinism. The roles stem from the 8 commitments outlined in the Resolution as follows;

a) Continued condemnation on the incidences of attacks and other human rights violations against persons with albinism on the continent;
b) Endorsement of the Regional Action Plan on Albinism in Africa (2017-2021);
c) Urging the AU member states to review, reform or abolish, where necessary, existing legislation, policies and practices that do not comply with international and regional human rights standards or do not effectively protect the human rights of persons with albinism;
d) Calling upon the AU member states to take all measures necessary to adopt and implement the Regional Action Plan and ensure the effective protection and promotion of the rights of persons with albinism and members of their families;
e) Urging the organs of the Pan-African Parliament to give due regard to the Regional Action Plan within their mandates;
f) Encouraging state parties to ratify and ensure the effective implementation of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa and other relevant Protocols;
g) Taking effective steps to promote regional cooperation for the prevention, detection, investigation, prosecution and punishment of cross-border crimes

affecting persons with albinism, notably trafficking of persons, children and body parts;

h) Working in collaboration with civil society and other interested partners to demystify albinism, including through awareness raising campaigns across the five regions of Africa.

1.2 Objectives of the workshop

a) Sensitize the PAP Committee on Justice and Human Rights and the Committee on Gender, Family, Youth and Persons with Disabilities on the violations of the human rights of persons with albinism in Africa

b) To map strategies for the implementation of the Resolution which will be presented as recommendations by the Committees to the PAP for adoption at the Ordinary Session in May 2019 with particular focus on paragraphs 4, 5, 7 & 8 of the Resolution;

c) To deliberate and agree upon a draft Resolution which will incorporate activities to concretely support efforts to promote the enjoyment of human rights by persons with albinism on the African continent;

2. Human Rights and Albinism in Africa

Ms Perpetua Senkoro from *Under the Same Sun, Tanzania* briefed the gathering on what Albinism is as well the human rights violations against persons with albinism in Africa.

Albinism is a lack of pigmentation in the skin, hair and eyes and that in order for a child to be born with this condition, both parents have to have the gene and not necessarily have the condition. This condition is extremely rare but very random in how it spreads in society.

Persons with Albinism encounter challenges like visual impairment, which result in difficulty in adequately accessing education due to lack of accessible visual aids such as study materials in large prints and magnifying glasses.

These people are also victims of harmful social practices. Some people hold the belief that body parts of persons with albinism are lucky charms or give unnatural powers. These beliefs have contributed to the abduction, mutilation, and trafficking of body parts of persons with albinism. 29 countries have reported attacks against persons with albinism. These countries included Malawi, Tanzania, Democratic Republic of Congo, South Africa and Mozambique.

Because of these social and physical threats, persons with albinism don't live normal lives. They are stigmatised, find facilities utilised by the greater society ill-suited for their circumstances, and generally fear seeking employment because of the stigma attached to their condition. Furthermore, people with albinism are not well served by the justice system as the laws of most countries do not have provisions that are peculiar to the challenges faces by persons with albinism.

3. Country experience from Malawi

The Vice President of the Association of Persons with Albinism in Malawi, Ms Pamela Juma gave an overview of the situation of persons with albinism in Malawi.

The workshop was informed that there are 15 000 persons with albinism in Malawi. These people live in constant fear and danger from witchcraft. Since 2014, 164 cases have been lodged with the police in relation to threats and crimes directed at persons with albinism. In those reported cases, three of them were about the murder of persons with albinism. About 24 persons with Albinism were reported as missing.

In all these cases, it has been discovered that the assailants or perpetrators are known to the communities and the police. However, none of the perpetrators have been successful prosecuted. Some of the accused perpetrators have been found, on several occasions. dead in police custody. These incidents have made it difficult to successfully persecute the perpetrators.

Malawi has a national action plan that is intended to raise awareness about the plight of people with albinism and to clamp down on the killings. The existence of this plan has not yet changed the situation on the ground as there is evidence that people with albinism are not safe. Also, important government officials have not yet understood the true extent of the crisis as they have made public remarks that are not aligned with the objectives of the action plan.

4. Country experience from Benin

Mr Franck Houtehou gave a personal account of his experience in school as a person with albinism. He stated that he was stigmatised and discriminated against when he was in school in Benin because of his visual impairment. He informed the gathering about the abuse and ridicule he experienced from fellow learners and teachers.

The treatment meted to persons with albinism within institutions of learning hampered their ability to learn and graduate. This contributes to the poor literacy

rate often associated with albinism. Consequently, persons with albinism are condemned to poverty or harsh jobs that are not conducive for the skins.

5. Human Rights Interventions and Outstanding issues

The fourth speaker of the workshop was Ms Mwananyanda who is the deputy regional director at Amnesty International South Africa. She gave a presentation about the human rights interventions and outstanding human rights issues particularly in Malawi.

One of the initiatives Amnesty had undertaken was sending letters to the President of Malawi to draw the President's attention to the seriousness of the matter. In addition, Amnesty has been working with persons with albinism and communities to try and sensitise Malawians about the human rights of persons with albinism.

So far, Amnesty has reported 3 killings. The cases involved a 54 years old man, another of a 14 years old boy and 1 month old baby. There has also been 3 further abductions which are still being investigated by the authorities after they were reported by Amnesty International.

The organisation has noted that there is a lack of support in terms of the criminal justice system. Whereby junior judges are appointed to deal with cases of this nature with very limited experience and as a result, matters that are brought to court are not properly dealt with.

Even though the penal code has been amended to make punishment much harsher, there has been very little in terms of prosecution because whenever there are arrests and a trail leading to the killers, the suspects detained have been found dead in police custody. This trend has led to Amnesty raising this question, "Is there a connection between the criminals and the police"? To this date out of 148 reported cases only 44 have been prosecuted.

6. Africa Regional Plan on Albinism

The regional chair of the Southern Africa Albinism Forum, Commissioner Nomasonto Mazibuko informed the committee about the Regional Action Plan (RAP) in Africa. So far, only 5 African Countries have signed and committed to implementing the Plan. The essence of the plan is to eradicate discrimination against persons with albinism and to lay out practical means of ensuring that these people live normal and healthy lives without intimidation and fear.

7. Discussions

During the discussions, participants observed that African governments should be made aware of the fact that persons with Albinism deserve all the human rights and protection that is accorded to all citizens.

The gathering roundly concurred that there is need for governments to set aside budget allocations that are meant for the welfare of persons with Albinism. The budget can be embedded in the budget for health because the needs are mostly associated with health. This will enable governments to roll out eye care and skin protection ointments to persons with albinism.

The meeting also condemned all attacks directed at persons with albinism. These attacks are unwarranted and an affront on the rights of persons with Albinisms. Member states of the PAP were urged to introduce more punitive measures meant to stamp out such acts.

8. Recommendations and Resolutions

The following recommendations and resolutions were tabled;

a. Adopt and fully implement, directly or through national action plans, the Regional Action Plan on albinism in Africa which lays out specific measures for addressing attacks and discrimination against persons with albinism through prevention, protection, accountability as well as equality and non-discrimination measures;

b. Prioritize all measures to ensure the safety and security of persons with albinism and their families; and ensure that appropriate psychosocial, medical, legal and socioeconomic support is available for victims of attacks and their surviving relatives;

c. Fund adequately and continuously, measures identified in the Regional Action Plan on Albinism, national action plans, and all relevant specific measures to promote the enjoyment of human rights by persons with albinism;

d. Ensure that persons with albinism enjoy the highest attainable standard of health including by listing sunscreen as an essential medicine; producing it locally through existing modalities of best practices; and ensuring quality,

availability and accessibility to these products including to sun-protective clothing, at no cost to persons with albinism.

e. Further ensure that persons with albinism as a constituent of persons with disabilities are provided with reasonable accommodation for vision impairment at school and place of work including adaptive devices such as monocular, special glasses and large print materials

f. Engage in continuous, long term awareness raising campaigns throughout the country on albinism, human rights and harmful practices related to manifestation of belief in witchcraft, with special emphasis on rural and border communities

g. Involve persons with albinism in the development and implementation of all measures affecting them, and ensure they have political participation in crucial and relevant spheres of government

h. Ensure the regular and systematic collection of -disaggregated national data on persons with albinism that captures, amongst others, their age, sex, ethnicity and socio-economic situation including housing conditions, health, education and employment to inform policy interventions and ensure their inclusion in appropriate social welfare schemes and poverty alleviation programs;

i. Integrate a gender perspective in all policy-making and programmatic efforts targeting people with albinism to ensure that interventions specifically address intersecting issues relating to women with albinism

j. Undertake an advocacy campaign on the rights of persons with albinism on International Albinism Awareness Day on June 13;

k. Further undertake ongoing awareness raising on the rights of persons with albinism beyond International Albinism Awareness Day, leveraging on existing platforms, meetings and events convened by the PAP and the African Union as well as its regional bodies;

l. Issue statements to condemn violations of rights of persons with albinism across the continent continually and as they arise;

m. Develop guidelines on harmful practices related to manifestation of belief in witchcraft, which shall only become operational upon adoption by the PAP, to entrench the guidelines into existing legal and non-legal frameworks on harmful practices as well as guide efforts aimed at mitigating their impact on all victims, including persons with albinism;

n. Urge the African Union Commission to endorse the Regional Action Plan and to include it as an annex to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa in order to facilitate entrenchment, implementation and follow up among Member States of the AU;

o. Encourage African Union Member States to adopt, domesticate and implement the Regional Action Plan;

p. Urge Member States of the African Union to undertake through or beyond the Regional Action Plan, legal, policy and programmatic reform efforts for the protection and promotion of the human rights of persons with albinism within their respective countries;

q. Further urge AU Member States to continually undertake specific measures to improve the living conditions and overall socio-economic welfare of persons with albinism in their respective countries;

r. Advocate for continent-wide ratification, by Member States of the African Union, of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa

s. Enhance cooperation between the PAP and all AU organs, particularly the African Commission on Human and Peoples' Rights in order to integrate their efforts to promote and protect the rights of persons with albinism in Africa, including by ensuring participation of persons with albinism in relevant policy processes.

9. Conclusion

In conclusion, it must be reiterated that there is need for further sensitization on issues of albinism and human rights. This can be accomplished through open dialogue on the key issues that disadvantage persons with albinism. The Pan African Parliament, as an institution committed to the promotion of human rights in Africa should play an important role to promote the rights of marginalised citizens like people with albinism.

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REPORT OF THE COMMITTEE ON MONETARY AND FINANCIAL AFFAIRS ON THE PAN AFRICAN PARLIAMENT PROPOSED BUDGET FOR THE FINANCIAL YEAR 2020

MAY 2019
MIDRAND, SOUTH AFRICA

PAN-AFRICAN PARLIAMENT
FINAL

I. INTRODUCTION

1. The Rules of Procedure of the Pan-African Parliament stipulate under Section 26(2) that, the Committee on Monetary and Financial Affairs is mandated to:

a) examine the draft estimates of the Parliamentary budget and submit to Parliament;
b) discuss the budget of the Union and make appropriate recommendations;
c) examine and report to Parliament on the problems involved in the implementation of the annual budget; and
d) assist Parliament to execute its role of establishing sound economic, monetary and investment policies.

2. Pursuant to the aforesaid mandate under the Rules of Procedure, the Committee convened a three-day non-statutory meeting from 27th February to 1st March 2019 at the Pan African Parliament to consider the PAP Budget Execution for 2018 and prepare the draft estimates of the Pan African Parliament 2019 budget.

On 7th May 2019 and in line with Rule 82 of The Rules of Procedure the Committee received the budget from the Bureau of the PAP to prepare its report to the Parliament.

II. BUDGET EXECUTION 2018

In compliance with Article 33.3 of the AU Financial Rules and Regulations the Committee received the PAP Budget Execution Report for the financial year ending 31st December 2018 from the Administration. It should also be noted that during the year, the Committee received mid-year budget execution status on the budget performance.

BUDGET APPROPRIATION

The total approved budget for 2018 was US$20,141,559 compared to 22,460,130 in 2017. The significant reduction was due to the scaling down of Programme Budget from USD6,527,868 to USD2,920,000 to reflect the expected commitments from partners. The Table below shows the breakdown of the 2018 budget figures and compares the total budget figures to the total budget figure for 2017.

	OPERATIONAL	PROGRAMME	TOTAL
2018			
Initial approved budget	17,044,559	2,920,000	19,964,559
Supplementary budget	177,000	-	177,000
TOTAL 2018	**17,221,559**	**2,920,000**	**20,141,559**
TOTAL 2017	16,461,262	6,527,868	22,460,130
%age increase (decrease)	**4.62**	**(55.27)**	**(10.32)**

OPERATIONAL BUDGET EXECUTION

Operational expenditure for 2018 amounted to USD14,390,277 against a total Operational Budget of USD17,221,559 giving an execution 83.56%.

The Table below provides the execution rate per budget category.

	2018		
	BUDGET	**Expenditure**	**%age Exec rate**
Staff Costs	6 287 467	5 180 008	82,39
Other Staff Costs	3 522 656	2 222 623	63,10
Total Staff Costs	**9 810 123**	**7 402 631**	75,46
Missions	1 045 398	974 567	93,22
Parliamentary Activities	5 605 771	5 483 004	97,81
Communication and IT	200 288	119 634	59,73
Maintenance	195 932	139 121	71,00
Stationery and other supplies	132 706	80 078	60,34
Other services	34 619	28 172	81,38
Bank Charges	91 217	84 905	93,08
Capital Expenditure	105 505	78 165	74,09
Total Operational Budget	**17 221 559**	**14 390 277**	83,56

Programme Budget	2 920 000	549,057	18.80

PROGRAMME BUDGET

S/N	SOURCE OF FINANCING	Program Budget Appropriation 2018	Available Funds (Released funds from the partner)	Expenditure (on the partner funds including commitments)	Balance of Funds Available	Execution Rate %
		A	B	C	E= (B-C)	F=(C/B)
1	EC - PANAF	872,871	829,227	544,912	297,260	66%
2	OTHER	2,047,129	6,299	4,145	2,154	65%
GRAND TOTAL		**6,920,000**	**835,526**	**549,057**	**299,414**	66%

COMMITTEE OBSERVATIONS ON THE BUDGET EXECUTION

1. An execution rate of 83.56% was noted by the committee on the operational budget which is fair.
2. The Programme expenditure for the year amounted to USD549,057 on a released budget of USD835,526 and an approved Programme Budget of US$2,920,000 giving an execution rate of 66% on released funds. However, when viewed against the overall approved programme budget, the execution rate is 18.80%.
3. The budget line for "Others" is a provision made for other partners that may provide support during the year. As at the time of budget approval, the only partner with a known commitment was the PANAF Support of USD 872,871. However, under this budget line, a **UN-African Climate Policy Centre (UNECA-ACPC)** support of USD 6,299 was received during the year, for the training of the Committee on Agriculture on climate change information services and briefing on COP24 as shown in the table above. This has **a total expenditure of USD 4,145** and execution rate of 66%.

SUMMARY

The budget execution rate for the Operations Budget for 2018 was 83.56%. The utilization rate was affected by the low utilization rate of

75.46% on the staff cost budget which is a significant component of the operational budget (57% of Operational Budget) and savings on the communication and stationery budgets.

The execution of programme activities under the PANAF grant were affected by the delay in the release of funds. This was due to the delay in the finalization of both the internal and external audits for the Programme.

III. PROPOSED PAN AFRICAN PARLIAMENT BUDGET 2020

1. BUDGET FRAMEWORK

This report presents the proposed budgets for the Pan-African Parliament for the Financial Year 2020. The budget is informed by the AU Agenda 2063, but more specifically, the PAP Strategic Plan 2019-2022. The strategic objectives are the main focus and funding is directed towards achievement of:

- Strengthening parliamentary legislative functions of PAP;
- Provide a provide a platform to mainstream African voices and those in he diaspora into the AU policy making process;
- Promote Human Rights, Democracy and Good Governance in Africa;
- Promote Peace, Security and Stability
- Promote Integration and Development in Africa;
- Strengthen the Institutional Capacities of the PAP.

This report therefore discusses the individual budget lines and provides the assumptions used in determining the budget amounts and the justifications for the activities.

2. ANALYSIS OF PROPOSED BUDGET

In 2019, in compliance with the decision of the AUC, Parliamentary Activities were placed under Programme Budget as these are the programme activities of the Parliament. The other administrative costs are considered Operational Budget. For discussion of the 2020 budget, the 2018, 2019 and 2020 have been classified in the new format to allow for comparison.

The proposed Total Budget for 2020 is US$20,798,521 compared to the Total Approved Budget for 2019 of US$18,510,115; a proposed increase of 12%.

	2 018	2 019	%age change 2019 over 2018	2 020	%age change 2 020 over 2019
TOTAL OPERATIONAL BUDGET	11 615 793	11 749 132	1%	12 405 995	6%
TOTAL PROGRAMMES BUDGET	8 348 771	6 760 983	-19%	8 392 526	24%
TOTAL BUDGET	19 964 564	18 510 115	-7%	20 798 521	12%

3. OPERATIONAL BUDGET

The Operational Budget for 2019 was US$11,749,132 and the proposed Operational Budget for 2020 is US$12,405,995 giving an increase of 6%. The justification of the different budget categories that form the Operational Budget are as provided below.

BUDGET JUSTIFICATON BY BUDGET LINE

Staff Costs (US$ 10,146,633)

The Staff Costs budget earmarked for the Financial Year 2020 is US$10,146,633. It is expected that in 2020, the staff complement of 74 would have been achieved in 2019 and the recruitment for additional staff under the revised structure which would be considered by the PRC in June 2019 would have commenced.

Missions and Hospitality (US$1,344,395)

The budget category Missions and Hospitality is made up of three sub categories, being:

- Missions of Members of the Bureau
- Missions of Parliamentarians
- Missions of Staff of the Secretariat
- Hospitality

The proposed 2020 budget for Missions and Hospitality is USD1,344,395 being an increase of 7% over the approved budget for 2019. The missions

aimed at the ratification of the revised protocol are expected to reduce and most of the parliamentary work will be implemented through the budget lines under Programmes Budget.

Maintenance, Utilities and Other Expenses (USD184,009)

	2018	2019	%age change 2019 over 2018	2020	%age change 2020 over 2019
Rental of Premises	-	-		-	
Maintenance of Vehicles	51 523	30 000	-42%	32 400	8%
Maintenance of Equipment	43 850	29 000	-34%	31 320	8%
Electricity & Water	-	-		-	
Insurance of vehicles and property	11 540	12 578	9%	13 584	8%
fidelity Insurance	23 079	11 200	-51%	12 096	8%
Customs Clearance	-	7 000	-	7 560	8%
Fuel & Lubricants	23 079	25 156	9%	27 168	8%
License Fees and Software	65 940	55 445	-16%	59 881	8%
Maintenance, Utilities & Other Expenses	**219 011**	**170 379**	-22%	**184 009**	8%

The above table shows the analysis of budget lines under Maintenance, Utilities and Other Expenses with a proposed increase of 8% to cater for inflationary increase.

Communication and IT (USD212,697)

	2018	2019	%age change 2019 over 2018	2020	%age change 2020 over 2019
Telephone	115 395	135 000	17%	80 000	-41%
Postage	9 891	15 000	52%	15 000	0%
Diplomatic Pouches				-	
Freight				-	
Fax				-	
Internet Services	5 770	-	-100%	60 000	-
Publicity/ Communication	46 158	46 158	0%	51 697	12%
Publications	23 079	5 000	-78%	6 000	20%
Communication	200 293	**201 158**	0%	**212 697**	6%

In 2020, the internet service will have a separate budget of line so that the it does not appear as though the telephone costs are very high. An increase of 6% is proposed for this budget category.

Stationery and Other Supplies (USD141,411)

	2018	2019	%age change 2019 over 2018	2020	%age change 2020 over 2019
Stationery & Office Supplies	80 777	80 777	0%	86 431	7%
Other Supplies/Services (Uniforms & Household Materials)	34 619	34 619	0%	37 389	8%
Library Books	11 540	11 540	0%	13 271	15%
Newspapers & Periodical	5 770	4 000	-31%	4 320	8%
Procurement - Stationery, Supplies	**132 706**	**130 936**	-1%	**141 411**	8%

An increase of 8% is proposed for this budget category to cater for inflationary increase. The major cost in the budget category is stationery.

Bank Charges (US$156,000) and Legal Fees (US$15,000)

The Pan African Parliament is in the process of implementing the international Business online banking transaction system which will reduce the bank charges going forward. However, the saving will be offset by increase in transactions, therefore the 2020 budget has been left at the same level as the 2019 budget.

Legal fees proposed budget has also been left at the same level as that of 2019 budget.

Capital Expenses (US$205,850)

	2018	2019	%age change 2019 over 2018	2020	%age change 2020 over 2019
Vehicles	-	150 000	-	-	-100%
Furniture & Fixtures	11 540	11 540	0%	12 925	12%
Office Equipment	11 540	11 540	0%	12 925	12%
Information Technology Materials & Accessories	82 425	82 425	0%	180 000	118%
Medical & Laboratory Equipment	-	-		-	
Capital Expenditure	**105 505**	**255 505**		**205 850**	-19%

The budget for 2019 includes the budget for new vehicles and therefore no budget for vehicles is provided for in 2020. A budget provision of USD180,000 is made in the 2020 budget to cater for the upgrade of the IT infrastructure.

4. Programmes (USD8,392,526)

	2018	2019	%age change 2019 over 2018	2020	%age change 2020 over 2019
Parliamentary Sessions	2 654 085	2 814 519	6%	3 067 826	9%
Committee Meetings - Statutory	879 200	1 200 068	36%	1 332 075	11%
Non-Statutory Meetings	274 750	535 660	95%	880 000	64%
Women Conference/Speakers/ Clerk conference	300 000	-	-100%	300 000	100%
Regional parliamentary conference	-	150 000	-	166 500	11%
Ratification of AU Legal Instruments, climate change, integration	-	90 000	-	90 000	0%
Public hearings	-	180 000	-	190 000	6%
Preparation of Meetings/Translation /Interpretation	132 430	132 430	0%	146 997	11%
Bureau Meetings and Rotations	254 026	254 026	0%	266 727	5%
AU Activities	131 880	131 880	0%	150 000	14%
Bureau and MPs allowances	802 400	802 400	0%	802 400	0%
Partner (Various)	2 920 000	470 000	-84%	1 000 000	113%
PROGRAM BUDGET-TOTAL	**8 348 771**	**6 760 983**	-19%	**8 392 526**	24%

Progamme Budget for 2020 is US$8,392,526. This is 24% higher than that for 2019 of US$6,760,983. The Programme Budget covers parliamentary activities and hence a proposed increase of 24%. The Sessions and the Statutory Committee meetings are the main activities of the Parliament. A provision is also proposed of USD880,000 for non-statutory activities of the Committees. This figure is arrived at based on a budget of USD80,000 for each of the 11 Committees. A number of non-statutory committee activities are held at the time of Sessions and Statutory committee meetings so as to reduce costs.

The activities of the parliament are driven by the AU Agenda 2063 and the strategic plan. Committees normally plan activities in October of the preceding year.

Included in the Programmes Budget are three budget lines which were approved for the first time in 2019 and these are:

- Regional parliamentary conference
- Ratification of AU legal instruments, climate change and integration
- Public hearings.

The AU activities budget covers, the attendance at AU Summits and other meetings called by the AUC.

Under the Partners budget is the proposal for the New AGA Programme under negotiation with the EC. This programme succeeds the PANAF Programme ending in 2019. A provision of US$1,000,000 has been made and it is hoped that by the time the budgets are submitted to the PRC the exact amount would be known.

COMMITTEE OBSERVATIONS

1. Honourable Members, as we present the PAP 2020 budget for you to examine, we would like to recall the mandate of the PAP in as far as its own budget is concerned and make your proclamation upon it.

2. We would further like to remind the house of the mandate of the Parliament upon the budgets of all other AU organs.

3. This house is requested to also take note that this is the second year running that the Union's budget has not been submitted to the Parliament for deliberation. The Committee appeals to the African Union Commission to submit to the CMFA the Union's budget timeously to allow for its review and presentation to this August house.

4. We further wish to inform you the African Union has put in place **Golden Rules** which govern the financial management and accountability of its funds. Accordingly, in Assembly/AU/Dec.687(XXX), the F15 was endorsed by our heads of State and Government to **oversight** the Union's budget with institutional accountability. Further to this, the African Union Financial Rules and Regulations are being amended accordingly to implement the decision.

5. The Committee on Monetary and Financial Affairs reiterates its call to this house on the need for it to be involved in the PAP and African Union budgetary process from its inception to approval. We reiterate our call to the Bureau to include the Members of the Finance Committee in the delegation/s to the AU Summits as well as Financial meetings that have an implication on the PAP.

6. The CMFA once again appeals to the Committees to submit their programmes for and activities timeously to enable them incorporate their needs in the budget for 2021.

IV. CONCLUSION

The total proposed budget for 2020 for the Pan African Parliament is USD20,798,521 made up as follows:

1. **Operational budget -**	**USD 12,405,995**
2. **Programme budget -**	**USD 8,392,526**
Total:	**USD 20,798,521**

The figure is 12% above the approved budget for 2020.

The CMFA requests the Plenary to consider and adopt the proposed 2020 Pan African Parliament budget of USD. 20,798,521 (operational & programme).

I beg to Move accordingly.

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REPORT OF THE COMMITTEE ON MONETARY AND FINANCIAL AFFAIRS ON A PROPOSED MODEL DOUBLE TAXATION AGREEMENT (DTA)

Midrand, South-Africa

15th MAY 2019

PAN-AFRICAN PARLIAMENT
FINAL

Context

Having observed that the African Continent continues to lose revenue through Illicit Financial Flows (IFFs), due to badly designed treaties, and limited treaty networks; and having learnt about ATAF's Model DTA that would address the identified gaps, the Committee convened a two-day meeting from the 29th-30th April,2019 to familiarise themselves with the model. The ATAF Secretariat, presented the model to both the members of the Finance Committee together with their colleagues from the Audit committee, and the technical team of the PAP Secretariat. The African Union commission was also represented in the discussion and provided extensive discussions.

Background

The Africa Tax Administration Forum (ATAF) in collaboration with the Tax Justice Network Africa (TJNA) for two consecutive years organized a three (3) days capacity development seminar on Illicit Financial flows (IFF) targeting Members of Parliament drawn from across Africa. The aim of the training workshops was to assist and support African Parliamentarians to engage more effectively in policy and legislative discourse on stemming IFFs and improving domestic resource mobilization. The engagement started in 2017, and it is expected to continue under the support of the African Development Bank (ADB). Further to equipping Parliamentarians, during the last engagement in 2018 it was noted that increasingly, the out flows from Africa are as a result of weak legislation as well as poorly negotiated and signed double taxation treaties. The said combination

persistently continued to facilitate the erosion of the continent's resources.

Arising from the 2018 Parliamentarians engagement, it was recommended that ATAF's "***Model Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income***" would largely address the gap if adopted as a continental tool to assist countries to draft, negotiate and re-negotiate their existing tax treaties. It is important to clarify that ATAF through its membership (38 African countries) was able to develop a model double taxation Agreement in 2015, twenty-two (22) countries participated during the initial draft and the Model has been revised twice with the latest revision being in February 2019.

1.1. Partnership Between African Tax Administration Forum and Pan African Parliament

In a bid to eliminate Illicit Financial Flows from Africa through the strengthening of tax legislation in Africa, the ATAF and the Pan African Parliament signed a 5-year collaborative Memorandum of Understanding in November 2018.

The MOU sets out the cooperative efforts to provide capacity building initiatives to Members of Parliament whilst echoing the fundamental role of advocacy played by Parliaments. It further recognises the significant role of tax systems in Africa through exchanges, knowledge dissemination and capacity development in the active contribution to the regional and global tax agenda to

foster inclusive economic growth and welfare of the African people.

It further stresses the role of ATAF in providing research and technical expertise on tax matters, particularly proficiency drafting of Model laws and treaties. The MoU was established to provide a framework for effective collaboration on activities of common interest, particularly to establish a general framework of cooperation for economic and tax policy administration within the context of Africa's Agenda 2063 and the global SDGs 2030. To this end, the Parties sought to formalise a strategic partnership in the interest of domestic resource mobilisation for economic development.

1.2. Cross-border tax challenges in Africa

ATAF's Tax Research department continues to observe that the corporate tax yield in Africa falls below that of Value-Added-Tax (VAT) and Personal Income Taxes (PIT). ATAF's African Tax Outlook (2018) places this at 15% while VAT and PIT fetch 34% and 20% respectively. These statistics place doubts on whether corporations in Africa are paying the right tax. The outcome is unfavorable to the emerging economies in Africa where the number of corporations and in particular multinational enterprises (MNEs) are on the rise. To achieve its Development Goals (MDGs), Africa needs to enhance its domestic resource mobilization ability by effectively and efficiently taxing all economic units in a fair and equitable manner. Thus, there is an urgent need to address the low corporate tax yield since it causes two issues; (i) inequitable tax system (where rich

MNEs pay less tax at the expense of the poor citizens) and;(ii) low tax revenue collections in on the continent.

Further, the report by the High-Level Panel on Illicit Financial Flows from Africa led by Former President Thabo Mbeki shows that Africa continues to lose a significant proportion of its resources largely through transfer pricing and the related cross border dealing of MNEs. The key recommendation to address this remains to ensure that transactions are consistent with the arm's length principle. The Arm's length principle simply means that conditions imposed or made by related parties in their commercial or financial relations should be consistent to those made between independent parties. Any profit which accrues as a result of other identified inconsistencies therefore ought to be determined and taxed accordingly.

To compound this, ATAF through its technical assistance programme continues to observe various cross-border taxation issues that Africa faces. These include but are not limited to unfavourable tax treaties, weak domestic laws to address transfer pricing, limited exchange of information networks, excessive tax incentives and limited technical capacity to handle cross-border transactions of technically sophisticated Multinational Enterprises (MNEs).

2. Benefits of the ATAF Model DTA to African States

Reality demonstrates that most African countries do not have tax treaties with their real or potential investment and trade partners. Often the tax treaties are with

countries where there are no prospects of reasonable levels of trade or flow of investments; and worse still some are with tax havens or low tax jurisdictions, exposing them to the risk of tax avoidance through themselves and/or the treaty partner. Ultimately, these transactions lead to erosion of their tax base. This approach is not appropriate since tax treaties are supposed to promote trade and investment between countries

The African situation is compounded by old tax treaties dating back in the 1970, 80s and 90s. The tax treaties are outdated and largely allocate more taxing rights to the Residence States (developed countries) at the expense of the Source States (developing countries).

Based on the above scenario, Africa needs appropriate Double Taxation Treaties (DTAs) to promote trade and investment between African States as well as other continents. DTAs remove barriers to cross-border investment and trade through elimination of double taxation, provision of certainty in tax treatment. In support of DRM, they, prevent fiscal evasion through exchange of information, improved tax collection and provision of dispute resolution mechanisms.

Important for investment is that, DTAs override the domestic tax law provisions which are changed from time to time (often during every budget cycle); hence providing the stability that is key to businesses.

DTAs also eliminate juridical double taxation (where the same taxpayer is taxed twice by the two States on the same income) by requiring the Residence State to

eliminate the double taxation in cases where the Source State has the primary taxing rights. This opportunity encourages cross border trade and investment.

ATAF has observed that most of the African countries have a very limited tax treaty network. Some countries have as low as 3 tax treaties while other have about 53 tax treaties; on average most of the countries have about 12 tax treaties. This adversely affects their ability to exchange information to support tax audit and compliance monitoring. Therefore, enhancement in the tax treaty network would empower countries in this regard.

The suggested ATAF Model DTA is not legally binding to African States but rather provides best practice (Model) for States when negotiating tax treaties with other countries, particularly developed countries with better negotiation capacity. The use of this Model would promote a consistent approach in Africa leading to increased tax certainty and a better investment and trade environment. The Model would make DTA negotiations much easier in Africa where the general framework and text can easily be agreed upon and the focus centered on issues such as rates of withholding taxes at source, permanent establishment definition, services taxation, exchange of information and the clear dispute resolution

3. **Rationale for a Continental Model DTA**

Due to the continued IFFs on the continent, and tax treaties having been identified as a key cross-border taxation issue in Africa, the development of a Model ought to be considered in order to address this. The

ATAF model having been developed through a consultative process within its membership, presents this opportunity. Paramount to note is that the member States were represented in the meetings by Senior Policy Makers from the tax administrations and the Ministries of Finance. The meetings sought for consensus on the provisions of the Model, and member States were at liberty to express reservations where they found relevant. The outcome of these meetings is the present Model.

The Finance & Monetary Affairs Committee of the Pan African Parliament (PAP), through its engagement with ATAF decided to advocate for the endorsement of this Model, as a recommended tool to protect Africa's revenue as they embark on sensitizing their colleagues on salient global tax issues and the merits of having stronger tax treaties. This can be done in two-fold. As legislators in our own countries responsible for law making, we have platform through our respective national parliaments to advocate for the incorporation of the DTA in our tax negotiations. Secondly, as continental legislators, we have a wider outreach to advocate for all our 54 AU Member states to utilize the model DTA.

4. Key Elements of the ATAF Model DTA

It is imperative to note that the document is a Model intended to provide best practice in tax treaty negotiation. The objective is to have a common African approach to tax treaties with a view of addressing the highlighted challenges in Africa. There is an internationally accepted structure that DTA models follow; these being models such as that of the

the Organization for Economic Co-operation and Development (OECD) or the United Nations (UN) Model Tax Conventions. For ease of cross referencing therefore, the ATAF Model DTA also follows a similar structure. The unique future of the ATAF Model DTA stands out as the combination of the most appropriate provisions from both the UN and OECD Models while including features specific to the African environment. Some of these variations in the ATAF DTA Model: -

i. It has a wider definition of permanent establishments to give Source States greater taxing rights of business profits consistent with the approach of African countries. The wider definition covers amongst other things, activities connected to exploration or exploitation of natural resources and services provided by individuals;
ii. provides taxing rights for all services by including an Article for Fees for Technical Services;
iii. provides for broader definition of Royalties giving more taxing rights for this passive income;
iv. allocates taxing rights to Source States in respect of Other Income not specifically mentioned in a treaty; and
v. provides for an arbitration process ONLY if either of the Competent Authorities (CA) so request in writing. This provides an opportunity to resolve tax disputes while ensuring that the process is under control of CAs.

Importantly, the ATAF Model DTA also considered and factored the relevant outcomes from the OECD/G20 Base Erosion and Profit Shifting (BEPS) process. For instance, the Model has:

a) an updated Preamble Statement. This statement was intended to ensure that the object and purpose of the tax treaty was to eliminate double taxation without creating opportunities for non- taxation or reduced taxation through tax evasion or avoidance;
b) updated Permanent Establishment (P/E) definition. The updates addressed issues of artificial avoidance of P/E status through activities of agents, fragmentation of contracts and the specific exemptions in Article 5(4) of the pre-BEPS UN or OECD Models.

c) Updated scope of Persons Covered. The update addressed the issues of hybrid mismatches where fiscally transparent entities such as Partnerships or Trusts may avoid tax in the two Partner States (double non-taxation) or end up being double taxed but at different levels.

d) the updated Tie-Breaker rule. The update addressed issues of dual residence of corporations. Such corporations may avoid paying taxes in the two Partner States where the pre-BEPS criteria (place of effective management) is used.
e) Updated provisions to qualify for treaty benefits in respect of Dividend Income (Article 10). The update requires a test of beneficial ownership and minimum shareholding period.
f) Updated standards for exchange of information and assistance in tax collection.

Based on the above scope, the Model addresses otherwise blatant tax gaps observed in African countries. As a living document it will be updated from time to time to

remain relevant and up to-date with international tax developments. A case in point is the ongoing debate on changes in allocation of taxing rights in the area of digitalization and introduction of new anti-base erosion provisions.

5. Recommendation to Parliament

This house is invited to consider this report and resolve as follows:

1. Approve the request for the formulation of an African Model Double Taxation Agreement by the Pan-African Parliament;

2. Mandate the Committee on Monetary and Financial Affairs to lead the formulation of the proposed Draft African Model Double Taxation Agreement and to present it for consideration by Plenary;

3. Welcome the collaboration with, and technical support from, ATAF and AUCIL and requests the Committee on Monetary and Financial Affairs to continue collaborating with these institutions and other relevant stakeholders in formulating the proposed draft African Model Double Taxation Agreement;

4. Request the Committee on Monetary and Financial Affairs to ensure that the relevant departments of the African Union Commission, Regional Economic Communities, national tax management institutions and civil society organizations are meaningfully involved in the formulation process of the draft African Model Double Taxation Agreement.

I so submit

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Original: English

RES. No...../PAP/2019

REPORT OF THE AD HOC COMMITTEE TASKED WITH CONSIDERING THE CLAIMS MADE BY STAFF MEMBERS

SECOND SESSION OF THE FIFTH PARLIAMENT
Thirty-Fourth Ordinary Session
6 - 17 May 2019

PAN-AFRICAN PARLIAMENT
FINAL

16/5/19

16/05/19

SAWADOGO Emmanuel Kati
16/05/19

Midrand, 16 May 2019

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1. INTRODUCTION

1.1. BACKGROUND

In the morning of Thursday, 9th May 2019, the President of the Pan-African Parliament (PAP) announced to the Plenary that Staff were on strike and therefore activities for the morning could not be undertaken. The President and the Bureau later held meetings with the Staff Members, led by the President of the PAP Staff Association (PAPSA) to resolve the impasse.

In the afternoon of the same day, the Plenary reconvened to hear the outcome of the meeting between the Bureau and the Staff Members. The President informed the Plenary that matters had been resolved and that the major issue was in connection with promotion of Staff Members. The members however directed that an Ad Hoc Committee be set up to consider the allegations made by the Staff Members against the President.

By Resolution of the Plenary of the PAP, an Ad Hoc Committee was therefore established on 10th May 2019, in accordance with Rule 22, Sub-Rule 3 of the Rules of Procedure of PAP, with mandate to investigate all the allegations made by the PAPSA against the President of the PAP.

The claims made by PASPA are the following:

i. PAP President's refusal to sign the APROB decisions on the implementation of the AU Executive Council decisions;

ii. Attribution to the PAP President of the deteriorating relations between PAP and the AU Executive Council;

iii. Abuse of power by the President of the PAP, accused also of verbal violence, patronage, favouritism and sexual harassment;

iv. Disregard for the AU Rules and Regulations;

v. President's official travel without involving the Secretariat;

vi. Dissemination of false information with a view to creating confusion between parliamentarians and staff;

vii. Failure to address the issue of former Clerk of PAP Vipya Harawa.

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1.2. MANDATE OF THE AD HOC COMMITTEE

The Resolution setting up the Ad Hoc Committee on Staff Claims provides that the Committee shall consider and investigate all claims by PAP Staff Members with a view to clarifying the various claims levelled by the Staff and settling the issues that affect the functioning of PAP administration. The Resolution also directed that the Ad Hoc Committee shall undertake its duties with immediate effect and report back to the Plenary on Wednesday 15 May 2019.

1.3. COMPOSITION OF THE AD HOC COMMITTEE

The Resolution provided that the Ad Hoc Committee shall made up of the following members:

- Chairperson of the Permanent Committee on Justice and Human Rights: Hon. Ignatienne Nyirarukundo
- Deputy Chairperson of the Permanent Committee on Rules, Privileges and Discipline: Hon. Mahamat Saleh Makki
- Two representatives of the regional caucuses, one man and one woman
- Two Members representing the Central African Regional Caucus:
  - ✓ Hon. Sen. (Ms) Purificación Buhari Lasakero — Equat. Guinea
  - ✓ Hon. Francois Ango Ndoutoume — Gabon
- Two Members representing the East African Regional Caucus:
  - ✓ Hon. Sen. (Ms) Jacqueline Muhongayire — Rwanda
  - ✓ Hon. Sen. Stewart Madzayo — Kenya
- Two Members representing the North African Regional Caucus:
  - ✓ Hon. Prof. (Ms) Massouda Mohamed Laghdaf — Mauritania
  - ✓ Hon. Said Brahim Said Saharawi — Rep.
- Two Members representing the Southern African Regional Caucus:
  - ✓ Hon. Dr. Phenyo Butale — Botswana
  - ✓ Hon. (Ms) Barbara Rwodzi — Zimbabwe

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- Two Members representing the West African Regional Caucus:
  - ✓ Hon. (Ms) Fatou K. Jawara — The Gambia
  - ✓ Hon. Emmanuel Koti Sawadogo — Burkina Faso

The Resolution provided that the Members form a Bureau by appointing a Chairperson, a Deputy and a Rapporteur from among its members.

1.4. MEETINGS AND ORGANISATION OF WORK OF THE AD HOC COMMITTEE

The Ad Hoc Committee convened its first meeting on Saturday 11th May 2019, with the facilitation of the Deputy-Clerk, Legislative Business and Conference Mr. Gali. The meeting enabled the Members to get clarifications on the nature and scope of their mandate as well as their terms of reference (TOR). The meeting also enabled the Members to establish the Bureau of the Ad Hoc Committee, which is composed of:

i. Chairperson	Hon. Sen. Stewart Madzayo	Kenya
ii. D - Chairperson	Hon. Emmanuel Koti Sawadogo	Burkina Faso
iii. Rapporteur	Hon. (Ms) Barbara Rwodzi	Zimbabwe

Following the establishment of the Bureau, the Ad Hoc Committee started its work by defining the methodology of its works, which includes (1) identifying the relevant documentation, (2) determining the witnesses to be interviewed and (3) establishing its workplan.

The Committee directed to be provided with a number of official AU and PAP documents, including the following:

- The minutes of the meeting between the Bureau of the PAP and the Staff Members held on Thursday, 9th May 2019;
- The African Union Staff Regulations and Rules, 2010;
- AU Financial Rules and Regulations, 2014;
- AU Harassment Policy, 2019;
- AU Code of Ethics, 2018;
- AU Travel Policy, 2019.

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The Committee also agreed on its methodology which consists of analyzing the official basic documents submitted to it and interviewing all relevant stakeholders, starting with the main protagonists which are PAPSA and the President of the PAP. The Committee agreed to obtain evidence from voluntary and expert witnesses, which include:

i. The 1st Vice President as the Bureau Member in charge of Administration;

ii. The Acting Clerk of PAP;

iii. The Alleged victims of sexual harassment and the other abuses levelled against the PAP President; and

iv. Other Staff Members whose duties relate to one or several accusations and any other witness that expresses willingness to appear or that it cited by the main parties.

The Members of the Committee agreed to be bounded by rules and principles of impartiality, fairness and confidentiality, and professionalism. The Committee agreed to assure all stakeholders in the process that the work of the Committee shall remain confidential, and that all witnesses shall testify under oath and enjoy the utmost protection for their testimonies.

Having defined its method of work, the Committee started its activities with the taking of oath and signing of deeds of confidentiality by all Members, secretariat and support staff, including interpreters assigned to support the work of the Committee.

From Sunday 12th to Wednesday 15th May 2019, the Committee received submissions and testimonies from various stakeholders, including the representatives of PAPSA, alleged victims of abuses levelled against the PAP President, the Acting Clerk of PAP, the First Vice-President of PAP and the President of PAP. The Committee also interviewed Staff Members whose duties relate to one or several accusations, the witnesses that the main parties cited, and any other witness that expressed their willingness to testify to the Committee. Due to the volume of work, the Committee requested and secured from the Plenary a Resolution extending the deadline for submission of the report on 16th May 2016.

It is on 16th May 2019 that the Committee finalized its assignment by discussing the facts, making its findings and formulating its recommendations. The Committee finalized and adopted its report and submitted it to Plenary in accordance to the 15th May 2019 Resolution in relation to the motion to extend the temporal mandate of the Ad Hoc Committee.

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giving an ultimatum to the AUC and to get the decisions implemented, should the AUC fail to react to the implementation options proposed by the PAP.

Rule 55.6 of the AU Staff Rules and Regulations and evidence, including testimonies submitted by various witnesses shows that APROB formulates recommendations for consideration by the Head of the Organ, who also retains his right to exercise judgement before endorsing or rejecting the recommendations submitted for his signature. Evidence shows that letters were sent to AUC in September 2018 and March 2019, and that in various occasions, the PAP Administration followed up, without success, with AUC officials to secure their feedback on PAP options for the implementation of the EC decisions.

The President's prudence not to act unilaterally seems to be fair and cannot, from the Committee's view, be taken as refusal. The Administration confirmed that the President has been endorsing all APROB decisions, and it is the Committee's view that the President cannot be penalised for seeking to comply with the EC decision which directs that the implementation of the said decision shall be done jointly between the PAP and AUC.

ii. **Attribution to the PAP President of the deteriorating relations between PAP and the AU Executive Council**

PAPSA alleged that President Roger Nkodo Dang has caused the isolation of the PAP by the AU policy organs and that the conduct of the PAP President has led to the PRC being angry with PAP, removing special allowance.

The President argued that he represents PAP at all AU meetings, and there is no evidence showing the isolation of PAP and that the attitude of policy organs cannot be attributed to him. He argued that PAP had been having issues with PRC since its inception, and highlighted the strides made by him in spite of the said difficult working relationships with the policy organs. The Committee notes that the allegation of PAPSA cannot be verified and therefore, no evidence was produced in the sense either of a decision or a report of the Executive Council.

iii. **Abuse of power by the President of the PAP, accused also of verbal violence, patronage, favouritism and sexual harassment**

PAPSA submitted that the President verbally assaulted a member of staff during the Session sitting of PAP in Kigali, Rwanda in 2018. In this incident, which was during the East African Caucus dinner, the President shouted at the staffer saying "you are standing there, you are fighting me, I will show you". While some witnesses supported the claim of verbal violence by the President, others dismissed the claim on the basis that it is the President's character, who sometimes reprimands without exerting violence. The President acknowledged

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having verbally reprimanded staff with force, which could be seen as verbal assault. He argued that he sometimes acted in that manner just like a Father who wants to reprimand his children, instead of resorting to formal administrative measures and sanctions as provided for under the AU Rules and Regulations. Allegations of patronage and favouritism were dismissed by the President and were not further substantiated by PAPSA and other witnesses.

As for the allegation of sexual harassment against staff members, the Committee received testimonies from three alleged victims and the President, which seem to be similar, while their interpretation by the various persons is divergent. The first victim stated that in February 2017, the President had touched, handled and talked to her in a manner that made the officer uncomfortable at the workplace, while the President submitted that the gesture was friendly and not unwelcome to the Staff. Two witnesses confirmed similar incidents and seemed to confirmed that the gesture did not appear unwelcome and did note have a sexual nature.

The Victim further submitted that the President entertained a telephonic interaction with her on 2nd March, and invited her to his house, and brought evidence of a message by which the President sent his house address. The President confirmed the telephonic interaction, but argued that the sending of his house address was consecutive to an 18-minute telephone conversation, which was friendly, not sexual in nature and not unwelcome to the staff. He added that latter never expressed her displeasure and neither her attempt to stop the call. The Committee noted however that the Staff reported the incident to the Clerk on 6th March, and the Clerk forwarded same to the AU Chief of Ethics, and the Committee was not told the whereabouts of this complaint.

The second witness stated that the President, at one occasion, offered to share a bedroom with her while on mission, and, at another, invited her to his room to pay his DSA. The President denied the first incident. He however confirmed the second incident, but argued that he had no intention to make sexual advances, and the purpose of the encounter with the staff was merely for payment of his DSA. The third witness submitted that the President had expressed verbal advances to her some time during a PAP Activity in Addis Ababa, in or around 2011, when the President was still Vice-President. However, the President denied and rejected the facts and put the burden of proof on the alleged victim.

In the AU Harassment Policy, "sexual harassment" is defined an "*unwelcome sexual advance, request for sexual favour or unwarranted verbal, non-verbal or physical conduct of a sexual nature ...*" The Committee notes that the telephone interactions between the President and the Staff outside the professional arena, reception of DSA in the President's Office were not suitable or proper, in the

circumstances, in view of the highest degree of honor and dignity required of his Office. The Committee noted that there is good reason to believe that a forensic investigation should be conducted for this allegation and across the board in the PAP.

iv. Disregard for the AU Rules and Regulations

PAPSA submitted to the Committee that AU Staff Rules and Regulations are flouted with respect to officers against APROB recommendations. This was evident in the attempted recruitment of a Protocol Officer who had been seconded to PAP from Morocco. The Committee was further informed that despite the rejection of the officer by APROB, the President proceeded to engage him as a Policy Advisor in his office. Evidence received shows that indeed the President had requested APROB to recruit a seconded Staff from Morocco as Protocol Officer, a proposal which was rejected by APROB with a suggestion that he consider providing him the position of Policy Officer, which was vacant in his office.

In his submission, the President did not deny the facts as stated by PAPSA and the witnesses, but argued that he followed the recommendation of APROB and cannot therefore be accused of having not complied with APROB decisions.

The Committee condemns the fact that the President had initially requested APROB to recruit a seconded staff,but notes that he followed APROB's technical advice, and offered him a special political appointment which was under his purview and discretion, and in accordance with Rule 33.8 of the AU Staff Rules and Regulations.

PAPSA further submitted that the President ignores advice of members of staff, and a case in point being the un-procedural swearing-in of two extra Members of the Cote d'Ivoire delegation. The Committee was also informed of victimization of staff in this instance when this anomaly was raised in the Plenary. The Committee received compelling testimonies to that effect and the President did not satisfy the Committee otherwise. The Committee notes that the President proceeded to swear in Parliamentarians from Cote d'Ivoire, in contravention of the PAP Rules of Procedure, and despite technical advice from the Secretariat Staff and the First Vice-President.

v. President's official travel without involving the Secretariat

PAPSA submitted that the President travels alone on official missions without staff to ensure that the mission attains its objectives. The President rejected the allegation and submitted that he is always accompanied by staff in its official missions, unless the Clerk of Parliament advise otherwise on availability of

resources. He stated that in most of his official missions, he is accompanied by the Clerk who usually appoints himself to support the President. Evidence and testimonies brought to the Committee showed that the President is normally accompanied by members of staff on official engagements, even though he sometimes determines who comes with him. It was however noted that some staff chosen or designated to travel on official missions, are not always relevant o essential for the nature and objectives of the said mission.

vi. Dissemination of false information with a view to creating confusion between parliamentarians and staff

In their written submission, PAPSA indicated that in the PAP activity report presented to the Plenary on Tuesday, 7th May, 2019, the President falsely informed Parliament that the budget was USD 12 million and that out this amount, USD 11 million was allocated for staff salaries while the Members of Parliament had been allocated only USD 1 million to conduct their activities. Such deliberate false information prejudices Members against staff.

The Committee appreciated the explanation by the President and evidence submitted by the Secretariat, and noted that there was a mistake in the reading of the report which was prepared by the Secretariat. However, the Committee notes that the document used by the President was prepared by the Secretariat, and that even though a mistake was made by him in reading such information, there is no proof that it was done in bad faith and with the intention of creating confusion between parliamentarians and staff". The Committee tends to believe that this incident, which took place for the first time, can be taken as a mistake committed in good faith.

vii. Failure to address the issue of former Clerk of PAP Vipya Harawa.

PAPSA, in their written submission, submitted that the dismissal of the former Clerk of Parliament, Mr. Vipya Harawa, was done without due regard to AU procedures on discipline and dismissal, as provided for in Rule 59.1 and 70 of the AU Staff Rules and Regulations was wrong. They added that the fact that the President has failed to address his situation including by ensuring payment of his separation entitlements is even wrong.

The President argued that the matter has now been managed by the African Union Commission, and that he recently received a communication from the African Union Commission in respect of the situation of Mr Harawa, for which he needs to get in touch with the former Clerk who must cooperate for its implementation. He called upon the Members to help him get in touch with Mr

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Harawa in order to get the matter settled, either through secondment to other AU organs or payment of severance and other separation entitlements.

The Committee noted that, as a Head of the Institution, the President still was under an obligation to ensure that the issue of former Clerk of PAP Vipya Harawa is resolved. No visible and evidenced efforts or instructions were brought to the Committee to show attempts to get in touch with Mr Vipya Harawa for amicable settlement or for exploring options for the implementation of the decision of the African Union Commission.

3. FINDINGS OF THE COMMITTEE

Based on the analysis of the facts, the Committee finds that:

1. The allegation that PAP President's refusal to sign the APROB decisions on the implementation of the AU Executive Council decisions is not founded as the delay in implementing the said EC decision should be attributed to AUC's failure to provide feedback on the PAP proposals and that the move by the President to exert a bit more patience is merely to be taken as act of prudence rather than refusal;

2. The allegation of attribution to the PAP President of the deteriorating relations between PAP and the AU Executive Council is not founded as evidence at the disposal of the Committee could not attest to that, and it is found that the difficult relationship between PAP and the AU Executive Council is anterior to the presidency of Honorable Roger Nkodo Dang, who proved to have made strides in spite of the said difficult working relationships ;

3. The allegation of abuse of power by the President of the PAP, accused also of verbal violence, patronage, favouritism and sexual harassment could not be sustained, as briefly established below:

   - The Committee established that the President sometimes use verbal violence to reprimand staff members, in lieu of resorting to the prescribed administrative processes;

   - The Committee could not establish the allegation of patronage and favouritism, due to lack of substantiation by PAPSA and lack evidence from the testimonies received;

   - Although the President engaged in inappropriate interactions with the alleged victims, the Committee could not, with evidence at its disposal, establish a sexual harassment. However, the Committee

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however that there is good reason to have an African Union forensic investigation on this sexual harassment allegation, which could extend to the whole institution.

4. The allegation of disregard for the AU Rules and Regulations is partly founded in that, on the one side, the President has complied with APROB recommendations, including in relation to the rejection of his proposal for regular recruitment of his current Policy Officer as Protocol Officer, and on the other, he proceeded to swear in Parliamentarians from Cote d'Ivoire, in contravention of the PAP Rules of Procedure, despite technical advice from the Secretariat and the First Vice-President ;

5. The allegation on President's official travel without involving the Secretariat is partly founded in that evidence received shows that in some missions, staff that are assigned to travel on official missions, including with the President, are not always relevant or essential for the nature and objectives of the said missions;

6. The allegation on dissemination of false information with a view to creating confusion between parliamentarians and staff is not founded in that the information used by the President was prepared by the Secretariat, and that even though a mistake was made by him in reading such information, there is no proof that it was in bad faith and with the intention of "creating confusion between parliamentarians and staff";

7. The failure to address the issue of former Clerk of PAP, Mr. Vipya Harawa is founded in that there are no visible and evidenced efforts or instructions for the Secretariat to contact Mr Vipya Harawa for amicable settlement or exploring options for the implementation of the decision of the African Union Commission.

4. RECOMMENDATIONS AND CONCLUSION

Based on the analysis of the evidence collected and the findings, the Ad Hoc Committee recommends that:

i. The Parliament adopt the present report and the recommendations contained therein;

ii. The Parliament call upon the President to acknowledge and offer apology to the alleged victims for the equivocal behaviors, not suitable or proper, in the circumstances, in view of the highest degree of honor and dignity required of his Office;

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iii. The Parliament call upon the President to renew his commitment to the Plenary to uphold the PAP Rules of Procedure with the strictness that it deserves and to take into consideration technical advice from the Secretariat and its Bureau;

iv. The Parliament to endorse the amicable solution arrived at, between the Bureau Members and Staff Members, of an "amnesty" for the strike, and all actions and omissions directly and exclusively linked to the said strike;

v. The Parliament appoint the Chairpersons of the regional Caucuses to facilitate a reconciliation process between Bureau Members, particularly the President and the First President with a view to reestablishing harmony and cohesion within the Bureau of PAP;

vi. The Parliament establish a Commission of Inquiry to investigate the additional allegations of abuses, including sexual harassment within PAP by officials other than the President of PAP, which could not be covered by the mandate of this Ad Hoc Committee and report at the next Session of the PAP;

vii. The Parliament request the holding of systematic annual trainings and awareness raising sessions around issues of professional ethics and the harassment policy and that this becomes part of Staff appraisal and induction of Members of PAP and Members of Bureau and Bureauxes;

viii. The Parliament request the Bureau and Secretariat to take concrete measures to protect female employees from all forms of harassment, including sexual harassment, and to protect all witnesses who appeared before the Ad Hoc Committee as well as Staff Members and PAP Members who worked in or supported the work of the Ad Hoc Committee;

ix. The Parliament request the Bureau and Senior Management to take concrete steps for the immediate resolution of the matter concerning the Former Clerk, in accordance with the directive of the African Union Commission;

x. The Parliament to request the Bureau of PAP to ensure the effective and full implementation of the recommendations arising from the present report and to report on progress at the next Ordinary Session of the PAP.

xi. The Parliament forward the findings from this Report to the African Union for the purpose of conducting forensic investigations.

The Committee wishes to record its appreciation to the Bureau, Members of Parliament and Members of Staff for the co-operation and assistance extended to

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the Ad Hoc Committee during the course of the investigation exercise. The Committee also salutes the dedication and selflessness of its Members, who managed to complete this challenging duty with fairness, objectivity and putting the highest interest of PAP and the AU first.

16/5/19

Hon. Sen. Stewart Madzayo

CHAIRPERSON

SAWADOGO Emmanuel
KOTI
16/5/19

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16/5/19

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Fifth Parliament
Second Ordinary Session
6 - 17 May 2019

RES N° ……/ PAP/ 2019

Resolution on setting up an Ad Hoc Committee tasked with considering the claims made by PAP staff members, with report to the Plenary

Considering the claims made by the PAP Staff Association,

Considering the suspension of work by staff on 9 May 2019,

Considering the discussions held on this matter in Plenary on 9 and 10 May 2019,

Having examined the conclusions of the meeting between the Bureau and PAP staff on Thursday, 9 May 2019,

Having agreed to clarify the various claims levelled by the staff with a view to settling the issues that affect the functioning of PAP administration,

Having regard to Rule 22, Sub-Rule 3 of the Rules of Procedure of PAP,

The Pan-African Parliament decides as follows:

Rule 1: An Ad Hoc Committee shall be set up within the Pan-African Parliament to consider all claims made by the staff and to report back to Plenary;

Rule 2: The Ad Hoc Committee shall be made up of the following members:

- Chairperson of the Permanent Committee on Justice and Human Rights: **Hon. Ignatiennc Nyirarukundo**
- Deputy Chairperson of the Committee on Rules, Privileges and Discipline: **Hon. Mahamat Saleh Makki**
- Two (2) representatives of the regional caucuses, one man and one woman:

  Central African Regional Caucus:

  Hon. Sen. (Ms) Purificación Buhari Lasakero

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Hon. François Ango Ndoutoume - Gabon

East African Regional Caucus:
Hon. Sen. (Ms) Jacqueline Muhongayire
Hon. Sen. Stewart Madzayo - Kenya

North African Regional Caucus:
Hon. Prof. (Ms) Massouda Mohamed Laghdaf
Hon. Said Brahim Said - Sahrawi Republic

Southern African Regional Caucus:
Hon. (Ms) Barbara Rwodzi
Hon. Dr Phenyo Butale - Botswana

West African Regional Caucus:
Hon. (Ms) Fatou K. Jawara
Hon. Emmanuel Koti Sawadogo - Burkina Faso

Rule 3: The Committee shall form a Bureau by appointing a Chairperson, a Deputy Chairperson and a Rapporteur from among its members,

Rule 4: The report of the Ad Hoc Committee shall be presented to the Plenary on Wednesday 15 May 2019.

Done in Midrand, on 10 May 2019

The Plenary

PAN-AFRICAN PARLIAMENT

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PAP/COP24
(3-14 December 2018)

REPORT
ON THE PARTICIPATION OF THE PAN-AFRICAN PARLIAMENT IN THE CONFERENCE OF THE PARTIES (COP24) SESSION,
3-14 December 2018
Katowice, Poland

PAN-AFRICAN PARLIAMENT
FINAL

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ACRONYMS/ABBREVIATIONS

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

1. EXECUTIVE SUMMARY

The 24th Conference of the Parties (COP24) to the UN Framework Convention on Climate Change (UNFCCC) took place in Katowice, Poland, ***from 3 to14 December 2018.*** It is estimated that around 30.000 people participated in COP24, supported by 500 volunteers. According to UNFCC, registered participants who attended the COP24 include: Parties (12810); Observer States (8); UN and specialized agencies (447); IGO observers (781); Non-governmental organizations (6,535); Media (1525) and Staff (technical, security, secretariat) (6,535).

The programme of COP24 was packed with various side events, exhibitions, press conferences and discussions. Members of the Pan African Parliament (PAP), led by H. E. Hon. Stephen Julius Masele, First Vice-President of the PAP participated in activities that ranged from technical side events, bilateral meetings with various stakeholders and press conferences, among others. H.E. the First Vice-President and the PAP delegation also participated in the Inter-Parliamentary Union (IPU) and the African Day programs at COP24.

The Pan African Parliament Day, which was organised on the **08 December 2018,** was a good opportunity for the PAP to engage with other stakeholders, including the African Group of Negotiators (AGN), UN Economic Commission for Africa, the African Development Bank, the African Union Commission, the New Partnership for Africa's Development (NEPAD) and the Pan African Climate Justice Alliance (PACJA).

The organization of the PAP Day and PAP participation in other discussions enhanced the visibility of PAP as a major entity of the African Union. However, organisation of more than one side events, press conferences and other forms of participation during future COPs is recommended to further enhance the visibility of the PAP in this global gathering.

Generally, the PAP mission to COP24 was a success despite some challenges discussed in this Report. Appropriate recommendations are presented at the end of the Report.

2. INTRODUCTION

The Pan-African Parliament (PAP) participated in the 24th Conference of Parties to the United Nations Framework Convention on Climate Change (COP24), which took place in Katowice, Poland, from **3 to 14 December 2018**.

H. E. Hon. Stephen Julius Masele, First Vice-President of the institution, led the delegation of the PAP that comprised of 10 Parliamentarians drawn from all the PAP organs and representing the five regions of the African continent. The delegation also included staff from the PAP Secretariat who provided technical and logistical support. The full list of participants is attached as ***Annex 1***.

The key objective of the participation of the PAP in COP24 was to carry the hopes, aspirations and concerns of the African people to this gathering. Specifically, the PAP set out to achieve the following:-

1) Provide support to the African common position through advocacy and other related activities;
2) Contribute to the current Climate Change debate by offering the perspective of African parliamentarians;
3) Build capacity of PAP parliamentarians on climate issues, and share best practices for addressing the negative impacts of Climate Change;
4) Advocate for adequate climate legislation in order to implement and enforce the Paris Agreement in African countries;
5) Enhance the visibility of the PAP and its mandate to a global audience and Climate Change stakeholders.

In order to achieve the above objectives, the program of participation of the PAP delegation in COP24 was designed to address three broad areas, namely; advocacy for Climate Change legislation; capacity building of parliamentarians on climate issues, enhancing the visibility of the PAP and support African common position.

In the section that follows, the Report discusses various activities organised under the three areas, provides detailed information on these activities, and assesses how these activities contributed to achieve the intended objectives.

3. ADVOCACY FOR CLIMATE LEGISLATION

Under the advocacy objective, the PAP organized a dedicated side event to lobby and advocate for climate legislation. More details on this side event is outlined in the section to follow:

3.1. PAP Side Event at COP24

On the 10th December 2018, the PAP organized its annual side event during the COP24 in the Nigeria Pavilion. The theme of the side event was "Climate Finance and Status of Climate Legislation in Africa." The main objective of the Pan African Parliament side event was to discuss the outstanding issues of climate finance, and further assess the status of climate legislation in Africa. This side event was moderated by Hon. Kone Dognon, Chairperson of the Committee on Agriculture.

The PAP side event brought together representatives from all relevant stakeholders, including the African Union Commission, the African Development Bank (AfDB), the United Nations Economic Commission for Africa (UNECA), the International Parliamentary Union (IPU), and parliamentarians from Nigeria and other African parliamentarians and the Pan African Climate Justice Alliance (PACJA). In attendance was also a large audience from civil society organizations and the media, among others.

H. E. Hon. Stephen Masele, First Vice President of the PAP, officially opened the side event. In his opening remarks, H. E. the First-Vice President expressed gratitude and appreciation to the Government and people of Nigeria for hosting the PAP side event. He further gave a brief background on the journey of the PAP and the expected role of parliamentarians in advocating and lobbying for measures required to mitigate the negative impacts of Climate Change in Africa.

In this regard, the First Vice President emphasized the need to give impetus to the African Climate Legislation Initiative which is a culmination of years of conversations spearheaded by a group of civil society members and parliamentarians concerned about Climate Change and its negative effects on the livelihoods of the African people. He further highlighted efforts and various initiatives made by the PAP in the area of Climate Change, including raising awareness, and the initiative of developing a Model Law on Climate Change

envisaged to guide and inform African countries in developing their own national laws.

The program of the side event also covered an update on Climate Change negotiations by the African Group of Negotiators (AGN). Also presented and discussed are additional actions needed to be urgently undertaken by African countries to enable them access climate finance, and on the status of climate legislation in Africa.

Panel discussions were also part of the program of the side event, where Hon. Mboni Mhita, President of the PAP Youth Caucus, made a presentation and led discussion on the issue of inclusive participation in climate policy development and legislative work; and on mobilization of the PAP Caucuses (Youth, Women and Regional Caucuses) to build momentum on climate action.

The PAP side event was well attended and attracted many participants, including African parliamentarians and the youth. Organizing he side event also proved that the positive image and visibility of PAP in COPs and Climate Change advocacy is rapidly increasing, and many stakeholders and development partners expressed their willingness to engage and support the PAP. In this regard, PAP can do even better in terms of organizing its annual side events during future COPs, although this cannot be achieved without undertaking early technical and logistical planning.

4. ENHANCE VISIBLITY OF THE PAP

Enhancing visibility of any organisation through participation in a global event such as COP requires vigorous and focused participation in targeted activities and clear media plan. In this regard, targeted events that can contribute in enhancing PAP visiblity were the International Parliament Union (IPU) Parliamentary meeting during COP24, and participation in the Africa Day. Furthermore, the media plan is a key tool that used not only to enhance PAP visiblity during COP24 but also to pave the way for building strong partnership with various stakeholders. The section that follows provides details on all activities carried out during COP24 intended to ehnahce the visiblity of the PAP.

4.1. IPU Parliamentary Meeting at COP24

The IPU Parliamentary Meeting was organised during COP24 on 09 December 2018 at Park Inn Hotel by Radisson in Karkow, Poland. The meeting was jointly

organized by the IPU and the Polish Parliament, and it was a follow-up to the highly successful Parliamentary Meeting held in Bonn, Germany, in November 2017. The meeting aimed at providing parliamentarians with an opportunity to obtain first-hand information on the main issues and orientations of COP24; to enable them interact with experts and negotiators directly involved in the UNFCCC decision-making process; to gain better knowledge of the recommendations included in the IPU's Parliamentary Action Plan on Climate Change; and to discuss and identify ways of ensuring implementation of the Paris Agreement.

The meeting was attended by parliamentarians from all over the world, including the delegation of the PAP to COP24 and parliamentarians from other African countries. H. E. the First Vice President of the PAP led the PAP delegation in the meeting.

In the opening session, the IPU President, Deputy Speaker of the Sejm Poland, Executive Secretary of the UNFCC, made speeches and welcomed participants, and Mr. Niklas Hagelberg, Coordinator of Climate Change Programme (UNEP) delivered the key note address. In his speech, Mr. Hagelberg highlighted the importance of moving into the implementation phase of the Paris Agreement with ambitious Nationally Determined Contributions. He further emphasised key areas to be addressed through national policies and laws.

The main segment of the program included the following three panel sessions:

1- The first panel discussion was on "Developing and strengthening legal and regulatory frameworks as enabling environment". The panel addressed questions on how legislators can support the effective, sustainable and ambitious implementation of the Paris Agreement and Nationally Determined Contributions.

2- The second panel discussion was on Enabling environment for renewable energy investments. This session addressed the question: 'to what extent does the legal investment framework support or hinder funding for renewable energy?'

3- The third panel discussion was on Economic instruments in national environmental laws and policies and sought to answer the question: 'what measures have proven effective and what are the challenges in putting in

place the necessary conditions to optimize the effectiveness of economic instruments? H. E. Hon. Stephen Masele, First Vice President of the PAP, moderated this third session.

The closing session of the Parliamentary Meeting focused on the conclusions, future outlook and adoption of the outcome document. This session and the adopted outcome document emphasised the greater impact that legislators/parliamentarians can have towards achieving the Paris Agreement goals. The session further highlighted how parliaments can assess the impact of Climate Change legislation.

In the final communiqué adopted during the meeting, the IPU Parliamentary Meeting called for measures to monitor and report the impact of Climate Change on the environment, including forests, the oceans and the marine environment, so as to ensure the best possible protection of ecosystems that are key to ecological sustainability on a global scale. It further stressed that the global average temperature increase must not exceeds 2 degree Celcius above pre-industrialization levels, while pursuing efforts to limit warming to 1.5 C. The final communiqué also emphasized the role of parliamentarians in legislating and developing environmental and social policies that are important for creating formal and legal frameworks that enable the creation of low-emission economies.

4.2. **Africa Day**

Africa Day is a key feature of Africa's presence and participation at the various Conferences of the Parties (COP) to the UN Framework Convention on Climate Change (UNFCCC). Africa Day was first started at COP17 and was organized by Africa's principal regional institutions, namely: the African Development Bank (AfDB), and the African Union Commission (AUC) along with the New Partnership for Africa's Development (NEPAD) and the UN Economic Commission for Africa (ECA).

The Africa Day side event during this COP24 was organized on 3 December 2018, from 15:00 to 17:30 hrs, under the theme "*Operationalization of the Africa NDC Hub: Going further and faster with NDC implementation in support of Agenda 2063*". The main objective of the Africa Day at COP24 was to provide a platform and opportunity for Member States, Development Partners, Private Sector, Civil Society and various key Stakeholders to dialogue and discuss ways of supporting coordinated partnerships and approaches to support

Member States with implementation of their NDCs including support from the Africa NDC Hub.

The Africa Day at COP 24 brought together African Heads of States and Governments; principals of Regional institutions; Ministers; Parliamentarians; a broad range of Development Partners; the Donor community; the African Group of Negotiators on Climate Change (AGN); Scientists and Experts; Leaders in the Private Sector and Financial institutions; Civil Society Groups; Media, Women and Youth Groups; and various other stakeholders attending the COP 24.

The program of the Africa Day side event included statements by the political leaders; expert setting of the scene on the key issues relating to the NDCs and the negotiations; Ministerial Dialogue on "Partnerships and Strategies for Operationalising the Africa NDC Hub; Parliamentary Dialogue; and Conclusion on the Way Forward.

During the session of Parliamentary Dialogue moderated by Dr. Fatima Denton, the PAP made a key presentation delivered by Hon. Mai Mahmoud, Vice Chairperson of the PAP Committee on Agriculture on the African Climate Legislative Initiative (ACLI). It is worth mentioning that the presentation on ACLI drew a lot of attention and was a subject of many interventions from the audience. Indeed, various partners commended the idea of ACLI and acknowledged its vital role in advancing sound climate legislation in Africa. They further expressed their willingness to fully support this initiative.

The PAP active participation in the Africa Day was also not limited to the Parliamentary Dialogue but also inspired the discussions under the Ministerial Dialogue. Hon. Jacqueline Amongin, Chairperson of the PAP Alliance on Sustainable Development Goals (SDGs) ably moderated the Ministerial Dialogue.

In conclusion, the participation of the PAP in the Africa Day event was this time outstanding and in fact contributed significantly to the success of the event. Testimonies received by the organizers and other participants confirm the outstanding level of participation by honourable Members in this event.

4.3. **Media Plan**

The following account underlines the various PAP media and communications activities undertaken during the participation in the COP24. These activities were in line with the communications plan submitted to support PAP participation in COP24 from a media and communications perspective.

Press release (s):

A press release announcing PAP participation at this year event prior to the start of the event in Poland was compiled. This release was sent to media around the Continent and posted on PAP website and social media, included the objectives as well as the position of PAP on the issue of Climate Change.

A second press release was also compiled and distributed to the media during the event, especially regarding the PAP side event at the COP.

The PAP Media Officer also participated in the drafting of the Africa Day Press release, organized in collaboration with the AUC, NEPAD and UNECA. This included the pre-event release where a PAP quote was provided as well as a post release which first draft was compiled by the PAP Media Officer.

Final Communique

In collaboration with the Committee Clerk, a final communique of the event was drafted and read out by the PAP First-Vice President in a Press Conference.

Social Media

All the activities at COP24 were reported instantaneously on PAP social media channels with relevant images as the conference unfolded.

Press conferences

Two separate press conferences were organized for the PAP during COP24. The first press conference was organised in collaboration with PACJA at the start of the conference. This served to communicate the PAP position on Climate Change and also provided a progress update on all activities undertaken since COP23 in Germany in 2017.

The second press conference was organized solely for the PAP delegation, led by the First Vice-President to deliver the final communique on the participation of PAP in the COP24.

Branding

As part of the COP24 event, the following items were designed and produced: 4 Custom made COP24 pull up banners and 1000 Flyers/brochures (comporting the proposed PAP position on COP24)

PAP graced Africa Day Celebrations at COP24





PAP Side Event at COP24





5. BUILDING CAPACITY ON CLIMATE CHANGE

5.1. Participation in Side Events

Side events represent the second most important activities during COPs, where all stakeholders, including member States, development partners, civil society, multi-national large companies, research institutions, academia, amongst

others, extensively discuss various issues related to Climate Change. The side events also present valuable opportunity for an organization not only to engage in the current debate on Climate Change but also to network and brand its products and services.

In total, 203 side events were organized during COP24. Main themes of discussions in the side events ranged from agriculture and climate action to enhancing ambitions. Other themes also included issues related to energy, gender and human rights.

The table below shows the number of side event organized under some of key themes:

No.	Theme	Number of side events
1.	Agriculture	12
2.	Cities and subnationals	9
4.	Climate actions by non-stakeholders	21
5.	Monitoring, Reporting and Compliance	5
6.	Cooperative approaches	8
8.	Education, Training and Public Awareness	21
9.	Energy	20
10.	Enhancing ambition	98
11.	Gender, Health and Human right	9
	Total	**203**

The table and the figure above reflect clearly the wide range in scope of the side events and the importance given to the side events during COP24.

The participation of the PAP delegation in the side events also therefore represented one of the key targeted activities of PAP since it provided good opportunity for building technical capacity of parliamentarians, and for their engagement and networking with all relevant stakeholders.

However, the most important and critical aspect of the participation is related to invitations extended by many organizers to parliamentarians and PAP to participate as speakers, discussants or panelists. During the COP24, at least 4 PAP Members were invited and participated in side events as panelists.

From this Report, it is strongly believed that, generally, participation in the side events during COPs is essential and should be encouraged as a tool for building capacity of participants and as a mean for networking. However, and in order to maximize such participation, it is imperative that a well-advanced plan of participation in the side events during COPs should be developed.

Fundamentally, such plan should identify in advance targeted side events, and aim at securing dedicated slots during the programs of these events. It is further recommended that criteria for selection of delegation to COPs should take into consideration relevant background and experience of designated Members so that their participation in the side events can be much more visible. Technical support in form of research, information and data should also be provided to enhance the levels of participation in these side events.

6. LOGISTICS

The main logistics aspects related to the participation of the PAP delegation in COP24 related to travel and accommodation arrangements. In this regard, it is worth to mention that the cost of participation in the COP 24 was funded through the budget which was initially earmarked for the Speakers and Clerks Conference which was not held in 2018.

The Report further highlights some of key logistical challenges encountered that should be addressed in order to improve future participation in COPs as follows:

1- The delay in finalisation list of participants affects negatively in the whole planning process, especially securing air tickets and accommodation. This resulted in high airfares and difficulty in securing the most direct routes for participants.

2- The cost of accommodation had to be paid in full in advance. However, four (4) members left before the end of the meeting as they had other commitments in their countries and two MPs were not able to travel for the meeting for personal reasons. The cost of accommodation booked for these MPs could not be refunded resulting in loss to the organisation. However, MPs who changed tickets to depart early paid for the change of tickets.

3- To manage cost, the team did not hire a vehicle because of the availability of reliable and reasonable public transport to and from the conference venue.

7. RECOMMENDATIONS

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

At technical level

1- It is recommended that participants to be selected to be part of the delegation are immersed in the subject of Climate Change, environment and related fields in order for them to be fully involved in crafting the PAP positions whenever the PAP participates in the COP processes.

2- PAP played and can always play an instrumental role in two key events during COPs; IPU annual meeting and the Africa Day, especially from a content perspective. Therefore, it is very important and is recommended that PAP should take early and advanced planning to participate in such targeted events to ensure that PAP is well represented and participates effectively in the events of COP.

3- Issues of COPs are technical in their nature and this necessitate a lot of research and technical preparation to equip and update MPs with information on relevant issues.

4- Committee on Agriculture should finalise necessary arrangements to operationalise PAP Climate Desk, including membership of the Desk and developing its terms of reference. In this regard, the report recommends the Plenary adopts a clear TORs for the PAP Climate Desk:

5- Key messages and positions of the PAP at COPs should be developed and fully considered before the PAP participation in the COPs.

6- PAP should endeavor to have an Observer/Partner status in COPs as this would allow for accreditation and direct registration as an independent organization, and not just be accommodated under the AUC.

At logistical level

7- A special Budget line for the participation of the PAP in COPs as an annual activity should be created.

8- All necessary administrative and technical arrangements for the PAP participation in COPs should be finalized early in each year, including list of participants, to allow for adequate time to implement procurement, media and other technical plans.

General recommendations

9- The Secretariat of the PAP should endeavor to transform the COP work place into a friendly-environment. This can prove that PAP, at the minimum level, is contributing to the global efforts to fight the negative effects of Climate Change, and is a solid and reliable partner in the global processes.

PAN-AFRICAN PARLIAMENT

PARLEMENT PANAFRICAIN

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REPORT OF CONSULTATIVE MEETINGS ON THE REVIEW OF THE DRAFT AFRICAN MODEL DISABILITY LAW FOR NORTHERN AND EASTERN REGIONS

7 TO 13 APRIL 2019

MOROCCO AND KENYA

PAN-AFRICAN PARLIAMENT
FINAL

I. INTRODUCTION

1.1 The Pan-African Parliament (PAP) was established as a platform to represent the voices of all African peoples and the interests of the African Diaspora. As such, one of its core functions is to promote all African Union (AU) legal instruments and principles of human and peoples' rights. In discharging its mandate, PAP is working in close collaboration with civil society, community-based organizations and grassroots organizations.

1.2 This collaboration aims at ensuring the effective participation of the African peoples in decision-making processes, as well as the integration and economic development of the continent. This is achieved by, inter alia, ensuring the harmonization of laws and policies that protect the interests and rights of every group of society, especially vulnerable groups such as women, children and people living with disabilities.

II. BACKGROUND

2.1 In order to facilitate an expedited implementation of past and existing continental initiatives for growth and sustainable development, the AU Member States adopted an ambitious 50-year programme, Agenda 2063. The Agenda outlines Seven Aspirations that focus, inter alia, on inclusive growth, respect for human rights, peace and security as well as shared values.

2.2 As such, a Continental Plan of Action for the African Decade of Persons with Disabilities (2010-2019) was adopted to ensure that their rights are promoted, protected and respected, for their total inclusion in all spheres of life. Given the slow implementation of that Continental Framework, the AU Member States adopted the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa, in January 2018, in Addis Ababa, to expedite the recognition of their rights and to ensure that no-one is left behind.

2.3 The Protocol on the Rights of Persons with Disability paved the way for the development of the Draft African Model Disability Law that would consolidate best practices

around the continent. It would assist Member States to review their national legislations and ensure their effective implementation through a clear monitoring mechanism.

III. JUSTIFICATION

3.1 The formulation of model laws by the Pan-African Parliament is grounded on Article 17 of the Constitutive Act of the African Union; Articles 11(3), (7) & (9) of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament; and Rule 4 (d) and (e), which empower PAP to facilitate the implementation of AU policies, objectives and programmes and oversee their effective implementation through harmonization of laws and policies of the African Union Members States, in line with the African Union legal and policy instruments.

3.2 In an effort to coordinate and harmonize national laws and policies relating to persons with disability, the Pan-African Parliament, as a representative of the African peoples, could not finalize the formulation process of a continental Model Law without engaging with the relevant targeted groups and key stakeholders, including civil society organizations, representatives of Member States, AU Organs, Regional Economic Communities (RECs) and private institutions.

3.3 The African Model Disability Law is driven firstly by the development and human rights-based approach such as the rights to dignity, life, freedom of expression, education, vote and the elimination of all forms of discrimination and access to justice. Secondly, the gender equality approach seeks to address the risks, such as violence and exploitation, to which different groups are exposed. The third approach binds the rights and obligations of State and non-State actors and highlights the need to mainstream disability issues in national sustainable development programmes.

IV. OBJECTIVES

4.1 The consultative meetings aimed to facilitate effective engagement with key stakeholders from the various African regions on disability, to ensure that the final Model Disability Law reflected the aspirations of the peoples of Africa. The specific objectives of the consultative meetings were, *inter alia*, to:

(i) Present and get feedback on the content of the Draft Disability Model Law in Africa;

(ii) Share experiences on national and sub-regional legal and policy measures that advance the rights of persons with disabilities;

(iii) Learn the approach adopted by civil society organizations and other stakeholders in addressing challenges that slow down the effective implementation of various legislations on the rights of persons with disabilities; and

(iv) Sensitize authorities from the host countries and the Northern and Eastern regions on the need to ratify the Protocol on the Rights of Persons with Disabilities in Africa and the usefulness of the Model Disability Law.

V. PARTICIPANTS

5.1 The consultative meetings in Rabat and Kenya gathered Members of the Pan-African Parliament from each Regional Caucus, Committee on Gender, Family, Youth and People with Disability, Committee on Health, Labour and Social Affairs and Committee on Rules, Privileges and Discipline, Government representatives, the African Union Commission, Regional Economic Communities (RECs), Pan-African Federations of the Disabled (PAFD), civil society organizations working on disability, national human rights Institutions, human rights activists, youth leaders, donors, academics and the media.

5.2 The Northern region was represented by civil society organizations from Algeria, Egypt, Morocco and Tunisia, whereas the Eastern region was represented by organizations from Djibouti, Kenya, Mauritius, Rwanda, Somalia, Tanzania and Uganda, and representatives from Ghana, Guinea Bissau and the Democratic Republic of Congo.

VI. PROCEEDINGS OF CONSULTATIVE MEETINGS

A. OPENING CEREMONY

6.1 Hon. Aurelien-Simplice Zingas-Kongbelet, Chairperson of the PAP Committee on Health, Labour and Social Affairs, opened the ceremony with a minute of silence or meditation to commemorate the 25th anniversary of the Rwanda genocide. This was to

remember all the victims and remind all participants of the consequences of the genocide that left many orphans, widows and persons with disability.

6.2 Messages of solidarity were delivered by Hon. Marie Mediatrice Izabiliza, Acting Chairperson of the Committee on Gender, Family, Youth and People with Disability, Government Representatives of the host countries, Representatives of the African Union Commission and GIZ, as well as the Chief Executive Officer of Africa Disability Alliance (ADA) and Executive Director of the African Union of Blind (AFUB).

6.3 All messages focused on action and the effective and immediate implementation of the existing legal instruments to accelerate the total inclusion of persons with disability in the political and socio-economic development of the continent. It was a plea to Parliamentarians to continue encouraging their countries to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa.

6.4 The African Model Disability Law was viewed as a mechanism that would implement ecosystems required to expedite some of the key components of the Protocol which, to date, had only been signed by two countries without any ratification. The need for more partnerships to fast-track the promotion of the rights of the vulnerable groups was also highlighted.

6.5 Various presentations were made followed by plenary discussions that focused mainly on the existing continental legal frameworks for the protection of persons with disability, the review of and contributions to the Model Law, based on country experiences.

B. CONTINENTALL NORMATIVE AND POLICY FRAMEWORKS ON THE RIGHTS OF PERSONS WITH DISABILITY

6.6 The African Decade of Persons with Disabilities set for 1999 – 2009 was adopted by the 35th Session of the Organization of the African Unity Assembly of Heads of State and Government in Algiers in July 1999. The main objective of the Decade was to create awareness about disability and to identify solutions tailored to the African context, aimed at improving attitudes. The Decade created awareness on the need to realize full participation, equality, and empowerment of Africans with disability. It also created an

opportunity for disabled people to meet and discuss their issues while setting standards on equal opportunities for all.

6.7 Due to the slow implementation of the 1999-2009 Decade, the period was extended by the 2010-2019 Continental Plan of Action. The Continental Plan of Action for the African Decade of Persons with Disabilities 2010-2019 outlined three (3) key activities pertaining to their full participation in the development of the continent.

6.8 These included the promotion of inclusion of persons with disabilities in all sectors of society; the development of institutions that deal with disability, including advocacy and disability desks in all government ministries, organizational support and strong roles for Disabled People's Organizations (DPOs); and monitoring, evaluation and reporting mechanisms on the implementation of the Continental Plan of Action.

6.9 The Consultative meetings responded to the need for ensuring peoples' meaningful participation in the formulation of the Draft Model Law. The consultations provided a forum for engaging key stakeholders from the regions and for incorporating regional and national realities. They built consensus among the future users and beneficiaries of the final product and sensitized them on all aspects of the Draft Model Law.

C. PRESENTATION OF THE DRAFT AFRICAN MODEL LAW ON DISABILITY

6.10 Mr Clement Phebe Mavungu, Legal Officer of the Pan-African Parliament, presented the Draft African Model Disability Law. He outlined the formulation process of the model law, which comprised three major stages: initiation of a Draft Model law, development of the Draft Model Law and adoption stage of the Draft Model Disability Law, currently underway. He referred to Resolution PAP.5/PLN/RES/01/OCT.18 adopted on 2 November 2018 in Kigali, Rwanda, by which PAP endorsed the first draft of the African Model Disability Law and directed it to be submitted for regional consultation and inputs to African citizens, civil society organizations, grassroots organizations and interested stakeholders.

6.11 He highlighted the main characteristics of the Model law which attest to its intrinsic value, i.e. *(i)* development and human rights-based approach; *(ii)* gender equality approach which seeks to ensure responsiveness to the status of men, women and girls, the elderly, children and youth with disability; *(iv)* obligations of State and non-State actors, including State organs and private sector institutions to underscore the need to mainstream disability issues in national sustainable development programmes; (iv) provisions on the establishment of implementation, monitoring and enforcement mechanisms, including criminal provisions for violations of some of its core principles.

6.12 In addition, he presented all chapters and provisions of the Draft Model Law for comment. The chapters include general provisions, provisions relating to the rights and welfare of persons with disabilities, provisions defining the obligations of State and non-State Actors, consideration of gender, ageing and disability, provisions on implementation, coordination and monitoring mechanisms, and final provisions.

6.13 He concluded by describing the intrinsic value of the draft Model Disability Law, which was an effective tool for harmonizing legal and policy frameworks on the rights of persons with disability that aimed at ensuring uniformity and equal protection, expedited legislative processes and reduced legislative costs in Member States.

D. DEBATE ON THE DRAFT AFRICAN MODEL DISABILITY LAW

6.14 The Implementation of the Continental Plan of Action for African Decade of Persons with Disabilities (2010-2019) through disability mainstreaming, faced political and structural challenges. Grounded by the adoption of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa, the Model Disability Law would not only serve as a guideline for domestication of various instruments such as policies, legislations, conventions and protocols, but would also promote best practices across the continent. Consultation with all stakeholders was therefore important.

(i) Challenges

6.15 Challenges raised by participants in both regions related mainly to the lack of political will and proper structures to adequately address disability issues for total inclusion in programmes and activities of Member States.

6.16 Challenges due to lack of political will to strengthen national legislations

- Wide gap between policies adopted and practice
- Budgetary concerns for disability mainstreaming
- Poor administration and coordination mechanisms to facilitate communication with organizations of people with disability
- Majority of Member States do not submit baseline and periodic reports
- Lack of quantitative and reliable data
- Lack of training of officers
- Non-existence of a parliamentary caucus dealing with vulnerable groups, i.e. women, children and people with disability
- Lack of infrastructure to facilitate the free movement of persons with disability
- Inadequate specialized schools and free education
- No access to free health care services

6.17 Structural challenges due to location of disability within government institutions

In most African countries, disability is located within the Ministry of Social Affairs which also deals with women and children issues. Some locate disability within the Ministry of Labour and Social Protection. In addition, programme planning often focuses on women's empowerment and children's protection, and leave behind that vulnerable group of persons with disabilities. It was observed that mainstreaming disability in policy development and programming had not been integrated as a human right's issue, making it difficult to adequately address issues relating to its total inclusion in all sectors.

(ii) Recommendations on the Draft African Disability Model Law

6.18 The rich exchange of experiences between participants on the development of strategies to further create an enabling environment where persons with disabilities can enjoy rights like

all other African citizens, resulted in recommendations, presented under the following three pillars:

- **Use of technologies**

6.19 The use of technologies today has a significant advantage in people's lives. It facilitates access to information and employment opportunities. With technologies, countries can build infrastructure such as schools, office buildings, prisons, and develop systems that can accommodate people with disability. For instance, the electoral system should incorporate brail to enable the blind to cast their votes and make their own choice. The banking system should also be improved as it is in developed countries.

- **Quota system**

6.20 In some countries such as Kenya and South Africa, the law provides that 5% of employment be awarded to people with disability. In practice however, the Government has failed to ensure that quota's effective implementation. It was recommended to include the 5% quota as a minimum, and to set up a structure composed of government officials, parliamentarians and representatives of disabled organizations to assess the progress made in each country.

- **Disability as an aggravating circumstance**

6.21 It was proposed that the Draft Model Law should provide for a definition of disability as an aggravating circumstance in any crime. This means that any crime would be punished harshly when committed against a person with disability, or when a perpetrator took advantage of a person with disability.

- **Families headed by persons with disability**

6.22 It was recommended that provision be made for adequate support, including a social grant for families headed by persons with disability.

- **Free education and medical care**

6.23 It was proposed that free education and free medical care should be clearly defined in the Draft Model Law. If African countries were made to fulfil those obligations towards their

citizens, the most vulnerable groups such as persons with disabilities should be given priority and special attention.

- **Reference to the Marrakech Treaty**

6.24 It was recommended that reference be made to the Marrakech Treaty, which allows for copyright exceptions to facilitate the availability of accessible versions of books and other copyrighted works for visually impaired persons. Countries ratifying the Treaty would benefit from a domestic copyright exception covering these activities and be allowed to import and export such materials.

- **Strategic legislative reforms**

6.25 Reforms should be undertaken, inter alia, of electoral laws to include persons with disability on the list and to increase the budget allocation to address the difficulty of implementing inclusion programmes. Legislative reforms should furthermore make provision for the establishment of structures that would encourage and facilitate coordinated actions and measures, develop inclusive education curricula and set disability mainstreaming targets such as gender, for ministries and other government departments. Above all, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa should be ratified as it would serve as the baseline for enacting specific laws.

CONCLUSION

In line with the PAP Resolution adopted in Kigali, consultations with civil society organizations were held for the Northern and Eastern regions, while focusing on incorporating regional characteristics in the draft model disability law. The Pan-African Parliament was commended for its commitment to advance the cause of the most vulnerable people in an integrated society. The participative approach adopted by PAP was overwhelming for organizations of persons with disability, who adopted the motto ***"Nothing for us without us".*** Mainstreaming disability like gender in all spheres of life will enable persons with disabilities to fully enjoy their rights. Disability would therefore systematically be included in programmes through sufficient budget allocation. As a way forward, consultations should continue for the Central, Western and Southern regions before final submission of the draft model law to Plenary.

PARLIAMENT OF KENYA

10



12TH PARLIAMENT

(THIRD SESSION)

REPORT OF THE COMMITTEE SITTINGS OF THE PAN-AFRICAN PARLIAMENT HELD IN MIDRAND, SOUTH AFRICA 6TH AUGUST, 2018 to 8TH AUGUST, 2018

Clerks'Chambers
ParliamentBuildings
NAIROBI

July, 2018

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ABBREVIATIONS

AUDA	-	African Union Development Agency
APSA	-	African Peace and Security Architecture
APRM	-	African Peer Review Mechanisms
ATAF	-	Africa Tax Administration Forum
AU	-	African Union
AUC	-	African Union Commission
AUTJP	-	African Union Transitional Justice Policy
CSO's	-	Civil Society Organizations
CSVR	-	Centre for Study of Violence and Reconciliation
EISA	-	Electoral Institute for Sustainable Democracy in Africa
IDEA	-	International Institute for Democracy and Electoral Assistance
MP	-	Member of Parliament
NEPAD	-	New Partnership for African Development
PAP	-	Pan-African Parliament
PPP	-	Public Private Partnership

PREFACE

Hon. Speaker,

1. The Pan-African Parliament, also known as the African Parliament, is the legislative body of the African Union and held its first inaugural session in March 2004. The Pan-African Parliament exercises oversight, and has advisory and consultative powers, lasting for the first five years. Initially the seat of the Pan-African Parliament was in Addis Ababa, Ethiopia but it was later moved to Midrand South Africa.

2. The Pan-African Parliament has 235 representatives that are elected by the legislatures of 47 of 54 AU states, rather than being directly elected in their own capacity. Each member state sends a delegation of five Parliamentarians to the parliament at least one whom must be a woman. The composition of the delegation should reflect the political diversity of the member state`s legislation.

3. The term of a Member of the Pan-African Parliament shall begin once he or she has taken oath of office or made a solemn declaration during a plenary session of the Pan-African Parliament. A Member of the Pan-African Parliament shall vote in their personal and independent capacity and shall not be bound by any instructions or orders from any authority..

Hon. Speaker,

4. The Parliament of Kenya is well represented in the affairs of the Pan-African Parliament. Hon. Janet Ongera serves as the Chairperson Eastern, Regional Caucus and Sen. (Dr.) Ali Abdullahi Ibrahim serves as the Rapporteur for the Committee on Cooperation, International Relations and Conflict Resolutions while Sen. Stewart Madzayo, Hon. Kones Beatrice and Hon. Jude Njomo Kangethe are Members of the Pan-African Parliament who are designated by the Parliament of Kenya serve in various committees of the Pan-African Parliament.

Hon Speaker,

5. The Kenyan delegation to the Committee sittings of the Pan- African Parliament comprised the following:

   i) Sen. (Dr.) Ali Ibrahim, MP - Leader of the Kenya Delegation to PAP

   ii) Hon. Janet Ongera, CBS, MP – Chairperson, Eastern Regional Caucus - PAP

iii) Hon. Jude Njomo, MP - Member
iv) Hon. Beatrice Kones, MP - Member
v) Sen. Stewart Madzayo, MP - Member

6. The delegation was accompanied by the following parliamentary staff:
   i) Mr. George Otieno - Senior Clerk Assistant
   ii) Ms. Caro Kinyua - Senior Clerk Assistant
   iii) Mr. Mainah Wanjiku - First Clerk Assistant
   iv) Mr. David Angwenyi - Third Clerk Assistant

During the Committee sittings of the Pan- African Parliament, Members of the Kenyan delegation were actively involved in the deliberations that greatly enriched the resolutions that were arrived at.

Mr. Speaker,

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

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

Sign: ..... Date: 18-07-2019.

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

REPORT OF THE COMMITTEE SITTINGS OF THE PAN – AFRICAN PARLIAMENT HELD IN , MIDRAND, SOUTH AFRICA ON 6TH AUGUST -8TH AUGUST, 2018

A. INTRODUCTION

The Pan-African Parliament (PAP) is one of the nine organs proposed in the 1991 Treaty Establishing the African Economic Community (Abuja Treaty). Its purpose, as set out in article 17 of the AU Constitutive Act, is "to ensure the full participation of African peoples in the development and economic integration of the continent". The Parliament is intended as a platform for people from all African states to be involved in discussions and decision-making on the problems and challenges facing the continent. The Parliament sits in Midrand, South Africa.

While the long-term aim is for the Parliament to exercise full legislative powers, its current mandate is to exercise advisory and consultative powers. The Parliament has up to 250 members representing the 50 AU Member States that have ratified the Protocol establishing it (five members per Member State). Under rule 7 of the PAP Rules of Procedure, a parliamentarian's tenure of office begins on the date he or she is elected or designated as a Member of Parliament. A parliamentarian's term should correspond to his or her own national parliament term or any other deliberative organ that elected or designated the parliamentarian.

The long-term aim is for the Parliament to hold direct elections by universal suffrage. The PAP's functions are set out in the 2001 Protocol to the Abuja Treaty relating to the Pan-African Parliament and in its Rules of Procedure. These include to:

- Facilitate effective implementation of the OAU/African Economic Community`s policies and objectives and, ultimately, the AU;
- Work towards the harmonization or coordination of Member States`s laws;

- Make recommendations aimed at contributing to the attainment of the OAU/AEC's objectives and draw attention to the challenges facing the integration process in Africa as well as the strategies for dealing with them;
- Request OAU/AEC officials to attend its sessions, produce documents or assist in the discharge of its duties;
- Promote the OAU/AEC's programmes and objectives in Member States' constituencies;
- Encourage good governance, transparency and accountability in Member States;
- Familiarise the peoples of Africa with the objectives and policies aimed at integrating the African continent within the framework of the AU's establishment; and
- Promote the coordination and harmonisation of policies, measures, programmes and activities of Africa's parliamentary forums.

The Pan-African Parliament adopts its own Rules of Procedure. These include provisions governing its functions, powers, voting, organs, committees and caucuses.

The PAP adopts its own Rules of Procedure. These include provisions governing its functions, powers, voting, organs, committees and caucuses.

Evolution

The Pan –African Parliament originated with Abuja Treaty (1991), which called for the establishment of a parliament to ensure that the peoples of Africa are fully involved in the economic development and integration of the continent. The Sirte Declaration (1991) repeated the call for early establishment. The Protocol establishing the Pan-African Parliament was adopted at the 2001 OAU Summit in Sirte, Libya. The Parliaments first session was held in march 2004.

Structure

Pan-African Parliament representatives are elected by the legislative of their Member States, rather than being elected directly by the people. In addition to the full Assembly of Parliament, the PAP has 10 permanent committees.

Meetings

Under rule 28 of the PAP's Rules of Procedure, the Parliament should meet at least twice in ordinary session within a one-year period. Parliamentary sessions can last for up to one month. Under rule 29, the PAP can meet in extraordinary session.

AU Member States that have ratified the PAP Protocol (50)

Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cabo Verde, Central African Republic, Chad, Congo, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sahrawi Republic, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia and Zimbabwe.

B. COMMITTEE MEMBERSHIP – KENYA DELEGATION TO THE PAP

S/No.	Member	Committee
1.	Sen. (Dr.) Ali Ibrahim, MP	Committee on Cooperation, International Relations and Conflict Resolutions (Rapporteur)
2.	Hon. Janet Ongera, CBS, MP	Committee on Rural Economy, Agriculture, Natural Resources and Environment
3.	Hon. Jude Njomo, MP	Committee on Trade, Customs and Immigration Matters
4.	Hon. Beatrice Kones, MP	Committee on Transport, Industry, Energy, Communication, Science and Technology
5.	Sen. Stewart Madzayo, MP	Committee on Monetary and Financial Affairs

i) Illicit Financial Flows –the Global Tax Agenda by Africa Tax Administration Forum (ATAF)

7) Later Mr. Raphael Kamoto from the Africa Tax Administration Forum (ATAF) informed the Committee that ATAF strives to build efficient and effective tax administrations to become the leader on African tax matters, enhance economic development and improve the living standards of the people of Africa. They noted they do these through exchanges, knowledge dissemination and capacity development.

8) He further informed the Committee that improved tax systems would increase accountability of the State to the people and enhance domestic resource mobilisation.

9) He stated that their objectives were:- to build capable African tax administrations that develop, share and implement best practices; become the African voice on tax issues to inform and influence the global dialogue; foster sustainable partnerships with stakeholders; and improve good governance and accountability between State and citizens.

10) He noted that they have a presence in 38 African countries and would want to increase the number so that they are present in all African countries. To achieve this, the team proposed to collaborate with PAP through joint workshops and capacity build Members of PAP on matters of tax. The team thereafter invited the Committee to training for Parliamentarians to be held in Nairobi, Kenya from 17th -19th September 2018.

11) After deliberations with the Committee, the Committee resolved the following:-

i. The Seven Member sub-Committee that had been appointed to be the liaison team with ATAF to have a meeting with them before the October 2018 plenary in Kigali, Rwanda;

ii. The PAP secretariat and ATAF to draft a Memorandum of Understanding between PAP and ATAF to be presented to the Committee before the October 2018 plenary in Kigali, Rwanda; and

iii. ATAF to provide the Committee with the status of payment of subscription fees through the Committee secretariat.

COMMITTEE ON RULES, PRIVILEGES AND DISCIPLINE

The Committee on Rules, Privileges and Discipline held a sitting on 8th August, 2018.

i) Amendment of the PAP rules of Procedure

1) The Chairperson informed the Committee that the last amendments to the Rules were tabled in year 2014. There have been some developments since then including the additional of a Permanent Committee and the Rules have not been amended to reflect the developments. She noted the need to amend the Rules to reflect the current number of Committees among other proposals. She invited Mr. Smart, an expert, to make proposals for amendment of the PAP Rules of Procedure.

2) Mr. Smart informed the Committee that there was no need to wait for the new protocol to be ratified in order to come up with new Rules in accordance with the new protocol. He however observed the need to make amendments to the existing rules to make provision for current gaps. He made the following proposals for amendments to the Rules and Members gave their input as well-

   a. Rule 60 - Written notice of motion.
      The Rules are not clear on a Motion for the removal of the President. Rule 60 should therefore, be amended to include a Motion on the removal of the President.

   b. The Chairperson added that there was need to consider amending the Rules to make a provision for removal of President through impeachment. She asked the expert to advice on whether the procedure should be provided for under the rules for motions or removal of President.

   c. Rules and Procedures need to be changed to allow the Committee on Rules, Privileges and Discipline to amend the PAP Rules of Procedure.

   d. PAP Members do not use questions as is intended in the Rules. The Chairperson observed that it is because of the long duration between

PAP meetings and a result by the time the AU Council provides the answers, the mater may have fallen away.

e. Rule 77- Should be amended to include more consultative forums.

ii) Presentation on the PAP Strategic Plan

3) The Chairperson upon advice by the Committee Clerk allowed Mr. Ahmed E. Sidahmed of the Technical Working Group on the PAP 2018-2023 Strategic Plan to make a presentation to the Committee

4) Mr. Ahmed informed the Committee that he was going round to all the Committees and Caucuses making a presentation on the draft PAP Strategic Plan framework for the consideration and input of the Members. He thanked the Chairperson for giving them an opportunity to present. He made his presentation as follows-

4.1 The Methodology/ Approcah will entail a Vision, a Mission, Core Values, Strategic Objectives, Key Areas of Thematic Focus, Outcomes and Deliverables.

4.2 The Technical Working Group reviewed PAP frameworks , evolution, protocols ; past SPs, recommendations and lessons learned and Past and current SWOT analyses.

4.3 The PAP SP 2018-2023 will be inspired by the PAP Vision and the opportunity of the strong political commitment for Agenda 2063, Post-2015 UN Development Agenda and SDGs; be aligned with the first 10 Year of Agenda 2063 (2013-2023) and the associated framework; be linked to the PAP's mandate to institutionalize a popular framework which allows citizens to engage and drive the processes that affect the continent; and benefit from the achievements and lessons learnt from the implementation of the previous SPs.

4.4 Careful thought will be given to: the evolution of the PAP over the years as influenced by the application of the revised protocol_aiming to advance the legislative powers of the PAP; the evolution of the PAP over the years as affected with the progress of national parliamentary and democratic systems; introducing new approaches for PAP's engagement coherent with its vision, mission , core values and

overall mandate; and need for greater synergy between PAP and the AUC specially towards the timely implementation of Agenda 2063

4.5 While the long-term aim is for the Parliament to exercise full legislative powers, its current mandate is to exercise advisory and consultative powers. The parliamentarian terms and legislative nature depend on each member country (some are elevated and some are nominated or assigned). This impacts on extent of harmonization of MS laws, coordination and harmonisation of policies, measures, programmes and activities of Africa's parliamentary forums and extent of good governance, transparency and accountability.

4.6 Strong political commitment for Agenda 2063, post 2015 UN Development Agenda and SDGs.

4.7 The PAP SP 2018-2023 will be responsive to/ politically committed towards empowering the people of Africa to realize the goals of Agenda 2063, Post-2015 UN Development Agenda and SDGs and highly committed to realizing H.E. Paul Kagame Report on the Proposed Recommendations for the Institutional Reform of the African Union and to AU Transformation objectives.

4.8 The process of identification of the key elements of the Strategic Plan will be guided by the recommendations of the review / evaluation of PAP SP 2014-2017 and the gaps on the SWOT analysis and will follow a transparent and open discussions with the PAP Governance Bodies (Plenary, Bureau, Permanent Committees, PAP Secretariat) and - as possible - AUC and development partners

4.9 Indicative preliminary proposal of the Strategic Objectives for the Strategic Plan 2018-2023 are-

a) Strategic Objective1 - Strengthening Parliamentary legislative functions of the PAP (to be detailed in outcomes under *ratification of the revised protocol, supporting democracy, and good governance and performance in Africa*)
b) Strategic Objective 2 - Strengthening partnership, coordination and institutional capacity of the PAP.
c) Strategic Objective 3 - Promoting PAP's support to human rights and social inclusion goals of the AU (to be detailed in outcomes under peace, security, stability, human rights, social justice and employment initiatives in Africa).

d) Strategic Objective 4 -Strengthening learning & sharing, knowle management, reporting , communication and advocacy of PAP.

5) **Work Plan 2019**

The Committee deferred the consideration of the Work Plan to October, 20

6) **Model Laws**

The Chairperson observed that the document on model laws was preser on 2nd and 3rd August, 2018 during the Committee Workshop. Memb resolved to read the document and discuss it during the next Commi meeting in October, 2018.

PERMANENT COMMITTEE ON COOPERATION, INTERNATIONAL RELATION AND CONFLICT RESOLUTION

The Committee met on the 6th, 7th and 8th August, 2018 to consider its work plan 2019, discussion on the Peace and Security status on the continent, PAP Observer status at the Peace and Security Council at the AU and Training on Election Observation by EISA.

i) **Work Plan 2019**

The Committee was taken through the draft work plan and draft action plan by the Committee Clerk, Ms. Hellen Sabwa. She informed the Committee that the activities were limited due to budgetary constraints. She further informed Members that the Committee needed to find out what activities were still pending in the 2018 work plan and sort to have the Committee to undertake them.

She further informed Members that she took due regard to the PAP strategic plan in coming up with the draft work plan. However, she noted that the PAP strategic plan had expired and there was already a consultant on board working on a replacement.

After deliberations, the Committee resolved that the activities appearing under the draft action plan to transferred to the draft work plan. The Committee thereafter adopted the work plan 2019 subject to the amendment.

ii) **Peace and Security status on the Continent**

A presentation was made to the Committee by Dr. Admore Kambuzi, an expert in Peace and Security. His presentation covered issues relating to the situations in South Sudan, Somalia, the Democratic Republic of Congo, the Central African Republic and Ethiopia/Eritrea, combating terrorism, as well as current trends in the implementation of the African Peace and Security Architecture (APSA).

With regard to ongoing developments in the situation in South Sudan, he noted that with the signing on 27 June 2018, of the Khartoum Declaration Agreement and the subsequent Agreement on Outstanding Issues of Governance of 05 August 2018, there is rekindled hope for achieving lasting peace and reconciliation in the country. Given the fact that processes of implementing agreements tend to face challenges, he informed the Committee that the Commission stood ready to mobilize continental and international assistance needed so that the country can get on its feet again. Notably, the leadership of IGAD, namely the Chair of IGAD and leaders of the Region,

should be commended for their devotion, wisdom and dedication to the peace process in South Sudan.

7) He also informed the Committee that the situation in Somalia had considerably improved. The AU Commission had continued to provide the required support and guidance to AMISOM and to mobilize support for the Federal Government of Somalia (FGS). He also noted that the newly opened page of friendship, partnership and cooperation between Ethiopia and Eritrea may certainly boost opportunities to achieve lasting peace in Somalia.

8) Regarding the Situation in the Democratic Republic of Congo, he noted that the country faces some security and humanitarian challenges especially as it prepared for elections. There were reports pointing to recurrent and new cycles of conflict and violence perpetrated by armed groups, the rise in inter-communal violence and acts of violence carried out by some militias in some regions of the country, as well as acute humanitarian conditions in certain areas of the country made worse by the recent outbreak of Ebola.

9) Regarding the situation in the Central African Republic (CAR), he noted it has continued to show worrying trends. Since December 2017, an armed group named the Noureddine Adam's Popular Front for the Renaissance of the Central African Republic (FPRC), has been mobilizing its troops to engage in hostilities. He noted that despite joint Missions spearheaded by UN and AU the situation in the CAR obviously remains fragile, including the humanitarian situation and our attention should stay focused.

10) In Mali, he noted important challenges remain to be taken up. These include the Constitutional Referendum, which has been postponed sine die, the delay in the start of the operationalization of the cantonment, integration and DDR process, the recurrent terrorist attacks, inter-communal clashes between Fulani and Dogon, as well as between the Fulani and Daoussaks, the deterioration of security in the north and in the centre.

11) He noted that the situation in the Sahel Region remains marked by the intensification of terrorist attacks in northern and central Mali, as well as in the border region between Burkina Faso, Mali and Niger, especially against the civilians, the defence and security forces of the countries of the region and the international forces present in Mali, particularly those of the United Nations Multidimensional Integrated Stabilisation Mission in Mali (MINUSMA) and the French *Operation Barkhane,* as well as a proliferation of terrorist groups and other armed groups.

2) He noted that the situation in Guinea-Bissau has continued to be of major concern. Bissau-Guinean stakeholders have been urged to implement the 2016 Bissau Roadmap and the Conakry Agreement, in order to resolve the crisis and ensure a successful and timely conduct of the 2018 legislative elections.

3) He further noted that Ethiopia and Eritrea have recently opened a new page in their relations, following the grand steps taken by Ethiopia. Economic ties have resumed, as evidenced by restoration of air links between the two neighbours. This new page offers more promise to achieve peace in the entire Horn of Africa.

4) Concerning the situation in Western Sahara, it had been decided that the AU's efforts are to continue being deployed in support of the United Nations efforts aimed at finding a durable solution on the matter.

5) Concerning the implementation of the African Peace and Security Architecture (APSA), he said that significant progress has been made towards consolidating the works of the APSA and the AGA, as key platforms for preventing conflict, managing and resolving blown out conflicts and for building a conflict-free Africa as envisioned in AU Agenda 2063, the AU flagship Project on Silencing the Guns, and also in Agenda 2030 on Sustainable Development Goals. As for the African Standby Force, a key APSA element to support the AUPSC in its work, progress has been marked by its attainment of Full Operational Capacity.

6) After deliberations, the Committee noted more needs to be done for closer collaborations between the Africa Union Peace and Security Council and the Pan African Parliament as envisioned in Article 18 of the Africa Union Peace and Security Council Protocol.

7) The Committee further resolved to be capacitated to meaningfully participate in the Missions undertaken by the Africa Union in countries affected by conflict. This would include bringing a report back to the plenary for debate and adoption.

iii) Overview of Electoral Democracy in Africa

8) Ms. Akinduro Olufunyo from EISA informed the Members that EISA was established in 1996 and has offices in 17 counties in Africa. She also informed

the Committee that EISA closely works with the Africa Union on matters elections.

19) She noted that elections should not be treated as an event but all electoral processes must be taking into consideration. In the 1990s, she noted most African Countries started holding elections but democracy seemed to lack. In the 2000s there was more effort to promote democracy. Besides, there was more international focus on the processes and reduced military intervention in elections. The question changed from whether the elections were regular to whether there was integrity in the elections.

20) She further noted the Africa Union recognises that elections are not a matter of the day of the elections but way before the day of elections and has moved from being invited to observe elections to inviting itself. She noted that the Africa Union deploy pre-election assessment Mission and also long term observers that stay in the county deployed longer after the election day. In fact, she informed the Committee that Africa Union had now a dedicated desk providing electoral assistance across Africa.

21) She also noted that there is increased use of technology in elections in Africa although there is growing resistance due to suspicion of manipulation of technology.

22) After deliberations, the Committee resolved as follows:-

1) PAP to build capacity of its Member to effectively and efficiently carry out a meaningful election observation;

2) PAP to have the reports of the elections observations Missions adopted by the Plenary, and thereafter follow up to ensue on the recommendations; and

3) EISA to assist PAP to come up with a handbook on election observation.

COMMITTEE ON JUSTICE AND HUMAN RIGHTS

The Committee met on the 7th and 8th August, 2018 to consider Transitional Justice in Africa and a presentation from the African Peer Review Mechanism on capacity building and promotion of good governance.

i) Presentations on the African Union Transitional Justice Policy by representatives from the Centre for the Study of Violence and Reconciliation (CSVR)

1) The representatives from the Centre for the Study of Violence and Reconciliation (CSVR) made presentations on the African Union Transitional Justice Policy (AUTJP). They presented on the following main topics

a) Definition of Transitional Justice in Africa;
b) Enhancing the AU's role on Transitional Justice in Africa: the African Union Transitional Justice Policy;
c) Emerging trends/challenges facing Africa;
d) The role of PAP in Transitional Justice; and
e) The implementation of the AUTJP.

2) After the presentations, the Committee resolved as follows:-

a) The Centre for the Study of Violence and Reconciliation will consider the possibility of developing a brochure on Transitional Justice.

b) A follow-up workshop on the African Union Transitional Justice Policy be held between August, 2018 and March, 2019;

c) The Committee drafts a Declaration on Transitional Justice for adoption by PAP in October;

d) The Centre for the Study of Violence and Reconciliation to consider the possibility of developing guidelines for Members of Parliament on Transitional Justice;

e) The Committee to consider coming up with a model law on Transitional Justice;

f) The Committee to consider undertaking some fact finding missions in countries that have gone through the processes of Transitional Justice e.g Rwanda and Burundi;

g) The Committee to hold debriefings on Transitional Justice during the Pan-African Parliament Statutory meetings;

h) The Committee to consider embarking on regional consultations and promotion of the policy and to encourage member states to consider drafting national legislation on Transitional Justice with the policy as the guide; and

i) The Report on the Workshop be considered and adopted during the October meeting and that the report together with a Committee Resolution be presented in plenary.

ii) **African Peer Review Mechanism (Aprm)**

Ms. Mary Izobo, the Legal Officer, African Peer Review Mechanism made a presentation on APRM as follows-

3) The African Peer Review Mechanism (APRM) is a self-monitoring instrument established in 2003, as part of the New Partnership for Africa's Development (NEPAD) now known as the African Union Development Agency (AUDA) for institutional capacity building and promotion of good governance in Africa.APRM is a mechanism to which member states of the African Union accede voluntarily.

4) To date, thirty-seven (37) member states of the African Union have acceded to the Mechanism. These 37 Countries are Algeria, Angola, Benin, Burkina Faso, Cameroon, Chad, Cote d'Ivoire, Congo Republic, Djibouti, Gambia, Gabon, Equatorial Guinea, Egypt, Ethiopia, Ghana, Kenya, Lesotho, Liberia, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Nigeria, Niger, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Tunisia, Togo, Uganda and Zambia. Gambia is the newest and the 37th member of the APRM.

5) Twenty-three (23) countries have undergone the APRM governance review and twenty-one (21) have been peer-reviewed by the APRM Forum of Heads of State and Government.

6) The mandate of the APRM is to foster adoption of policies, standards and practices that lead to political stability, high economic growth, sustainable

development and accelerated economic integration, in line with the NEPAD strategic framework goals.

a) The overall responsibility of the APRM at the continental level is vested in the Committee of Participating Heads of State and Government of the APRM Member States (APRM Forum).
b) A Committee of Focal Points of all APRM member states is responsible for financial and administrative matters concerning APRM.
c) The Panel of Eminent Persons (APRM Panel) appointed by the Heads of State oversees the conduct of the APRM process and ensures its integrity.
d) The APR Continental Secretariat provides the secretarial, technical, coordinating and administrative support services to the APRM.

7) At the heart of the APRM mandate is the Country Review Process. The APRM Country Review Process is based on a 'self-Assessment' Questionnaire whereby the Mechanism oversees the self-assessment of governance policies and practices by its member states and monitors their performance. The Self-assessment process is participatory and inclusive, involving the public, civil society, private sector, media, youth and women organisations, the marginalised and vulnerable in the society and other stakeholders.

8) The APRM review process entails periodic reviews of policies and practices of participating countries to ascertain progress made towards achieving the agreed goals and compliance with the APRM thematic areas.The APRM review process is not a score-card as it is not meant to name and shame or punish any APRM Member State. The review process takes place in various stages that include establishment of national structures upon acceding to APRM. Stage two is carrying out a country review mission. Stage three is drafting the country review report and validation, stage four is submitting the report to APRM forum for review. Stage five is publication of the report and the last stage is implementation of the recommendations from the APRM forum.

9) Twenty-three (23) countries have completed their first peer review process and two (2) countries have completed their first and second reviews as at January 2018. These include Algeria, Benin, Burkina Faso, Cote d'Ivoire, Chad, Djibouti, Ethiopia, Ghana, Kenya, Lesotho, Liberia, Mali, Mauritius, Mozambique, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Uganda and Zambia. Kenya and Uganda have completed their first and second-generation country review process. Liberia and Cote d'Ivoire are scheduled for peer review in January 2019.

10) Paragraph 25 of the APRM Base Document NEPAD/HSGIC/03-2003/APRM/MOU/Annex II stipulates that 'Six months after (a) report has been considered by the Heads of State and Government of the participating member countries, it should be formally and publicly tabled in key regional and sub-regional structures such as the Pan African Parliament, the African Commission on Human and Peoples' Rights, the envisaged Peace and Security Council and the Economic, Social and Cultural Council (ECOSOCC) of the African Union.'

11) Parliamentarians are critical stakeholders of the APRM process because their participation ensures the success of the process. The Parliament's role on legislation is of paramount importance to APRM as the Mechanism monitors government's decisions and policies to ensure that they are in line with the APRM mandate and objectives.

12) As part of their involvement in the APRM process, Parliamentarians are required to:

a) Get involved in the preparatory stage of APRM process.

b) Pass legislation and generate political support to the APRM process.

c) Seek representation in the APRM National Governing Council/National Governance Commission and play an active role therein.

d) Ensure that the NGC submits Progress Reports on its activities to the Parliament for Consideration.

e) Develop strategic partnership with CSOs to move the APRM process forward.

f) Organize and take part in sensitisation sessions on APRM.

g) Establish a Parliamentary Committee with responsibility to define, oversee and organise engagements with APRM.

h) Pass Budgets for APRM Activities within the states and ensure the implementation of the NPOAs.

13) The APRM Statute comprises of twenty-six (26) articles including structures and relations with AU bodies based on existing decisions on APRM. The Statute was provisionally adopted by the APR Forum in August 2016. The Statute reaffirms the Malabo Decision on the Integration of APRM into the African Union, which stipulated that APRM shall have a legal personality and shall be a Specialised Agency of the African Union.

4) Extra funding is needed for APRM activities because the Mechanism's funding in the public domain is limited. As in cases elsewhere, some of its member states are not paying up their annual contributions and this situation is a major hindrance to the smooth functioning of the Mechanism. AU and other partners must come on board to finance some of the APRM activities in the framework of the expanded mandate.

JOINT WORKSHOP

1) The International Institute for Democracy and Electoral Assistance (IDEA) in conjunction with the PAP organized a Joint Workshop on *Making of Model Laws* for the Committees on Justice & Human Rights, Rules, Privileges & Discipline, Gender, Family, Youth & People with Disability, the Bureau of Committees, Regional Caucuses and the Caucus on Youth.

2) The Workshop considered several presentations on the *Advisory Role of the PAP, the Mandate of the PAP to make Model Laws, Continental Integration through Model Laws and the Initiation, Drafting and Adoption of Model Laws including the Challenges and Opportunities.*

3) In the deliberations, it was observed that there exist great opportunity for the introduction of Model laws within the AU states. Notably, whereas **minimum standards** ought to be set for all states, it is not mandatory that the laws be **uniform** as the socio-economic and political circumstances are different for each of the member countries involved. However, the models laws ought to be acceptable in all states taking into account the specific prevailing circumstances for each of the countries.

4) It was observed that in developing Model Laws, the following, *inter alia,* should be considered-

   a) The History and purpose of the Model Laws;
   b) The Objectives of the Model Laws;
   c) The international and/or regional context of the Laws;
   d) The scope; and
   e) The impact assessment.

5) During the Workshop, participants also tackled the topic *Adopting Model Laws: Challenges and Opportunities.* The topic was co-presented by Adv. LibakisoMatlho and Dr. Ernest D. Titanji. In the ensuing deliberations, it was noted that there exists legal lacuna with regards to the development and adoption of Model Laws in Africa. This is further compounded by the fact that specific social challenges cannot be dealt with at the national/international level and would therefore require localised approaches.

6) It was noted that model laws are aimed at being tools for legislation and not a whip to force States to legislate in a certain way. Therefore, states may adopt the **part/single** provision(s) approach or **transform** the model laws altogether to fit their circumstances.

COMMITTEE ON TRADE, CUSTOMS AND IMMIGRATION MATTERS

1) The Committee on Trade, Customs and Immigration Matters held its meeting during the period under review. The first meeting was held on Monday, August 06, 2018 under the chairmanship of the Vice Chair Hon. Grant from Liberia. In his opening remarks, the chair noted the importance of trade, customs and immigration especially in relation to regional and continental integration.

2) During the proceedings, it was reported that the substantive chairperson of the Committee had lost his seat during the elections in Zimbabwe (Hon. Mashakada). A question arose as to whether a member of a committee of the PAP retained his/her membership to the committee when proceeding to national elections in their country.

3) In his response, the Deputy Clerk, Mr. Ghalal Nassir observed that members immediately lost their membership, together with any post they held, in a committee as the membership to PAP is not permanent and is dependent on various factors. A further question arose as to when elections for a Committee's bureau can be conducted. It was clarified that the elections can be conducted at any time whether during plenary sitting or during committee sittings as long as a vacancy exists.

4) Following this guidance, the committee resolved to conduct the election of its bureau. Three nominations were received on the floor for the position of Chairperson –

S/No.	Nomination	Proposer	Seconder
a)	Hon. Grant – Liberia	Ghana	Uganda
b)	Hon. Abdellatif – Morocco	Libya	Algeria
c)	Hon. McHenry – Namibia	Kenya	South Africa

5) Before the elections were conducted, Hon. Grant withdrew his candidature for the position of Chairperson. Thereafter, the elections were conducted through secret ballot where the Hon. McHenry (Namibia) was duly elected chair having garnered ten (10) votes while the Hon. Abdellatif (Morocco) garnered three (3) votes. For the position of the Vice Chairperson, the Hon. Grant was elected unopposed having been nominated by South Africa (Hon. Didiza) and seconded by Zambia.

6) The Committee extensively considered the proposed work plan for the year 2019. The committee observed that there is need for collaboration with other organs of the AU, partner organisation and government institutions to push for

the implementation of Committee resolutions on trade, customs and immigration matters.

COMMITTEE ON TRANSPORT, INDUSTRY, COMMUNICATIONS, ENERGY, SCIENCE AND TECHNOLOGY

1) The Committee on Transport, Industry, Communications, Energy, Science and Technology held its meeting during the period under review. The first meeting was held on Monday, August 06, 2018. Matters deliberated upon included a presentation on the PAP Strategic Plan, consideration of the Committee work plan for 2019 and joint presentations with other committees of the Parliament.

2) During the deliberations on the Work Plan, it was agreed that the programmes ought to be realistic and achievable to ensure success. This is especially so considering that the implementation of most of the objectives is usually in March or August during Committee sittings. It was further agreed that the programmes be aligned to the available funds with room for co-implementation with other Committees.

3) The Committee also resolved to relook at the 2018 Work Plan and single out areas that require further follow-up. The Committee agreed to have only 3 or 4 activities as opposed to the proposed 7. The secretariat to rework the plan before end of October 2018 and circulate to Members.

JOINT PRESENTATION ON TRANSPORT AND ROAD INFRASTRUCTURE DEVELOPMENT FINANCING IN AFRICA THROUGH PPPS

1) The Joint Presentation was for the Committee on Trade, Customs and Immigration Matters and the Committee on Transport and Infrastructure. The Outcome included:

   a. The understanding that PPP is an alternative procurement tool for development that can be used to accelerate project in the continent. The case study of Maputo Development Corridor (MDC) N4 Highway was noted.
   b. Infrastructure deficit in the transport sector is increasing across the continent. There is therefore need for a reconsideration of the financing options available.
   c. There is a maintenance backlog in most road projects. PPP offers a means for governments to maintain road infrastructure timely and thus avoiding deterioration.
   d. The implications for this is that through good infrastructure, there is created enabling environment for economic activity through *lower cost of doing business, improved global competitiveness of local production, promotion of foreign direct investment (FDI) and partnerships and promotion of cross border investments and trade.*

e. However, PPP is not always the cheapest compared to traditional procurement models. Nonetheless, it is more efficient.

f. There is need for enabling environment for success in PPP including *policy framework, legal and regulatory framework and a competition policy.*

2. PPP – an alternative Procurement Tool for Infrastructure Development (Cont.)

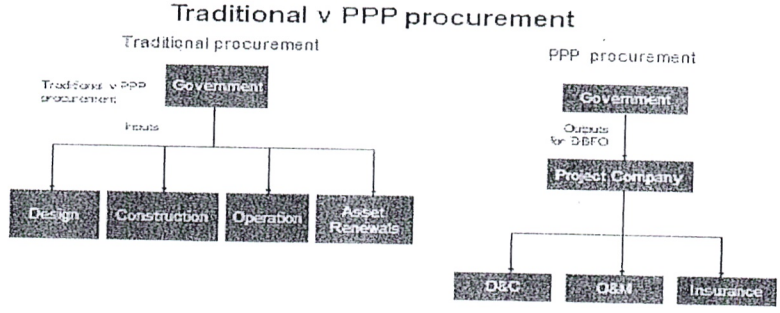


Illustration 1

Joint Presentation on Promoting Cybersecurity in Africa – Policy, Legislative and Institutional Measures

a. The joint presentation focused on the AU Convention on Cybersecurity and Protection of Personal Data. The convention was adopted in 2014 with the objective to;
   i. *harmonize e-legislation, protect personal data, promote cyber security, fight cybercrime*
   ii. *Define key cyber terminologies in legislation*
   iii. *Develop general principles and specific provisions related to cyber legislation*
   iv. *Outline cyber legislative measures required at Member State level*
   v. *Develop general principles and specific provision on international cooperation*

b. It was noted that 1 out of 5 businesses was hacked ever year globally. A total of USD 500 billion is lost in Africa annually through cybercrime with Nigeria, South Africa and Kenya being the biggest victims.

c. It was observed that in Africa, countries with legislation on matters cyber security are as follows:
   i. *Electronic Transactions: 28 (51%)*
   ii. *Consumer Protection: 18 (33%)*

iii. *Privacy and Data Protection: 22 (40%)*
iv. *Cybercrime: 27 (49%)*

d. It was further observed that several policy and governance measures ought to be considered including:
   i. *Public private partnerships to engage industry, civil society, and academia in the promotion and enhancement of a cybersecurity culture;*
   ii. *Institutionalization od cybersecurity policy which recognises Critical Information Infrastructure and identifies the risks to the nation and as well as mitigation measures; and*
   iii. *Development of National Cybersecurity strategy to implement the Policy.*

e. Current Status of the Convention:
   i. *15 Ratifications are required for entry into force;*
   ii. *Signatures received as at August 2018: Benin, Chad, Comoros, Congo, Ghana, Guinea Bissau, Mauritania, Sierra Leone, Sao Tome and Principe, and Zambia have signed the convention*
   iii. *Ratifications – Senegal, Mauritius.*

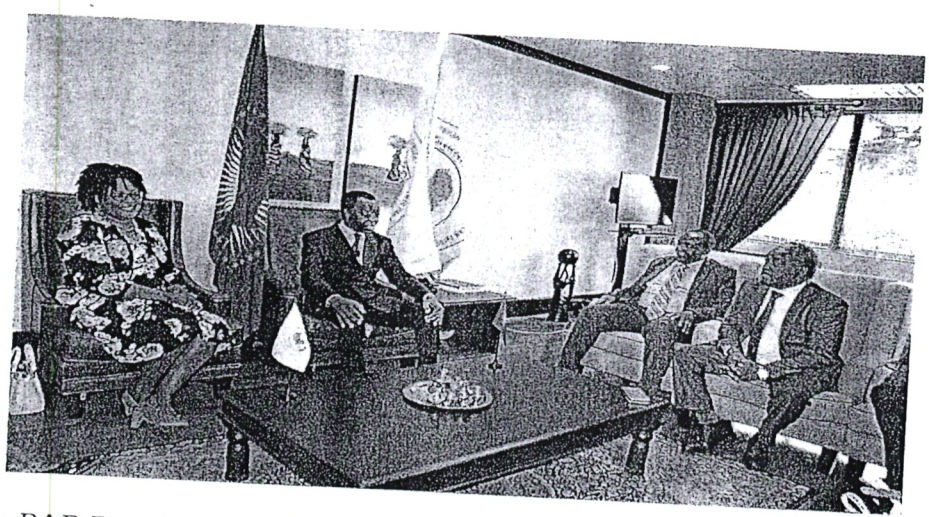
2. The sessions also considered the proposed PAP Strategic Plan for 2018-2023. The key strategic objectives presented were:
   i. *Strengthening Parliamentary Legislative Function of the PAP;*
   ii. *StrengtheningPartnership, Coordination, Outreach and Institutional Capacity of the PAP;*
   iii. *Promoting PAP's Support to Human Rights and Social Inclusion Goals of the AU; and*
   iv. *Strengthening Learning and Sharing, Knowledge Management, Communication and Advocacy of the PAP.*

3. Sitting of the Caucus on Youth: The Caucus had its meeting on August 10th, 2018 and considered and noted the proposed draft work plan for the year 2019 as well as the concept note for the proposed *Capacity Building of Focal Officers from the AUC Departments and AU Organs on Youth Mainstreaming (September 26-28, 2018).*
4. Meeting of the Delegation with the PAP President–On Thursday, August 09, 2018, the PAP delegation, together with a delegation of the Committee on Regional Integration of the National Assembly paid a courtesy call on the President of the PAP, H.E. Roger Nkodo Dang, MP. During the visit, the Kenya Members of Parliament lead by Hon. Janet Ong'era, MP apprise the

President on the regional situation within East Africa and the crucial role played by the legislative institutions in the region.

5. The President reiterated the importance of collaboration among states and noted the key position that PAP MPs hold as the link between the continental body and national legislatures. He called for MPs to spearhead consultations including public participation at the national level on matters under consideration in the PAP. He observed that:

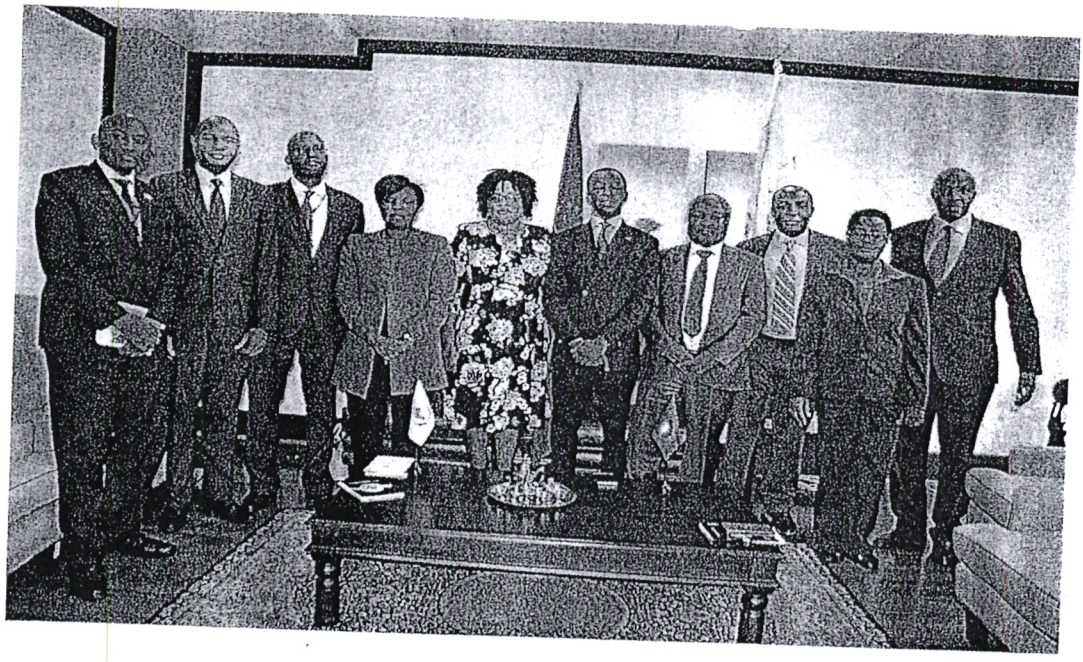
   i. *There is need for joint committee meeting between committees of the PAP and those at the national legislatures to ensure synchrony in operations and ease implementation of cross-border policy;*
   ii. *There is further need for joint committee sittings of national legislatures especially for states that share boundaries. This will go a long way in establishing linkages for cooperation and enhance integration;*
   iii. *Matters of development, peace and democracy require concerted efforts from all actors.*
   iv. *The Parliament of Kenya should consider hosting PAP sittings in the coming years.*

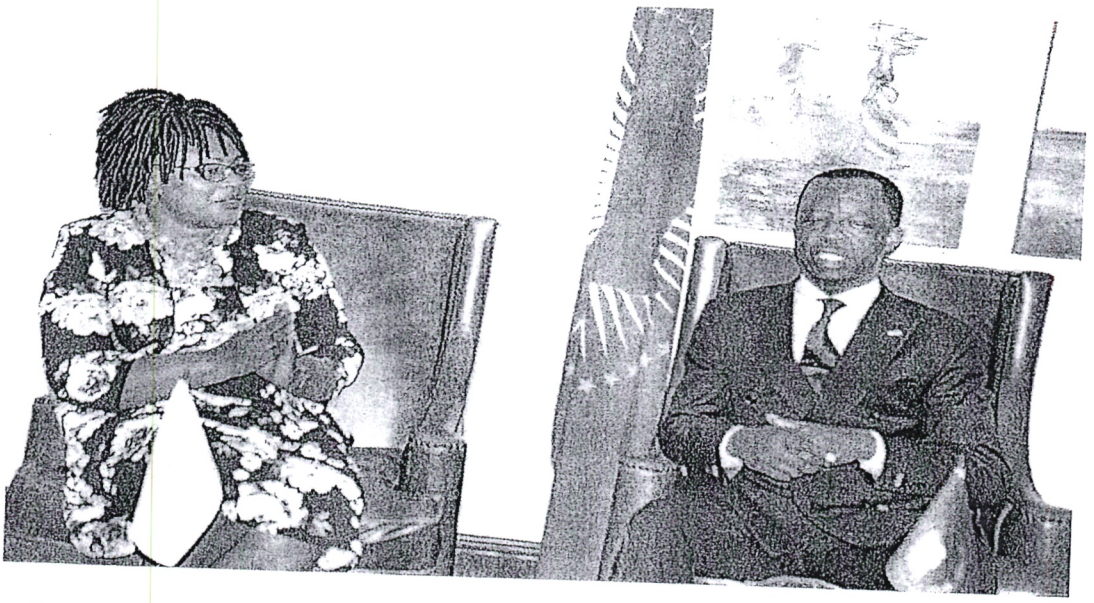


Picture 1: PAP President H.E. Roger Nkodo Dang, MP with Members from the Parliament of Kenya (From left, Chairperson of the East Africa Caucus, Hon. Janet Ong'era, MP, PAP Member Hon. Jude Njomo, MP and Hon. Cyprian Kubai, MP- Committee on Regional Integration)



Picture 2: PAP President with Members from the Parliament of Kenya (From left, PAP Member Sen. Dr. Abdulahi Ali, MP, Hon. Eve Obara, MP- Committee on Regional Integration and Hon. Janet Ong'era, MP)





Picture 4: Chairperson of the East Africa Caucus, Hon. Janet Ong'era, MP with the PAP President

