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EXECUTIVE COUNCIL
Forty First Ordinary Session
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**REPORT ON THE IMPLEMENTATION OF EXECUTIVE COUNCIL
DECISION EX.CL/Dec.1128(XXXIX) ON THE
PAN AFRICAN PARLIAMENT**

Background

1. 01 June 2021, the Chairperson of the African Union Commission (‘the Commission), suspended parliamentary activities following altercations and disruptions of plenary session over the course of two days during the election proceedings of the Bureau of the Sixth Pan-African Parliament.

2. In October 2022, the Executive Council having considered the Report of the Commission on the incidents in the Pan-African Parliament occasioned during the election of the PAP Bureau, adopted the following vide decision EX.CL/Dec.1128(XXXIX):

“ ...

4. *RECALLS Executive Council Decision EX.CL/Dec.979(XXXI) adopted in June 2017, inter alia, called upon the Pan-African Parliament, “to apply the African Union values, rules, and regulations in managing all activities of the organ, including rotation of the Bureau and presidency...”. FURTHER RECALLS Executive Council Decision EX.CL/Dec.1018(XXXII) adopted in June 2018, where it requested, “the PAP to comply with the principle of geographical rotation among the five regions of the Africa in future elections of the Bureau”;*

5. *REAFFIRMS its previous decisions affirming the principle of rotation as enshrined in the PAP Protocol, previous resolutions of the PAP and as established practices of the Union, and INSTRUCTS that the elections should be in line with the principle of rotation and only regions that have not previously held the position are eligible to present candidates for election of the PAP President through their Regional Caucuses;*

6. *DECIDES that the upcoming elections of PAP should be held at its Headquarters in Midrand, South Africa, as per its Protocol, as soon as possible and that the next ordinary session of PAP should be dedicated to the election of the PAP Bureau Members to allow for the smooth running of the Organ;*

7. *DIRECTS the OLC to conduct and manage the upcoming PAP elections process and elaborate the elections modalities in accordance with the Rules, Regulations and established practice of the Union as well as relevant decisions of the Executive Council on the principle of rotation;*

8. *NOTING the disagreement and conflict seen during the last election proceedings and to allow regions that are eligible to occupy the Positions of the PAP President to present their candidates, the nomination for the post of the other Bureau members should also be reopened and all*

candidates including the president must be submitted to OLC through respective eligible Regional Caucuses;

*9. REQUESTS the Chairperson of the Commission and the Commissioner for Political Affairs, Peace and Security to attend the upcoming election of the PAP Bureau
...”*

3. In October 2021 during the 39th Ordinary Session of the Executive Council, the Council had called for the Commission to hold the election of the Bureau of the PAP and reiterated the same call in February 2022, during 40th Ordinary Session of the Executive Council, where the Commission presented an update report on the implementation of decision EX.CL/Dec.1128(XXXIX). Accordingly, having considered the update, the Executive Council instructed the Commission to arrange the holding of PAP elections by the end of April 2022 and report back to its next Ordinary Session.

4. Between 23 to 24 February 2022, the Commission organized a consultative physical meeting with the four (4) regional caucuses to find political consensus and bridge the diverging views regarding application of the principle of geographical rotation. The report of the consultation that reflected outcome of the consultations with all the caucuses including the consultation with the Southern Regional Caucus was submitted to the PRC. It is to be recalled that the Commission received a written request from the Southern Regional Caucus which sought the audience with the Ad Hoc Committee dispatched by the Chairperson of the Commission to undertake a fact-finding mission to the Secretariat of the PAP in September 2021. After careful consideration of the request, the Committee decided to hear the Southern Regional Caucus, however it had decided that the outcome of the consultation will only be reflected in a later date in the report to be submitted to the Member States after all the other regional caucuses were duly consulted.

5. On 10 May 2022, the Bureau of the Assembly of Heads of State and Government was convened to consider election of the Pan-African Parliament, among others. The Bureau recommend the election of the PAP Bureau should be held at the Headquarters of the Pan-Africa-Parliament in Midrand, South Africa and acknowledged with appreciation, the offer of attendance of the Chairperson of the Commission during the election proceeding. The Bureau further called upon the South African Government to take all necessary measures to ensure and the safety and security of members of the Pan-African Parliament.

Commencement of the Plenary Session of the Fifth Pan-African Parliament

6. As per the directive of the Executive Council, the Office of the Legal Counsel (OLC) prepared the modalities for the election of Bureau of the Sixth Pan-African Parliament and on 21 June 2022, the Commission through the Office of the Legal Counsel transmitted the Modalities for the Secretariat of the Pan-African Parliament. Subsequently, the modalities was shared to all Regional Caucuses on 22 June 2022

together with the Call for submission of candidatures for the Election of Members of the Bureau of the Sixth Parliament of the Pan-African Parliament.

7. On 28 June 2022, the Fifth Pan-African Parliament session dedicated to the election of the Bureau of the Sixth Pan-African Parliament was officially opened by the Chairperson of the African Union Commission representing the Chairperson of the Union.

8. After the opening ceremony and administration of the oath of office to the new PAP members, the session was adjourned to allow regional caucuses to consult and submit candidatures as per the modalities of election. In accordance with the decision of the Executive Council EX.CL/Dec.1128(XXXIX) that directed application for the principle of geographical rotation, the composition of the Bureau was formulated based on the past composition of the Bureau and particularly, taking into account previous office bearers of the presidency as follows:

- Presidency – Northern and Southern Regional Caucuses
- First Vice President - Northern or Southern Regional Caucus
- Second Vice President – Eastern Regional Caucus
- Third Vice President – Western Regional Caucus
- Fourth Vice President – Central Regional Caucus

9. Based on the above formula, the Northern Region and Southern Regional caucuses were permitted to present one candidate each for the post of President. The two regions were also deemed eligible to submit two candidates each for the post of first vice President, ensuring equal representation of women and men. However, a region that is elected for the post of President shall automatically withdraw its candidates from the election of first vice president.

10. The remaining three regions nominated two candidates for the posts of vice presidents as designated in Paragraph 6 above, ensuring equal representation of women and men.

Election Proceeding of the Bureau of the Sixth Pan-African Parliament

11. On 29 June 2022, the Plenary had resumed its business following the vetting process of candidates received by the Ad hoc Committee established to assist the Office of the Legal Counsel in conducting the election.

12. For the election of the President, the Southern Regional Caucus submitted one candidate (Hon. Chief Fortune Zephania Charumbira, Zimbabwe (Male)) whilst the candidature of another candidate from the same Regional Caucus was not accepted by the Ad-Hoc Committee since the submission was not made through the concerned Regional Caucus. The Northern Regional Caucus did not present any candidates for the position of President of PAP.

13. The Plenary proceeded to vote on the one candidate received and upon securing the required majority after the voting process the candidate from the Southern Region was duly declared as President elect of the Sixth Pan-African Parliament. The election of the four vice presidents was later commenced with the withdrawal of two candidates from Southern Regional Caucus by virtue of the outcome of the election of the President who was elected from the said Region. Moreover, two female candidatures from the Eastern and Central Regional Caucuses were withdrawn before the start of the election proceeding.

14. After the voting process, the following Parliamentarian were elected as Vice Presidents:

- First Vice-President - **Hon. Prof. Massouda Mohamed Laghdaf, Mauritania (Female);**
- Second Vice-President - **Hon. Dr. Ashebir Woldegiorgis Gayo, Ethiopia (Male);**
- Third Vice-President - **Hon. Lucia Martia Memndes Goncalves dos Passos, Cabo Verde (Female);** and
- Fourth Vice-President – **Hon. Ango Ndoutoune, Gabon (Male).**

15. In view of the above, the Electoral Officer who is the Ag. Legal Counsel of the African Union Commission officially declared constitution of the Bureau of the Sixth Pan-African Parliament in compliance with the principle of geographical rotation and gender equity.

Closing Session

16. Finally, during the closing ceremony, the newly elected President of the Pan-African African Parliament proposed a special motion of appreciation to H.E the Chairperson of the African Union Commission for the wisdom and leadership demonstrated in bridging the conflicting views. He called upon the Parliamentarian to express their gratitude and appreciation to the Chairperson for successfully steering the election of proceeding of the Bureau.

DRAFT DECISION
REPORT ON THE IMPLEMENTATION OF EXECUTIVE COUNCIL DECISION
EX.CL/Dec.1128(XXXIX) ON THE PAN AFRICAN PARLIAMENT (PAP)

The Executive Council,

1. **TAKES NOTE WITH APPRECIATION** report on the implementation of Executive Council decision Ex.Cl/Dec.1128(XXXIX) on the incident on the Pan African Parliament;
2. **COMMENDS** the leadership and personal involvement of H.E. Macky SALL in resolving the crisis in the PAP which has resulted in the successful organisation of the elections on 29th June 2022;
3. **APPRECIATES** the leadership of H.E. Cyril RAMAPHOSA for having ensured the proper conduct of the elections held in Midrand, South Africa at the Headquarters of the Pan-African Parliament;
4. **COMMENDS** the Chairperson of the Commission for the participation and the leadership demonstrated during the election proceeding of the PAP Bureau.;
5. **WELCOMES** the sense of responsibility, pan-Africanism and the spirit of compromise of the parliamentarians that prevailed during the elections and **CONGRATULATES** the elected members of the Bureau and all members of Pan-African Parliament;
6. **RECALLS** its decisions EX.CL/Dec.979(XXXI), EX.CL/Dec.1018(XXXII) and EX.CL/Dec.1128(XXXIX) that reiterated application of the African Union values, rules, and regulations in managing all activities of the organ, including principle of geographical rotation of the Bureau including that of the Presidency of the Pan African Parliament and **DIRECTS** the Pan-African Parliament to apply the rotation formula outlined in the election Modalities for Election of Bureau Members of the Sixth Pan African Parliament in all future elections of the Bureau;
7. **ALSO DIRECTS** the Office of the Legal Counsel in close collaboration with the Secretariat of the Pan-African Parliament to urgently review the Rules of Procedure of the Organ to ensure alignment with African Union values, rules, and regulations as well as established practices of the Union including the principle of geographical rotation;
8. **ENCOURAGES** Members States that have not yet done so to ratify the revised Malabo Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament of 2014;
9. **FURTHER RECALLS** its decision EX.CL/Dec.1028(XXXII) that directed the PRC to hold a retreat with the PAP to address all the concerns and challenges that affect the delivery and operations of the Organ, **THEREFORE REITERATES** the need to urgently convene the said retreat and report back to its next Ordinary Session in 2023.

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