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REPORT OF THE PAN-AFRICAN PARLIAMENT

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REPORT OF THE PAN-AFRICAN PARLIAMENT

1. BACKGROUND

1. This report provides an overview of the work and activities of the Pan-African Parliament (the PAP) during the period from January to June, 2009. It serves to indicate the extent to which our Parliament remains committed to the pursuit of the objectives of the African Union (AU) as stated in Article 3 of the AU Constitutive Act. Linked to this are the strategic objectives set by Heads of State and Government in Article 3 of the *Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament* (herein referred to as the PAP Protocol).

2. This report reflects, in a synoptic manner, on the important political and institutional matters that the Pan-African Parliament dealt with during the period under review. It also highlights challenges experienced by the Parliament during that period.

1.1 Introduction

3. PAP was inaugurated on March 18, 2004, as one of the organs of the African Union (AU) with a mandate to work towards the realisation of continental political and economic integration.

4. To achieve this, the Parliament must strengthen its oversight role and ensure that policies, programmes and activities of the African Union are effectively implemented. In this, the PAP shall continue making recommendations to the Heads of State and Government on matters of good governance, democratisation, human rights and socio – economic issues.

5. In the five years of the existence of PAP, a number of achievements have been made. Among other achievements is first and foremost, the continued strengthening of the Institution.

6. A substantial amount of the work of PAP is carried out through its committees. Through these Committees, the PAP has been able to interact with regional and international bodies with greater efficiency and competence and also able to carry out the oversight responsibility of the Parliament.

7. PAP has also actively participated in election observer Missions in the following countries: Kenya, Zimbabwe, Angola, Swaziland and Ghana.

8. PAP however did not take part in the elections in Algeria and South Africa in April 2009, as planned, due to financial constraints. Nevertheless, PAP congratulates South Africa and Algeria for the peaceful elections.

9. PAP attended the inaugural ceremony of H.E Jacob Zuma which was indeed a day of celebration, a reminder that wherever elections have taken place in a peaceful manner, the celebrations are equally embracing.

10. Good working relationships with the NEPAD and APRM were established. The last NEPAD – PAP dialogue meeting held in April 2009, set the way forward for the two institutions to strengthen their collaboration mechanisms.

2 ACTIVITIES & PROGRAMMES

2.1 Sessions

11. In keeping with Article 14(2) of the PAP Protocol that the Pan-African Parliament “*meet in ordinary session at least twice a year*”, the PAP Sessions are not convened merely to satisfy legal requirements, but the Sessions are part of various vehicles that are used to facilitate the implementation of the PAP’s Strategic Plan and the attainment of AU objectives. The debates also play a critical role in informing public discourse on important matters affecting the peoples of Africa, in line with Article 3 clauses (4) and (8) of the PAP Protocol, which enjoin the Parliament to inform and create a sense of solidarity among Africans.

12. During the period under review, PAP held its Committee meetings in March 2009, in accordance with the provisions of Rule 22 of the Rules of Procedure of PAP.

13. The Parliament held the Eleventh Ordinary Session from May 18 to 29, 2009. The Session dealt mainly with the presentation, consideration and implementation of the Report and outcome of the Twelfth Assembly of the Heads of State and Government of the African Union as it concerns the Pan-African Parliament. The Decision of the AU (DOC. EX.CL /459 (xiv)), on the amendments of the Rules of Procedures and the Election of the Bureau of the Pan African Parliament dominated the debates.

14. Another item on agenda of the Eleventh Session was the review of the Protocol also in compliance with the AU Assembly Decision Ex. CL /Dec.459 (XIV) relating to the revision of the Protocol.

15. In a spirit of Democracy and transparency, which are indeed pillars of the PAP, elections to usher in a new Bureau were held on May 28, 2009 with a term of office of three years.

16. The Bureau of the PAP now comprises the following Members:

- i) President of the PAP - Hon. Dr. Idriss Ndele Moussa(Chad).
- ii) First Vice - President- Hon. Bethel Nnaemeka Amadi (Nigeria)
- iii) Second Vice – President - Hon. Mary Mugenyi (Uganda)
- iv) Third Vice – President - Hon. Laroussi Hammi(Algeria)
- v) Fourth Vice – President - Hon. Joram Macdonald Gumbo (Zimbabwe)

17. Elections to the Bureau of the Regional Caucuses and the Permanent Committees are scheduled to be held in September 2009.

2.2 Relations with Members States, National and Regional Parliaments

18. The Pan-African Parliament is mindful of its obligations and status as an Organ of the African Union. It is for this reason that we consider providing reports to the AU and indeed to its Summits as a matter of extreme importance.

19. From time to time, the PAP also invites representatives of various members States or representatives of National and Regional Parliaments to address the House.

20. In accordance with Rule 38(1) (h) of the Rules of Procedure, His Excellency John Dramani Mahama, Vice-President of the Republic of Ghana, a former Member of PAP and also Leader of the PAP West African Caucus, shared his wisdom on a range of critical issues that characterise Africa today, and called the attention of the House and member States to support farming programmes in order to shield the continent from the ongoing global economic crisis.

21. The Parliament was also grateful to receive Hon. Dimeji .S. Bankole, Speaker of the Nigerian House of Representatives and former Member of the PAP who addressed the House and commended the Parliament for its excellent work in consolidating Democracy by effectively observing the elections on the continent and called for strong relationships of the PAP with regional and national parliaments.

2.3 Democracy and Good Governance

22. The Pan-African Parliament is conscious of its political obligation to contribute to the entrenchment of democracy and good governance in line with Article 3(g) of the AU Constitutive Act and Article 3(1) and (2) of the PAP Protocol.

23. Accordingly, the PAP dispatched a Fact – Finding Mission to Liberia in April, 2009, to ascertain matters relating to fundamental human rights and freedoms as pertained in post-conflict Liberia. The Mission was in line with the mandate of the Parliament to familiarise itself with human rights issues in the continent by focusing on the dynamics of each region and to provide Members with the opportunity to interact with relevant structures and institutions dealing with human rights in countries in the various regions.

24. The PAP also conducted a Workshop with support from the Parliamentary Centre of Canada, in Accra, Ghana, in April 2009, aimed at strengthening the capacity of leadership of the PAP to assume its oversight/legislative role.

25. A number of results were expected at the end of the Workshop that would guide the future of the engagements and consultations of the PAP to include among others, a more effective PAP, able to contribute to democratic governance in Africa.

2.4 Gender and Women Empowerment

26. General progress has been made on the continent to remove barriers to gender inequality and to empower women in Africa. However, challenges that impede these efforts still persist. These include socio – cultural attitudes and a lack of resources to put plans into action.

27. These challenges will obviously spur the PAP to take appropriate policy measures and affirmative action to empower women and further promote gender equality.

28. One of the major responsibilities of the Pan African Parliament is to promote and defend the principles of human rights, gender and disability equality, democracy, peace and security in Africa. Suffice to say that the effectiveness of the PAP in applying its mandate in this regard will however, be judged by its visible influence on processes to integrate and promote gender equality in Africa.

29. The PAP is also cognisant of the need for meaningful participation of women in decision- making to address issues of violence against women and eradication of harmful practices against women in Africa.

30. To this end, the PAP with support from AWEPA, the European Parliamentarians for Africa, held a Working Luncheon for the PAP Women's Caucus on May 22, 2009, on the theme '*Violence against Women in Africa*'. One of the objectives of the event was to spur discussions with a view to harmonise legislation on domestic violence in Africa.

2.5. Health and Social Development

31. Today, Africa has numerous unmet health needs which pose a dangerous threat to our continent. It is important to note that social development through improved health, coupled with respect for human rights is the building block for economic prosperity in Africa. The PAP is cognisant of the indispensable role it needs to play in this regard.

32. The PAP with collaboration from NEPAD Science and Technology has embarked on a project to support the RECs to harmonise drug regulations in Africa. The main aim of the project is to facilitate access to safe and essential medicines in Africa in order to reduce the disease burden on the continent.

33. The PAP shall therefore, play a critical role in providing and building political leadership to ensure the success of the project.

2.6 Relations with AU Institutions.

34. In the quest of strengthening the relationships with other AU institutions, the Secretariats of the Pan African Parliament (PAP) and the New Partnership for Africa's Development (NEPAD) held a Dialogue on 29 April 2009.

35. Discussions focused on the nature and character of Governance structures of NEPAD and PAP; Programmatic/Sectoral Activities and focus of NEPAD and PAP Committees; Institutional processes relating to Administration/Human Resources and Finance; and Experience-sharing/Lesson learning on operating from South Africa as AU institutions

36. The Dialogue emphasized the urgent need to continue to focus on building a relationship between the two AU institutions that promotes transparency, synergy and mutual responsiveness in their engagements. The two Institutions agreed to explore the possibility of an operational plan/strategy to guide future engagements that will prioritize communication and cooperation mechanisms.

2.7 Internal capacity building

37. In January 2009, PAP organised a retreat for the Bureau, the Bureaux and the senior staff on '*strengthening the vision and mission of the Pan African Parliament*'. The retreat undertook an analysis of the progress in the implementation of the Mission and Vision of the PAP, the difficulties encountered and the way forward.

38. The retreat recorded a number of accomplishments, particularly in enabling delegates to better understand the strengths and challenges of PAP and also enabled them to strengthen and develop ownership of a common Vision and Mission for the Bureau of the PAP, the Bureaux and the Secretariat. The retreat also reinforced the coordination, cooperation, improved communication and harmonization of the work in the PAP to provide a voice and meaningfully respond to the aspirations of the people of Africa.

3. INSTITUTIONAL MATTERS

39. In the report presented to the Eleventh AU Summit, PAP reflected at length on a wide range of institutional matters pertaining to the operations and programmes of the Pan-African Parliament. In the current report however, we would like to restrict ourselves to the two critical issues of the review of the PAP Protocol and the salient issue of resources.

3.1 Review of Protocol

40. The Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament, in Article 25, provides for the holding of a review

conference, five years after the entry into force of the Protocol, to review its implementation and effectiveness. This initial five year period ended in March 2009.

41. In pursuance of this exercise, the PAP has mobilised its structures to proactively undertake its self-evaluation in the implementation of the Protocol. This self-evaluation has enabled the PAP to identify and highlight the strengths and weaknesses in the implementation of this legal instrument.

42. The exercise has also consolidated the conviction of PAP that with an appropriate review of the Protocol at the end of the interim period which corresponds to its first parliamentary tenure, it could accomplish qualitative progress with regard to the objectives assigned to it.

43. The main evolutions should consist of:

- Endowing the PAP with some legislative powers in the following areas:
 - Ratification of treaties and agreements concluded at the continental level
 - Good governance and human rights
 - Free movement of persons, goods and services
 - Social affairs
 - Environment and agriculture
 - Infrastructure, transport and telecommunications
- Expressly setting the term of office of the Parliament and that of the Members of the Bureau and its various organs; and
- Determining and better defining the relationship between the Pan-African Parliament and the various organs of the AU.

44. A draft of the Review of the Protocol had been finalized with specific recommendations. The Parliament is in a process of debating the amendments made.

45. We are hopeful that, as a contribution to the process of the revision of the Protocol our recommendations will be given due consideration.

3.2 Resources

46. Resource constraints continue to pose serious challenges to the implementation of the Strategic Plan of the Pan-African Parliament and the realisation of its objectives.

47. Presently, the costs of PAP are met from two major sources, the annual budget of the AU and contributions by National Parliaments towards the travel and sustenance of their parliamentarians. The host country, South Africa also provides the venue, office accommodation and some facilities.

48. The 2009 approved budget of PAP is 9.6 million US dollars which is 3 million US dollars below the 12.6 million US dollar budget of 2008 and this has affected the effective functioning of the Parliament.

49. In the light of the worldwide financial crisis, the financial difficulties of many African States will definitely impact negatively on the relatively low attendance of PAP members and thus further erode the capacity of PAP to deliver on its objectives.

50. In the area of staffing and human resources there is an urgent need to recruit new staff and fill certain critical existing vacancies in order to strengthen the administration and provide support services.

4. CONCLUSION

51. The past six months have proved to be amongst the most challenging that the Pan-African Parliament has had to contend with due to its financial situation and the process of its first transition of leadership from one bureau to another.

52. In its first month in office, the newly elected Bureau of PAP is *committed to ensuring the full implementation of the AU Heads of State Summit Decisions* as they concern PAP in EX.CL/Dec.454 (XIV) and EX.CL/Dec.459 (XIV)

53. With the perspective to strengthen the institution, the Bureau of PAP mandated an Ad hoc Committee comprising five Members of the Parliament representing the five regions of the continent to look into the administrative and financial matters of the PAP. The report of the Ad hoc Committee is now before the Bureau for consideration

54. In its vision and mission, the new Bureau is also committed to the achieving following:

- to represent the voices of the peoples of Africa
- to work for the transformation of PAP into an organ with some legislative powers
- to promote harmonisation of the continental regional and national laws in order to foster continental integration
- to promote and defend the principles of human rights, gender and disability equality, democracy, peace and security in Africa
- to strengthen the administration of PAP and to ensure due process, transparency and accountability in the management of PAP
- To build capacity of members of parliament and strengthen the oversight capacity of PAP
- to cooperate with and develop a harmonious and improved working relationship with all organs of the African Union

55. We take this opportunity to request the Assembly to consider the issue of resource allocation to the PAP and to urge the organs concerned to expedite the review of the Protocol.

56. This Report is presented for consideration and adoption.

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