

African Union, African Regional Bodies

Activity Report of the Pan-African Parliament, January to June 2007

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Activity Report of the Pan-African Parliament, January to June 2007
 Contents

- Division – Introduction 1
 - Paragraph 1. 1
 - Paragraph 2. 1
 - Paragraph 3. 1
 - Paragraph 4. 1
- Division – PAP Bureau deliberations and activities 1
 - Paragraph 5. 1
 - Paragraph 6. 1
 - Subparagraph 6.1 1
 - Subparagraph 6.2 1
 - Subparagraph 6.3 1
 - Subparagraph 6.4 1
 - Subparagraph 6.5 1
 - Subparagraph 6.6 2
 - Subparagraph 6.7 2
 - Subparagraph 6.8 2
 - Subparagraph 6.9 2
- Division – Committee deliberations and activities 2
 - Paragraph 7. 2
 - Paragraph 8. 2
 - Subparagraph 8.1 2
 - Subparagraph 8.2 2
 - Subparagraph 8.3 2
 - Subparagraph 8.4 2
 - Subparagraph 8.5 2
- Division – Deliberations of the Seventh Ordinary Session 2
 - Paragraph 9. 2
 - Subparagraph 9.1 2
 - Subparagraph 9.2 3
 - Subparagraph 9.3 3
 - Subparagraph 9.4 3
 - Subparagraph 9.5 3
 - Subparagraph 9.6 3
 - Subparagraph 9.7 3

Subparagraph 9.8	3
Subparagraph 9.9	3
Paragraph 10.	3
Subparagraph 10.1	3
Subparagraph 10.2	3
Subparagraph 10.3	3
Paragraph 11.	3
Division – Opportunities and challenges facing PAP	3
Paragraph 12.	3
Paragraph 13.	3
Paragraph 14.	4
Subdivision – Financial support	4
Paragraph 15.	4
Paragraph 16.	4
Paragraph 17.	4
Paragraph 18.	4
Paragraph 19.	4
Paragraph 20.	4
Subdivision – Transformation of PAP into a legislative organ	4
Paragraph 21.	4
Paragraph 22.	4
Paragraph 23.	4
Subdivision – Consequences of Decision Ex.Co 98(V)	5
Paragraph 24.	5
Paragraph 25.	5
Paragraph 26.	5
Paragraph 27.	5
Paragraph 28.	5
Subdivision – The Role of the PAP Bureau	5
Paragraph 29.	5
Paragraph 30.	5
Paragraph 31.	5
Paragraph 32.	5
Subparagraph 32.1	5
Subparagraph 32.2	5

Subparagraph 32.3	5
Subparagraph 32.4	5
Paragraph 33.	5

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Introduction

1. This Pan-African Parliament (PAP) Report covers the period from the 8th African Union (AU) Assembly of Heads of State and Government, held in Addis Ababa, Ethiopia in January 2007. The Report gives a brief account of the activities of the PAP organs.
2. The Pan-African Parliament is in its third year, following its inauguration on 18 March 2004 in Addis Ababa. Ever since, PAP has been working towards implementing the objectives of the AU, in accordance with its mandate.
3. The Report is presented in accordance with the provisions of Article 3 of the Protocol to the Treaty Establishing the African Economic Community (AEC) Relating to the Pan-African Parliament, and Rule 76 of the Rules of Procedure of PAP. The work and activities referred to are those carried out by the PAP Bureau, the ten Committees and the Plenary Session.
4. The objective of this Report is to support the AU in its work and to forward the Recommendations of the Seventh Ordinary Session (07-18 May 2007) to the attention of the Executive Council and the AU Assembly. The recommendations are made in accordance with the provisions of Article 11(4) of the Protocol which recognise PAP's right to "*make recommendations aimed at contributing to the attainment of the objectives of the OAU/AEC and draw attention to the challenges facing the integration process in Africa as well as the strategies for dealing with them*".

PAP Bureau deliberations and activities

5. The PAP Bureau carried out its mandate and functions as stipulated under Article 12(5) of the Protocol and Rule 17 of the Rules of Procedure.
6. During the period under consideration, the Bureau held four ordinary meetings: from 18 to 19 January; from 09 to 11 March; from 02 to 06 May; and from 18 to 20 June 2007 respectively and one ad hoc meeting (18 May 2007). During these meetings, the Bureau took decisions on various issues, most of which concerned the deliberations of the Eighth AU Assembly, Committee meetings and activities, the Second Seminar on RECs, the 7th Ordinary Session of PAP and relations with PAP partners.
 - 6.1 The President of PAP, Hon. Dr. Gertrude MONGELLA, accompanied by the 3rd Vice-President, Hon. Elise LOUM and four other Members of Parliament, took part in the 8th AU Assembly held in Addis Ababa, Ethiopia, from 29 to 30 January 2007;
 - 6.2 Preparation of the Agenda and deliberations of the ten Committees which met from 12 to 23 February 2007 and from 02 to 05 May 2007 respectively;
 - 6.3 Preparation of the Agenda and deliberations of the Second Seminar of the Regional Economic Communities (RECs) and the Regional Parliamentary Fora (RPF) which was held in Kasane, Botswana, from 12 and 13 March 2007;
 - 6.4 Preparation of the Agenda and deliberations of the 7th Ordinary Session which was held at the PAP Headquarters in Midrand, South Africa, from 07 to 18 May 2007;
 - 6.5 Preparation and finalisation of the seminars and other activities the Committees were to carry out (seminar on desertification; seminar on the capacity building of Committee Bureau members; seminar on election observation; seminar on NEPAD mobilisation);

- 6.6 Decision taking on the management and administration of PAP, notably resuming the rotation of Bureau members to the Secretariat ten days per month;
- 6.7 Consideration of the AU Auditors' Audit Report of PAP accounts for the 2004, 2005 and 2006 Financial Years;
- 6.8 Establishment and strengthening of relations with other inter-parliamentary organisations and participation in conferences with the aim of promoting cooperation and partnership, notably:
 - The General Assembly of the African Parliamentary Union (APU) in April 2007 in Bujumbura, Burundi;
 - The Consultative Meeting of AU Members of Parliament on Darfur in Dar-es-Salam, Tanzania in May 2007;
 - The 1st Conference of AU Ministers of Sport in Addis-Ababa, Ethiopia, from 04 to 08 June 2007;
 - The 13th Session of the Joint ACP/EU Conference in Wiesbaden, Germany.
- 6.9 PAP having been granted observer status within the Inter-Parliamentary Union (IPU).

Committee deliberations and activities

7. PAP has ten Committees whose mandates and functions are set out under Rules 22 to 27 of the Rules of Procedure. These functions correspond to those of the AU Specialised Technical Committees.
8. During the period under consideration, the Committees continued to carry out their mandate, that is:
 - 8.1 statutory meetings from 12 to 23 February and from 02 to 05 May respectively;
 - 8.2 agendas decided upon according to the themes on the programme of the 7th Ordinary Session (May 2007);
 - 8.3 drawing up an exhaustive report of the deliberations of each Committee, which led to enhanced debates during the 7th Session;
 - 8.4 working out draft recommendations and resolutions for the 7th Session;
 - 8.5 organising and holding seminars and workshops by some Committees, in the framework of their Action Plans in line with the (2006-2010) PAP Strategic Plan; such was the case for the Committee on Rural Economy, Agriculture, Natural Resources and Environment which organised a workshop on desertification in Algiers, Algeria, from 02 to 04 April 2007, or the Committee on Justice and Human Rights which organised a workshop at the PAP Headquarters on 12 May 2007 on Human Rights Capacity Building in Africa.

Deliberations of the Seventh Ordinary Session

9. The Seventh Ordinary Session took place from 07 to 18 May 2007, in accordance with the provisions of Article 14(2) of the Protocol and Rule 28(1) of the Rules of Procedure. The following items were on the Agenda of the deliberations of the said Session:
 - 9.1 The Opening Ceremony on 07 May 2007 which included:
 - The oath-taking of fourteen (14) new Members;
 - The presence and speech of the guest of honour, H.E. John Agyekum KUFOR, President of the Republic of Ghana and incumbent Chairperson of the AU, in accordance with Rule 38-1(h) of the Rules of Procedure;

- Messages of solidarity delivered by two officials, Dr Aleya Hammad, from the Armed Forces Democratic Control Centre of Geneva, Switzerland and Ms Anja Ebnother, Assistant Director of the said Centre;
 - The sad announcement of the demise of three PAP Members: Hon. J.E Wanga, Angolan Member of Parliament who passed away on 04 April 2007; and Ms Buepoyo Boseka Maria del Pillar and Mr Akono Mesuy Nzang Jose Manuel, Members of Parliament from Equatorial Guinea, who both died in the Kenya Airways air crash on 05 May 2007 on taking off from Douala Airport, Cameroon on their way to Midrand, South Africa, to attend the 7th Ordinary Session;
 - A minute of silence was observed to this effect and a Motion of Condolence to the respective Parliaments and families was voted later on during the Session.
- 9.2 The Regional Caucus meeting;
- 9.3 The NEPAD report on the situation of infrastructures in Africa, challenges and future prospects;
- 9.4 The APRM report on the state of implementation of Assessment Missions in member countries;
- 9.5 The Joint European Union and African Union strategy;
- 9.6 Peace and Security in Africa, with emphasis on:
- the Great Lakes Region,
 - Darfur,
 - Côte d'Ivoire,
 - Chad
- 9.7 Environment problems in Africa: pollution, greenhouse effect and climate change;
- 9.8 The Union Government of Africa: the role of the Pan-African Parliament;
- 9.9 Activity reports of the Committees.
10. Only one recommendation was adopted by the Plenary Session on the Union Government of Africa, as well as three motions relating to:
- 10.1 the sending of a fact-finding mission to Zimbabwe on the issue of Human Rights violation in the country;
- 10.2 the sending of a PAP delegation to Equatorial Guinea to attend the funeral of the two Members of Parliament who died tragically in Douala, Cameroon in the Kenya Airways air crash on 05 May 2007 while on their way to South Africa to attend the 7th Ordinary Session;
- 10.3 the support of PAP for the Libyan children who fell victim of having been inoculated with a very rare and genetically modified form of the HIV/AIDS virus, to their families and to the people of the Great Jamahiriya.
11. The recommendation and Motions are annexed to the present Report.

Opportunities and challenges facing PAP

12. The opportunities put at PAP's disposal and the challenges it has to face demand urgent attention. The adequate and effective handling of PAP calls for concerted effort from the AU family as a whole and more. PAP was grateful that it had already received such support in the past. However, it is seeking more such support.
13. The support PAP is seeking need not be only of a financial nature, it could also be translated by an active solidarity of the larger AU family, notably through the assistance and participation of the other organs in

some of its deliberations and activities. PAP is grateful to the Honourable Chairperson of the Commission for giving his unrelenting support to this effect.

14. The challenges PAP is at the moment facing are therefore numerous, but we shall, for the moment, mention but a few:

Financial support

15. In accordance with Rule 82(a) (3) of the Rules of Procedure, the Plenary Session in November 2006 adopted a PAP budget of US Dollars 15.1 million for the 2007 Financial Year. This budget was submitted to the PRC sub-Committee for Administrative and Financial Affairs in January 2007.
16. The PRC sub-Committee pleaded the fact that PAP had not complied with the AU financial regulation to audit its accounts and that while awaiting the implementation of this provision, Article 39 of the said Regulations would be applied, which provided for a twelfth of the previous year's budget to be allocated (estimated at US Dollars 5.9 million with a 5.5% increase, representing the inflation rate in Africa in 2006) until the problem was solved.
17. The PRC and the Executive Council ratified this proposal of the sub-Committee and submitted it to the decision of the Eighth Assembly. The latter, through its Decision Assembly/AU/Dec.154(VIII), decided to increase the amount proposed by the Executive Council by USD 6,406,959; bringing the PAP provisional budget to USD 12.6 million.
18. Consequently, PAP agreed to have its accounts books for the 2004, 2005 and 2006 Financial Years audited by AU's external auditors who were in Midrand from 14 March to 05 April 2007. PAP answered the Auditors Reports and they were signed by both parties. Consideration of the said Reports began since 12 June 2007 in Addis Ababa, by the sub-Committee for Administrative and Financial Affairs of the PRC, followed by the latter and finally the Executive Council in turn considered it. We therefore hold the hope that the PAP 2007 budget will at last be considered and adopted during the 9th AU Assembly in Accra, Ghana.
19. At the time the present Report was drawn up, the sum allocated to PAP for the implementation of the Heads of State and Government Decision Assembly/AU/Dec.154(VIII) amounted to USD3,714,505.26.
20. While aware of the problems encountered by the AU Commission to collect the annual contributions and arrears of Member State contributions, we would like to make a strong appeal here for PAP funds to be released on a regular basis to enable the latter to carry out its programmes in the framework of the mandate assigned to it by the Protocol establishing it.

Transformation of PAP into a legislative organ

21. The second challenge facing PAP relates to the transformation of the latter from its present status as an advisory and consultative organ into one with full legislative powers. It is to be recalled that Article 11 of the Protocol establishing PAP provides for such an evolution.
22. In the framework of the future Union Government, PAP should be seen as the supreme legislative organ of the said Government. In this respect, the position of PAP should be subject to careful consideration and reflect the fact that it represents all the people of Africa in its structure as well as its institutional authority. It should also be constituted in such a way as to reflect the interests, aspirations and demands of the people.
23. It is therefore hoped that the process of transforming PAP into a legislative organ is speeded up to enable it to help towards the integration of the continent, through the harmonisation of policies, laws and regulations relating to various development issues.

Consequences of Decision Ex.Co 98(V)

24. PAP's third challenge relates to the consequences of Decision Ex.Co 98(V) of the Fifth Ordinary Session of the Executive Council, held in July 2004, which demands that National Parliaments bear their Members' expenses to participate in PAP deliberations and activities during the first Parliament. The consequences of this decision are largely detrimental to the proper functioning of PAP.
25. Indeed, several National Parliaments are not able to pay for their Members' expenses, either to attend statutory meetings (Committees and sessions), or to stay at the Headquarters for the whole duration of the said meetings. The tangible consequence is that Committee deliberations are not held often, for lack of quorum.
26. There are also instances where the National Parliament pays for travel and stay expenses, but the amount allocated for the latter is lower than the daily rate required to live in South Africa.
27. Decision Ex.Co.98 (V) also affects in another way, that is, as concerns insurance cover for Members of Parliament. Indeed, more and more, the latter fall victim to armed robberies during their stay at the PAP Headquarters. In addition, PAP witnessed the death of the former Vice-President, Hon. Sacca Kina while on PAP mission to Ghana in 2004. More recently, two Members of Parliament from Equatorial Guinea died in an air crash while on their way to attend the 7th Ordinary Session (05 May 2007). Following these two experiences, we realised that very few National Parliaments take out life or medical insurance cover for their Members. If the above-mentioned Executive Council Decision was abrogated, it would enable PAP to make provision in its budget for the insurance cover of MPs during their stay at its Headquarters.
28. It is therefore important that Decision Ex.Co.98 (V) is amended to enable PAP to include, in its Budget, the inherent travel and stay expenses of MPs during statutory meetings.

The Role of the PAP Bureau

29. In accordance with provisions of Rule 17 of the Rules of Procedure, the Bureau is responsible for the management and administration of the Parliament and its organs. But the Bureau members are not permanently based at the PAP Headquarters.
30. And yet, Bureau members and the President specifically, establish working, diplomatic and public relations in the name of PAP. They entertain and hold meetings for the mutual advantage of PAP and the AU; however, they receive no budget allocation to facilitate the effective fulfilment of these missions.
31. In order to enable the latter to fulfil their statutory mandate properly, the expenses of their participation in Bureau meetings ought to be borne by the PAP budget.
32. It is in order to face up to all these concerns that the PAP Bureau proposed in the 2007 Budget:
 - 32.1 a budgetary allowance relating to the process of transforming PAP from its present status of consultative and advisory organ into a legislative organ;
 - 32.2 a budgetary allowance giving responsibility allowance to Bureau members and Committee presidents and session allowances to all PAP Members;
 - 32.3 a budgetary allowance for medical and/or life insurance cover for Members of Parliament during their stay at the PAP Headquarters;
 - 32.4 the revision of the Executive Council Decision Ex.Co.98(V) of July 2004 to facilitate the integration of all the participation expenses of all the Members to PAP deliberations and activities.
33. The Pan-African Parliament is aware of the problems of all types our young continental organisation is encountering. This is why it is willing to help, as the voice for the peoples of Africa, towards realising the noble ideals the AU Founding Fathers had kindly assigned to it. Furthermore, it urges the Heads of

State and Government to take note of the challenges PAP is faced with and to find adequate solutions for a better economic and social integration of the people of Africa.