

African Union, African Regional Bodies

Activity Report of the Pan-African Parliament, January 2007 to June 2008

Legislation as at 31 July 2008

FRBR URI: /akn/aa-au/doc/activity-report/2008/nn/eng@2008-07-31

There may have been updates since this file was created.

PDF created on 21 February 2024 at 15:42.

[Check for updates](#)



About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

www.laws.africa
info@laws.africa

There is no copyright on the legislative content of this document.

This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

Activity Report of the Pan-African Parliament, January 2007 to June 2008

Contents

Division 1 – Background	1
Paragraph 1.	1
Paragraph 2.	1
Paragraph 3.	1
Paragraph 4.	1
Division 2 – The political business of the Pan-African Parliament	1
Subdivision 2.1 – The continental context	1
Paragraph 5.	1
Paragraph 6.	1
Paragraph 7.	1
Paragraph 8.	1
Paragraph 9.	1
Paragraph 10.	1
Paragraph 11.	1
Paragraph 12.	1
Paragraph 13.	2
Paragraph 14.	2
Subdivision 2.2 – The contribution of PAP Sessions	2
Paragraph 15.	2
Paragraph 16.	2
Paragraph 17.	2
Subdivision 2.2.1 – The Seventh Ordinary Session	2
Paragraph 18.	2
Paragraph 19.	2
Paragraph 20.	2
Paragraph 21.	2
Paragraph 22.	2
Subdivision 2.2.2 – The Eighth Ordinary Session	2
Paragraph 23.	2
Paragraph 24.	3
Paragraph 25.	3
Subdivision 2.2.3 – The Ninth Ordinary Session	3
Paragraph 26.	3
Paragraph 27.	3

Paragraph 28.	3
Paragraph 29.	3
Paragraph 30.	3
Paragraph 31.	3
Paragraph 32.	3
Paragraph 33.	3
Paragraph 34.	3
Subdivision 2.3 – Parliamentary Committees	4
Paragraph 35.	4
Subdivision 2.3.1 – Peace and security	4
Paragraph 36.	4
Subdivision 2.3.2 – Natural resources and the environment	4
Paragraph 37.	4
Subdivision 2.3.3 – Health matters	4
Paragraph 38.	4
Subdivision 2.3.4 – Education	4
Paragraph 39.	4
Paragraph 40.	4
Subdivision 2.3.5 – Human rights and justice	5
Paragraph 41.	5
Subdivision 2.3.6 – Review of the Protocol	5
Paragraph 42.	5
Subdivision 2.4 – Recommendations and resolutions	5
Paragraph 43.	5
Subdivision 2.5 – Towards continental integration	5
Paragraph 44.	5
Paragraph 45.	5
Subdivision 2.6 – Engagement with strategic partners	5
Paragraph 46.	5
Paragraph 47.	6
Division 3 – Institutional matters	6
Subdivision 3.1 – African Union audit	6
Paragraph 48.	6
Subparagraph a.	6
Subparagraph b.	6

Subparagraph c.	6
Subparagraph d.	6
Subparagraph e.	6
Subparagraph f.	6
Subparagraph g.	6
Paragraph 49.	6
Subdivision 3.2 – Resources	6
Subdivision 3.2.1 – AU allocations	6
Paragraph 50.	6
Paragraph 51.	6
Division 4 – Conclusion	6
Paragraph 52.	6
Paragraph 53.	7
Paragraph 54.	7
Paragraph 55.	7
Paragraph 56.	7

Activity Report of the Pan-African Parliament, January 2007 to June 2008

1 – Background

1. This report provides an overview of the work and activities of the Pan-African Parliament (PAP) during the period from January 2007 to June 2008. While providing important information, the report also highlights critical areas that need the attention of the leaders of the African continent.
2. The PAP has always been mindful of its political and legal obligations to work towards the attainment of the objectives of the AU, as outlined in Article 3 of the AU Constitutive Act.
3. Further, all the activities of the PAP are meant to ensure the realisation of the objectives as spelt out 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).
4. This report focuses on important political and institutional matters dealt with during the period stated above.

2 – The political business of the Pan-African Parliament

2.1 – The continental context

5. During the period under review, the PAP operated within a continental context defined both by internal and external factors that adversely served to influence developments on the continent, and consequently the work of the PAP.
6. The African continent has had to contend with a complex of issues including those of governance and democracy, socio-economic development as well as critical issues relating to peace, security and stability.
7. Progress has been made in dealing with some of the conflicts that may have appeared intractable. Whilst further work still needs to be done, countries such as Burundi, the Democratic Republic of the Congo (DRC), the Ivory Coast, and Southern Sudan have registered encouraging progress towards lasting peace and political stability.
8. However, enormous challenges still lie ahead. A great deal remains to be done in order to address volatile political situations in Darfur, Zimbabwe, Chad, the Central African Republic (CAR) and Somalia.
9. PAP has recently witnessed in South Africa (the seat of the PAP), a disturbing wave of attacks and violence targeted mainly at Africans coming from African countries that experiencing political strife and economic difficulties. This has created fear and concern to both Members and the staff of PAP. The PAP has raised the concern with the Government and asked for the stepping up of the efforts already in place to deal with the situation.
10. Indeed, the consolidation of political stability and the entrenchment of the culture of democratic governance remains a challenge that needs urgent attention, new approach and strategies.
11. The prevalence of pandemics such as Malaria, Tuberculosis, HIV and AIDS on the continent is among the most urgent concerns that continue to preoccupy the attention of the PAP, as it carries out its oversight responsibilities on the development of Africa. Sub-Saharan Africa is the most affected by HIV and AIDS among parts of the world. In 2007, UNAIDS estimated that there were 22.5 million people living with HIV in Sub-Saharan Africa alone, and an additional 1.7 million were infected by the end of the year.
12. The spiralling rise in oil prices has further complicated the socio-economic conditions of millions of Africans and continues to dash the hopes of the poorest of the poor. In addition to driving up the cost

of transportation, the global energy crisis has consigned millions of Africans to a dire situation of food insecurity.

13. If not urgently addressed, this situation might threaten political stability in many AU member states. The African masses expect nothing short of decisive action and leadership from the AU and all its Organs.
14. These challenges have occupied the core of the Pan-African Parliament's agenda in 2007, and the Parliament continues to deal with them through, among others, the interventions outlined below.

2.2 – The contribution of PAP Sessions

15. In 2007, the PAP complied with Article 14(2) of the PAP Protocol, which states that the Parliament "shall meet in ordinary session at least twice a year". The Seventh (7th) Ordinary Session was held in May and the Eighth (8th) in October the same year. The Ninth (9th) Ordinary Session took place in May 2008.
16. More importantly, PAP Sessions are not convened merely to satisfy legal requirements, but mainly to deal with matters of great importance to Africa. Furthermore, 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 PAP's debates also play a critical role of informing public discourse on important matters affecting the peoples of Africa. This is 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.
17. Hereunder follows a summary of the issues that were dealt with by PAP Sessions during the period under review.

2.2.1 – The Seventh Ordinary Session

18. This Session was convened between 7 and 18 May 2007, and had the privilege of being addressed by the then Chairperson of the AU, H.E. John A. Kufuor; President of the Republic of Ghana.
19. Within the context of African unity, President Kufuor set the tone by emphasizing the need for the continent to pay particular attention to the promotion and protection of human rights. It should be noted that the Session took place against the backdrop of Ghana's celebration of its 50th anniversary of independence. Thus, the PAP issued a message of support and expressed hope that other AU member states would draw valuable lessons from the experience of Ghana since independence.
20. President Kufuor also underscored the need for the PAP to formulate its position and recommendations regarding the Grand Debate to be held in his country in July 2007. PAP members heeded the President's call and debated the matter thoroughly, culminating in the formulation of the PAP position paper on the African Union Government that was subsequently presented to the 9th AU Summit by the President of the PAP, Dr Gertrude I. Mongella.
21. The PAP regards the promotion of democracy and good governance among the urgent imperatives of the African continent. It is for this reason that the Seventh Session considered and debated extensively the APRM reports on Ghana, Rwanda and Kenya; which are the three APRM pioneer countries.
22. Proceeding from the premise that there can be no democracy without stability, peace and security issues are a permanent agenda item for all PAP Sessions. Accordingly, this Session devoted time to assess situations in the Great Lakes, Darfur, CAR, Chad, and the Saharawi Arab Republic. In this regard, specific recommendations were made to the AU Heads of State and Government and other important role players.

2.2.2 – The Eighth Ordinary Session

23. This Session took place from 15 to 26 October 2007. In addition to dealing with internal operational issues pertaining to the functioning of the PAP, the Session also considered matters of international cooperation.

24. The PAP believes that the developmental challenges facing Africa cannot be fully addressed without a mutually respecting partnership and cooperation with developed countries and other strategic partners. It is within this context that the Eighth Ordinary Session devoted much time discussing the report of the Joint EU-Africa Strategy, culminating in the EU-PAP Declaration, which was later presented to the Second Joint EU-Africa Summit held in Lisbon, Portugal, in December 2007.
25. This Session also made an assessment of the state of democracy on the continent, and noted that two important elections were expected to take place before the PAP's Ninth Ordinary Session. The first election would be in Kenya (in December 2007), and the second in Zimbabwe (in March 2008). Thus, the Session decided well in advance to dispatch PAP election-observer missions to these countries in order to gain first-hand information regarding the freeness and fairness of the elections. These missions were, indeed, sent and they have tabled their respective reports at the Ninth Ordinary Session.

2.2.3 – The Ninth Ordinary Session

26. Taking place from 5 to 16 May 2008, this Session provided an opportunity to consider the reports of the observer missions to Kenya and Zimbabwe. This was done with the view to ensuring compliance with Article 3(3) of the PAP Protocol that obliges the Parliament to "encourage good governance, transparency and accountability in Member States".
27. Given the exigent global food insecurity situation and its devastating impact on Africa, this Session devoted much time to discussing the matter. It is for this reason that the Director of the Food and Agriculture Organisation (FAO) was invited to brief the members of Parliament. In this regard, the PAP recommended that African leaders should urgently act to implement decisions already taken relating to the need to improve agriculture and ensure food security.
28. With regard to the observing of elections in Kenya, it should be noted that the PAP was the only Organ of the AU that was represented, and has availed its findings for use by the AU as a whole.
29. The PAP mission had expressed concern about the roots of the post-election stalemate that led to the fatal violence that gripped Kenya in the first quarter of 2008. The mission was seriously worried about "the enclosed climate that suddenly engulfed the final stages of the electoral process including the tallying of the votes." With the benefit of hindsight, the Ninth Session appreciated the foresight of the PAP mission to Kenya, although regretting the fact that not enough was done to prevent the violence.
30. The PAP has made a number of recommendations regarding the situation in Kenya, including the ratification, adherence to and implementation of the African Charter on Democracy, Elections and Good Governance (*PAP-REC. 002/2008*).
31. The volatile political situation in Zimbabwe has been of serious concern to the PAP. Members of the PAP election observer mission (20 in total) were mindful of the PAP's seriousness in this regard. It is for this reason that, while in the field, the mission actively challenged key stakeholders regarding matters that the mission found disconcerting. On voting day (29 March 2008), the mission expressed its concern (in writing) to the Zimbabwe Electoral Commission (ZEC) requesting it to "clarify [voter turn-out inconsistencies] __ at its __ convenience."
32. Also, the PAP mission was "concerned that so many days had passed since the closure of the polls, yet the overall outcome of the elections remain[ed] unknown. This concern was communicated twice before the Mission departed Zimbabwe to the Chairperson of the [Zimbabwe Electoral] Commission." During the Ninth Ordinary Session, The PAP has made substantive recommendations for implementation by regional organisations (including the AU) as well as by internal parties in Zimbabwe.
33. To demonstrate the extent of the PAP's concern, President Mongella wrote a letter on 12 April 2008 to "SADC Heads of State and Government [meeting] in Lusaka [urging them to] go a long way to find a lasting solution to the election crisis in Zimbabwe."
34. Indeed, the current situation in that country remains worrisome. During the Ninth session, a decision was taken by Parliament to send another election observer Mission to the Re-run of the Presidential Elections in Zimbabwe.

2.3 – Parliamentary Committees

35. It is important to note that the substantive business of the PAP is organized and processed through its ten (10) permanent Committees. The Committees are established in accordance with Rule 22 of the PAP's Rules of Procedure. All the issues reflected above are first dealt with at Committee level before they are brought to the attention of the Plenary (Session). In order to appreciate fully the work of the PAP, it is of necessity to consider some of the important activities and issues handled by some PAP Committees during the period under review.

2.3.1 – Peace and security

36. The PAP's commitment to contribute towards the creation of a stable and peaceful Africa remains unflinching. The time and depth devoted to the analysis of conflicts and to explore possible solutions testifies to this commitment. The Committee on Cooperation, International Relations, and Conflict Resolution, which prepares analytical reports to inform the PAP's permanent agenda item on peace and security, does much of this work. It is worth pointing out that this Committee led the PAP's 2007 election observer-mission to Kenya. It is also important to note that this Committee was among the first to enter into a working relationship with research organisations (such as the Institute for Security Studies) in order to tap into Africa's research capacity.

2.3.2 – Natural resources and the environment

37. The protection of the environment features prominently in the PAP Strategic Plan (2006 to 2010), and is one of the AU's key focus areas. It was with this in mind that in 2007 the Committee on Rural Economy, Agriculture, Natural Resources and Environment went on a fact-finding mission to the Ivory Coast to investigate the dumping of toxic wastes on the African continent. Given the threat posed by desertification to the continent, this issue also became the focus of an important workshop hosted by the Committee held in April last year in Algeria.

2.3.3 – Health matters

38. The PAP views the threat posed by diseases such as Malaria, Tuberculosis, and HIV and AIDS to the continent's human resources in a serious light. For this reason, the Committee on Health, Labour and Social Affairs spent a great deal of time considering, among others, measures meant to deal with these pandemics. In this regard, a workshop was held in October 2007 in South Africa to, *inter alia*, examine existing oversight mechanisms and explore ways of creating more awareness about the danger posed by HIV and AIDS to the peoples of Africa.

2.3.4 – Education

39. The role of education in social development and economic advancement is one immensely appreciated by the PAP. It is for this reason that the Parliament has placed the issue of education among its key priorities during the period under review. In order to benefit from the technical expertise available on the continent, the Committee on Education, Culture, Tourism and Human Resources entered into a working agreement with the Centre for Education Policy Development (CEPD). During this period, CEPD has delivered expert presentations at workshops hosted by the Committee.
40. As a way of improving cooperation among AU Organs, the Committee invited and received a presentation from the Division of Science and Technology of the African Union Commission (AUC) under the theme of 'the Second Decade of Education for Africa'. In order to practically inform the PAP's appreciation

of educational realities in post-conflict situations, the Committee undertook a fact-finding mission to Rwanda in March 2008.

2.3.5 – Human rights and justice

41. Article 3(2) of the PAP Protocol specifically enjoins the PAP to "promote the principles of human rights and democracy in Africa". This has and continues to guide the work of the PAP in this regard. In order for the Parliament to better appreciate available human rights instruments, the Committee on Justice and Human Rights hosted a workshop in May 2007 in South Africa. In October the same year, another workshop was convened to explore ways of enhancing the PAP's capacity to exercise oversight on human rights issues on the African continent.

2.3.6 – Review of the Protocol

42. The PAP is now in its fifth year of existence, and is aware of the legal obligation imposed by Article 25 of the PAP Protocol for the Protocol to be reviewed. In this regard, the Parliament has already set a process in motion to prepare its contribution and facilitate the process.

2.4 – Recommendations and resolutions

43. As pointed out before, the work of Parliamentary permanent Committees ultimately informs deliberations during PAP Sessions. Thus, the diverse thematic scope of the Committees reflects the PAP's focus during the period under review. The challenges facing the peoples of Africa are equally diverse, and the PAP cannot afford to be uni-dimensional in its approach. It is for this reason that PAP recommendations and resolutions reflect a genuine attempt to give proportionate attention to all the challenging issues that confront the African continent.

2.5 – Towards continental integration

44. The PAP is aware of its mandatory responsibility to work towards the realisation of Articles 3(c) of the AU Constitutive Act and 3(4) of the PAP Protocol, which speak to the urgent need to accelerate continental integration. It is with this objective in mind that, in 2006, the PAP initiated a series of regional consultative seminars with sub-regional stakeholders to solicit their views on how to move continental integration faster. This process was further pursued during the period under review with the holding of one such seminar in the SADC region (in Botswana) in March 2007. The PAP also participated in other consultative fora dealing with issues of integration, such as the conference of the African Parliamentary Union held in Addis Ababa in November 2007.
45. Importantly, the PAP's contribution to the Grand Debate and its position paper on the African Union Government clearly demonstrate the PAP's political will and practical commitment to African Unity and continental integration.

2.6 – Engagement with strategic partners

46. The PAP is cognisant of the place of Africa in global affairs, and is equally alive to the responsibility it has to make a contribution to improving the continent's engagement with the rest of the world. To this end, the PAP has during the period under review participated in several initiatives involving development and other strategic partners. Among others, these include its participation in the Common Wealth Parliamentary Association; the Inter-Parliamentary Union (in an observer capacity); the ACP/EU Joint Assembly and the Assemblée parlementaire de la Francophonie.

47. It is also important to note that the President of the PAP co-chairs the Global Centre for Information and Communication Technologies in Parliament (ICTP) that works towards connectivity of parliaments through ICTs.

3 – Institutional matters

3.1 – African Union audit

48. It will be recalled that the 9th AU Summit, among others, decided to institute an audit of the AU in order to determine its readiness for the imperative move towards an African Union Government. The PAP considered this decision extremely important and made a contribution to the process. The Parliament studied the report of the High Level Panel and made recommendations to the Executive Council of the AU in Arusha, Tanzania, in May 2008. The recommendations are the following:
- a. In order to strengthen the AU organs, it is essential that their various mandates, functions and powers as stipulated in the AU Constitutive Act and their Protocols are strictly adhered to.
 - b. It is necessary to purge the AU of practices of OAU which are inconsistent with the AU structure.
 - c. For effective consideration of matters affecting the African continent, it is essential that the respective AU organs share their programme items with their sister organs for their inputs.
 - d. There is an urgent need to establish a forum for AU Heads of organs to meet and synergise their functions and programmes.
 - e. There is a need to have a mechanism that ensures an effective and equitable allocation of financial resources of the AU to all organs.
 - f. There is therefore a need for the AUC to ensure regular disbursement of financial resources to allow proper functioning of the PAP and other organs.
 - g. Given the limited resources available to PAP there is a need for the Executive Council to review its decision of freezing the PAP Trust Fund.
49. The PAP would appreciate it if the Heads of State and Government would give these recommendations special attention.

3.2 – Resources

3.2.1 – AU allocations

50. During the period under review, the PAP did its best to achieve its strategic objectives as reflected in its substantive business. Due to serious resource constraints, this was not easy. The situation was further complicated by late and irregular disbursement of approved budgetary allocations by AUC.
51. The PAP acknowledges the commitment shown by the Executive Council to enhance the activities of the Parliament through the adoption of decision *EX.CL/Dec. 407 (XII)*.

4 – Conclusion

52. During the period under review, the PAP has operated in a highly challenging and complex politico-economic context. The impact of the current global energy crisis and its devastating consequences for the lives of millions of Africans has been among the adverse factors that have defined the environment within which the PAP has operated. Serious governance challenges engulfing some member states, including Kenya and Zimbabwe, signalled the emergence of new kinds of political unrests on the continent.

53. However, the PAP never relented. As demonstrated by this report, it played its role gallantly to mitigate the negative impact of those unfavourable conditions. The PAP did all this without deviating from its mandate or losing sight of its strategic vision.
54. On the whole, the progress made by the PAP during 2007/2008 testifies to an organisation that is firmly committed and that actively works towards a stable, democratic and economically prosperous Africa.
55. Finally, the contribution made by Pan-African Parliament thus far serves as yet another proof that the Heads of State and Government were justified in believing in the political importance of this salient continental Parliament.
56. This report is presented for consideration and adoption.