

African Union, African Regional Bodies

## Activity Report of the Pan-African Parliament, June 2013 to June 2014

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## Activity Report of the Pan-African Parliament, June 2013 to June 2014

### 1. Introduction

This report highlights some of the important activities of the Pan African Parliament between July 2012 and May 2013, showing the progress made and the challenges encountered. The report is predicated on the key deliverables of the organs of the PAP namely, the Plenary, the Bureau, the Committees and the Secretariat and highlights some of the key activities implemented within the period under review as presented hereunder.

### 2. Protocol of the Pan-African Parliament

As I had stated in my earlier report on the transformation process of the PAP, the draft amended Protocol underwent several rigorous validation meetings and workshops facilitated by the AU Commission and Government legal experts and was finally approved, without reservation by Ministers of Justice and Attorneys General in May 2012. The PRC in July 2012 approved the Draft, also without reservations. The Executive Council however approved the draft but with reservation on Article 8(1) (a) and Article 8(2), both dealing with legislative and oversight functions of the Parliament, respectively.

At the 20<sup>th</sup> Ordinary Session of 27-28 January 2013, the Assembly of the Union took note of the recommendation of the Executive Council contained in its Decision EX.CL/Dec. 707(XXI) on the Protocol and decided that more in-depth consultations should be undertaken on the draft Protocol, with respect to its Articles 8.1(a) and 8.2 on legislative and oversight powers. The Assembly therefore decided to defer consideration of the draft Protocol to the next Ordinary Session in May 2013.

Since then, the PAP has embarked on advocacy visits to a number of member states and consulted with the Heads of State and relevant Senior Government officials on the issue. There was also a consultative workshop between the Bureau of the PAP and the Bureau of the PRC as well as with the office of the Legal Counsel on the same issue. Based on the outcomes of these consultations and after interaction with the AUC on the way forward and in order to further address the concerns of some member states regarding the legislative powers of the PAP as provided for under the Article 8(1)(a) and 8(2), the PAP in collaboration with the office of the Legal Counsel proposed a further amendment to the said Articles. The proposed amendment was considered by the meeting of the Government Legal Experts on 6 to 14 May 2014 and the report of which was subsequently considered by the First Ministerial Meeting of the Specialized Technical Committee on Justice and Legal Affairs on 15 and 16 May 2014.

At the end of its deliberations on the envisaged legislative power of the PAP, the Ministerial Meeting adopted the Draft Protocol to the Constitutive Act of the African Union on the Pan-African Parliament (PAP), paying particular attention to Article 8(1)(a) and 8(2) as revised. The meeting agreed that the PAP may exercise limited legislative powers or propose model laws on the subjects/areas that the Assembly shall determine. The meeting agreed on the amendment of Article 8 as follows:

### Article 8 – Functions and powers

1. The Pan-African Parliament shall be the legislative organ of the African Union.

In this regard:

- a) The Assembly shall determine the subjects/areas on which the Pan African Parliament may legislate or propose draft model laws;

- b) The Pan-African Parliament may on its own make proposals on the subjects/areas on which it may legislate, submit or recommend draft Model Laws to the Assembly for its consideration and approval".
2. The Pan-African parliament shall also:
- a) Receive and consider reports of other organs of the African Union as may be referred to it by the Council or the Assembly, including audit and other reports and make recommendations thereon;
  - b) Debate and discuss its own budget and the budget of the Union and make recommendations thereon to the relevant policy organs;
  - c) Establish any Parliamentary Committee and determine its function, mandate, composition and term of office;
  - d) Discuss any matter relevant to the African union and make recommendations to the Council or the Assembly as it may deem appropriate;
  - e) Make proposals to the Council on the structure of the Secretariat of the Parliament taking into account its needs;
  - f) Request the attendance of officials of the other organs of the African Union at its sessions to offer assistance to the Parliament in the discharge of its duties;
  - g) Promote the programmes and objectives of the African Union in Member States;
  - h) Receive, consider and submit opinions on draft legal instruments, treaties and other international agreements as may be referred to it by the Council or assembly;
  - i) Liaise with National Parliaments or other deliberative bodies and the Parliaments of the Regional Economic Communities on all matters relating to the African Union and regional integration in Africa;
  - j) Carry out such other activities as it deems appropriate to achieve the objectives set out in Article 3 of this protocol.

Ten years after its establishment, we are convinced that the time has come for the Pan African Parliament to begin the gradual and phased acquisition of legislative powers in clearly defined areas, to enable it meet its mandate adequately, hence the current transformation process for the attribution of legislative competence as envisaged under Article 11 of the existing Protocol. Thus, we are strongly of the view that a transformed Pan African Parliament with legislative competence has a pivotal role to play and is indeed strategically needed as a catalyst for the achievement of the much desired African socio-economic continental integration agenda as encapsulated in agenda 2063 and therefore deserves to be endowed with the necessary capacity to develop the required institutional and legislative framework for the execution of the integration process.

On the other hand, a transformed PAP is needed to provide the African Union governance architecture with an organ that has sufficient capacity to facilitate the implementation of the decisions of the Assembly and this will go a long way towards meeting with the underlying vision of the founding fathers of our Union in establishing the PAP, that is, to become the voice of the peoples of Africa in matters concerning continental integration and shared development amongst all Africans.

Against the above background, we implore Your Excellencies to use your good offices to support the adoption of the draft amended Protocol in its entirety by the Assembly, as further amended and earlier approved by the Ministers of Justice and Attorneys General and the Permanent Representative Committee of the AU Member States.

### 3. Update on the implementation of the PAP organizational structure

#### *The recruitment and selection of candidates for the D1-P4 positions at the Secretariat of the PAP.*

Following the approval of a shortlist of 24 candidates for the six positions (Clerk of Parliament - D1 (4 candidates); Deputy Clerk, Legislative Business and Conferences - P6 (4 candidates); Deputy Clerk, Finance, Administration and Human Resources - P6 (4 candidates); Head, Committees, Research, Documentation and Library - P5 (4 candidates); Head, Finance and Budget - P5 (5 candidates, with one opting out to compete for the Deputy Clerk, Finance, Administration and Human Resources position only) and Interpreter/Translator - P4 English-French (3 candidates), the written tests were held on 25 April 2014, while the oral interviews were conducted from 14-19 May 2014.

The recruitment and selection process were undertaken in a rigorously transparent, objective, non-discriminatory and professional manner, fully overseen and supervised by the AUC to ensure compliance with the AU recruitment guidelines as recommended by the Executive Council in its Decision on the implementation methodologies. Interviews for the rest of the candidates shortlisted for the other prioritized positions of (P3-GSA & GSB levels) out of forty-eight (48) positions for which vacancies announcement was placed are underway.

### 4. Pan-African Parliament (PAP) Ordinary Sessions

In conformity with Rule 28(1) of the PAP Rules of Procedures, the Plenary had its sittings twice during the period for the 3<sup>rd</sup> and 4<sup>th</sup> Ordinary Sessions in October and March respectively to debate and adopt issues in relation to the mandate of the Parliament and other important matters affecting the interest of African Citizens. Over 250 delegates from African Parliaments, including Speakers and Presiding Officers of national and regional parliaments, MPs, Clerks of parliaments, senior parliamentary staff and representatives of governments, the civil society and delegates from international organizations attended the sessions.

4.1 At the 3rd Ordinary Session, in October 2013, the following Motions, Recommendations and Resolutions were considered and adopted:

- Recommendations on the situation in the Central African Republic
- Recommendations on the situation in the Republic of Mali
- Recommendations on the situation in Guinea
- Recommendation on the situation in Kenya
- Recommendations on the situation in the Democratic Republic of Congo
- Recommendations on the situation in Somalia
- Recommendations on Climate Change, Poverty and Energy
- Recommendations on African illegal immigration
- Resolution to Pay tribute to the Late Hon. Dr. Moussa Idriss Ndele
- Resolution on the fundamental principles and policy priorities in family policies in Africa
- Resolution on Making Agricultural Investment Work for Africa
- Resolution on the dialogue on the existing relationship between PAP and UNAIDS on AIDS response
- Resolution on the dispatch of a fact-finding mission to the Democratic Republic of Congo and Rwanda
- Resolution on the dispatch of a mission of Goodwill to Kenya
- Resolution on the Fact-Finding Mission to the Central African Republic
- Resolution of on the Arms Trade Treaty (ATT)

- Resolution on the Improvement of the Energy Industry in Africa for Sustainable Development
- Resolution on the re-commitment to the centrality of the African family

4.2 The 4<sup>th</sup> Ordinary Session in March 2014 was however unique as it coincided with the Celebrations of the 10<sup>th</sup> Year Anniversary of the establishment of the Pan-African Parliament. The special session was attended by highly distinguished dignitaries, especially H. E. Mohamed Ould Abdel Aziz, President of the Islamic Republic of Mauritania and Chairperson of the African Union, H. E. Yoweri Museveni, President of the Republic of Uganda, H. E. Mohamed Abdelaziz, President of Saharawi Democratic Republic, H. E. Jerry Rawlings, former President of the Republic of Ghana, etc. who also delivered speeches on the occasion. We remain indebted to them for honouring our invitation to come and felicitate with us as we celebrated the 10 years anniversary of our existence.

During this session, there were debates on a number of key issues resulting in the adoption of the following key resolutions:

- Resolution to Pay Tribute to the Former late President of South Africa H. E. Nelson Rolihlahla Mandela.
- Resolutions from the Dialogue with the Civil Society.
- Resolutions on the achievement of the African Union Agenda 2063.
- Recommendations on the African Union Budget for 2015.
- Recommendations emanating from the Women Dialogue.
- Resolutions emanating from the Dialogue on youth.

## 5. **PAP Strategic Plan for 2014-2017**

In October 2013, the PAP initiated the process for the formulation of its 2014-2017 Strategic Plan. The formulation process of the PAP 2014-2017 Strategic Plan was informed by experiences of the AUC and other similar regional organizations that have already developed their respective strategic plans. The process was highly consultative, participatory and holistic and involved PAP Bureau, PAP parliamentarians, core AUC and PAP staff, Regional Parliaments, development Partners, civil society and other strategic external stakeholders envisaged to contribute in one way or the other, in the implementation of the Strategic Plan.

The PAP's new Strategic Plan (SP) was subsequently considered and adopted during the PAP's 4<sup>th</sup> Ordinary Session in March 2013. The new Strategic Plan embodies the strategic intent, niche and objectives of the PAP for the next four years and focuses on these six broad strategic areas: (i) Strengthen Parliamentary Legislative functions of the PAP; (ii) Provide a platform to mainstream African voices and those in the Diaspora into the AU Policy Making Process; (iii) Promote Human Rights, Democracy, and Good Governance in Africa; (iv) Promote peace, security and stability; (v) Promote Integration and Development in Africa; and (vi) Strengthen institutional capacity of the Pan-African Parliament (PAP). With this new Strategic Plan the PAP has adopted and institutionalised a Result-Based Management (RBM) approach to improve on efficiency and effectiveness in its operations.

## 6. **Election Observer missions**

In furtherance of the fulfilment of its objectives the Pan-African Parliament took part in the joint Election Observer missions under the Decision No EX.Cl/Dec. 534 (XVI) adopted during the Sixteen Ordinary Session of the Executive Council of the African Union in February 01, 2010, members of the PAP participated in the Presidential and Parliamentary Elections held in the following Member States of the AU:

- Togo, 21 July 2013
- Mali, 28 July 2013

- Zimbabwe, 31 July 2013
- Mali, 11 August 2013
- Rwanda, 16 September 2013
- Swaziland, 20 September 2013
- Guinea, 24 September 2013
- Cameroon, 30 September 2013
- Mali, 24 November 2013
- Madagascar, 20 December 2013
- Guinea Bissau, 16 March 2014
- Algeria, 17 April 2014
- South Africa, 07 May 2014
- Malawi, 20 May 2014
- Egypt, 26 to 28 May 2014

#### 7. **Fact-finding mission to the Central African Republic**

Following the worrying developments in the political, security and humanitarian situation in the Central African Republic, the PAP dispatched a fact-finding mission to the country from 2<sup>nd</sup> to 4<sup>th</sup> October 2013, in order to gather adequate information that will enable the PAP to propose solutions to the crisis in that country.

#### 8. **International relations and strategic partnerships**

8.1 The development of a collaborative approach on engagement by the PAP has resulted in a more strategic and coordinated approach to partnerships with international and regional organisations and with the civil society. During the reporting period, the PAP engaged with the European Parliament (EP), the EU, and the UN with regard to strengthening partnerships to deliver more effective outcomes.

##### 8.2 **The 3<sup>rd</sup> Joint Africa Europe Strategy (JAES)**

Following an invitation by the European Parliament, the President of the PAP, Hon. Bethel Nnaemeka Amadi led a delegation comprising of Members of the Bureau, chairpersons of regional caucuses and committees to Brussels for the Third Parliamentary meeting on the Joint Africa Europe Strategy (JAES). It will be recalled that the PAP and the EP are two of the key stakeholders in the Joint Africa Europe Strategy. The principle of a closer involvement of the European and Pan-African Parliaments (EP, PAP) in the institutional architecture of the Joint Strategy and its Action Plan was endorsed by the Ministerial Troika of 28 April 2009.

The main item on the Agenda for the meeting was the assessment of the Joint Africa Europe Strategy 2010 - 2013. The meeting was officially opened by Martin Schulz, President of the European Parliament, and Bethel Nnaemeka Amadi, President of the PanAfrican Parliament as co-chairs. After inter-parliamentary engagements from both sides on the emerging issues from the progress report, the two parliaments adopted a joint declaration on the way forward which was presented to the meeting of the Heads of State and Governments for the 4<sup>th</sup> Joint Africa Europe Summit by the two presidents.

8.3 The PAP continues to maintain a good relationship with its partners who have continued to support its programmes, particularly the EC, the GIZ, the UNDP, OXFAM, OSISA and SAT.

#### 8.4 **TICAD-V**

In keeping with the provisions of Article 3(7) of the Protocol establishing the PAP which requires the PAP to facilitate cooperation and development in Africa, at the invitation of the Government of Japan, the delegation of the PAP to Japan attended the TICAD-V conference from 1<sup>st</sup> to 3<sup>rd</sup> June 2013. The TICAD-V conference was co-organized by Japan, the United Nations, the World Bank, and the AU.

#### 8.5 **20<sup>th</sup> Anniversary of the General Assembly of the InterParliamentary Assembly on Orthodoxy, Greece.**

Within the framework of the implementation of the Co-operation Agreement between the PAP and the Inter-Parliamentary Assembly on Orthodoxy, the PAP participated in the 20<sup>th</sup> Anniversary of the General Assembly of the Inter-parliamentary Assembly on Orthodoxy, held from 26<sup>th</sup> June to 01<sup>st</sup> July 2013 in Athens, Greece. The conference considered a number of themes including "Parliamentary Democracy-Christianity-Orthodoxy: values and concepts", "Orthodoxy and Democracy", "Christianity and Politics in the world of tomorrow", and "Values and concepts of modern era".

### 9. **Seminars and conferences**

During the period, the PAP organised and participated in the following seminars and conferences:

#### 9.1 **2013 Annual Speakers' Conference**

Consistent with our tradition in line with Article 18 of the Protocol establishing the PAP which requires the PAP to work in close collaboration with national Parliaments and Regional Parliamentary Bodies, the PAP organised the 2013 Annual Speakers Conference which was preceded by a Meeting of the Clerks of African Parliaments on the 15<sup>th</sup> and 16<sup>th</sup> August 2013. The Conference was opened by the former President of Cape Verde H. E. Pedro Pirez who made a powerful expose on Pan Africanism and African Renaissance.

The conference affirmed that: Pan Africanism and African renaissance is a vital engine of African integration and growth, and that there is need to reflect on the progress made to date on African integration. On the issue of the transformation of the Pan African Parliament: the Conference resolved that special attention should be paid to the Draft Protocol of the PAP and recommended that Parliaments should take the responsibility of sensitizing the Heads of State and Governments and Ministers of foreign Affairs on the need for the PAP to be endowed with legislative powers to develop draft model laws that will support the harmonization of legislations on the continent in clearly defined areas thereby creating a legal framework for continental integration particularly in the areas of trade and free movement of persons. In this regard, the conference recommended that the PAP should work in conjunction with sub regional and national Parliaments to harmonize legislation to remove current barriers.

It was further agreed that National and Sub regional Parliaments and the PAP in collaboration with the AUC should be part of the design process of the AU charter making processes to enable adequate cooperation and linkages to ensure the necessary ownership and thereby enable speedy ratification and domestication.

#### 9.2 **Meeting with Regional Speakers of Regional Parliamentary Assemblies**

In accordance with Article 18 of the Protocol establishing the PAP which requires the PAP to convene annual consultative fora with regional Parliamentary bodies, the Bureau of the PAP met with the Speakers of the SADC-PF, ECOWAS-P, EALA and CEMAC on 16<sup>th</sup> August 2013. The purpose of the meeting was to discuss the following matters:

- How to collaborate on the harmonization and co-ordination of laws of member states;
- How to contribute to the integration agenda; and

- The promotion of AU Decisions in Member states.

At the end of their deliberations, the meeting agreed to hold this meeting annually on the edges of the Speaker's conference organised by the PAP and proclaimed their support for the transformation process of the PAP to a continental parliament with legislative mandate. The conference also took stock of the progress made to date on intra-African trade and the ratification and domestication of AU instruments pertaining to AGA and agreed on the need for collective support.

9.3 ***Dialogue on Women, 14<sup>th</sup> March 2014 under the theme, "Ten years of existence of the Pan African Parliament: Reflections on its Role".***

The PAP organised the Women's Dialogue Conference in March 2014 to facilitate dialogue and the sharing of good practices on gender responsive conflict prevention and peace building initiatives. The Meeting facilitated high-level dialogue on gender dimensions and challenges relating to gender-based issues as detailed below:

- Women's leadership and participation in decision making;
- Achieving social and economic empowerment of women;
- Addressing maternal health (including issues of women's sexual and reproductive rights); and
- Promoting peace and security of women, including addressing all forms of violence against women.

The dialogue helped in the advocacy to encourage Member States, national parliaments and civil society to ensure women participation in politics and decision-making.

9.4 ***Dialogue on Youth, 17<sup>th</sup> March 2014:***

This event was organised in collaboration with the Pan-African Youth Council (PAYC). It focused on youth issues in order to strengthen youth legislation. The event brought hundreds of young people together to agree on a common youth position on key issues affecting the youth which were reflected in the PAP Youth Dialogue Declaration on:

- Youth, unemployment and migration;
- Youth, education and skills acquisition;
- Youth and peace and security;
- Youth and political participation;
- Youth and health in Africa.

Concluding, the Dialogue mandated the PAP to deepen interaction with African Youth and to reflect on its role on the above issues.

9.5 ***"Making Agricultural Investment Work for Africa", 8-9 November 2013, Malabo, Equatorial Guinea:***

The Pan African Parliament (PAP) and the Parliament of the Economic and Monetary Community of Central Africa (CEMAC) organized a seminar under the theme "Making Agricultural Investment works for Africa: A Parliamentarian's response to the Land Rush, on 8-9 November, 2013 in Malabo, Equatorial Guinea. The objectives of the seminar is to raise awareness among parliamentarians on the current scale and impact of foreign direct investment in land and water in Central Africa region, and to strengthen land policy and governance.

The seminar seeks to support PAP and CEMAC members to develop a detailed action plan to ensure that foreign investment in agriculture also brings tangible benefits to local communities including the most vulnerable populations, small-holder farmers and women farmers.

9.6 ***Exchange Visit and Sharing of Experience on Transhumance and Pastoralism in West Africa, 12-16 November 2103, Burkina Faso:***

The Pan-African Parliament (PAP) participated in the Exchange Workshop on Livestock Policy and Pastoralism in Africa was organized by the African Union Inter - African Bureau for Animal Resources (AU-IBAR), in Ouagadougou, Burkina Faso from 12 to 16 November, 2013. The workshop was organized in the framework of the on-going collaboration between the African Union Commission Department of Rural Economy and Agriculture (DREA) and the Pan African Parliament (PAP) Committee on Rural Economy, Agriculture, Natural Resources and Environment.

9.7 ***Media Legislative Reforms and Transforming State Broadcasters into Public Broadcasters in Africa, 1-3 December 2013:***

This conference was organised by the Committee on Justice to share the knowledge generated on public broadcasting in Africa over a five-year period in 11 countries. The conference uses upstream advocacy to map out a strategy for attaining impact at national, regional and continental levels by identifying champions that can leverage their positions (law makers, regulators, policy makers, CSOs etc.).

Further, the conference targeted media legislative reforms in Africa as a priority and highlighted the need for integrity, transparency and accountability in the digital migration process to ensure that AU member states involve all stakeholders in the consultation process.

9.8 ***Role of the Pan African Parliament in Championing the campaign for the Ratification, Domestication and Implementation of the Charter on Democracy, Elections and Good Governance (ACDEG), Dar-es-Salaam, Tanzania, 5-7 December 2013:***

The Pan African Parliament (PAP) in collaboration with the State of the Union (SOTU) organized workshop on the role of Pan African Parliament in Championing for the Ratification, Domestication and Implementation of the Charter on Democracy, Elections and Good Governance on 5-7 December, 2013 in Dar-es-Salaam, Tanzania. The aim was to introduce members of the PAP to the provisions of the ACDEG and the practicalities for its ratification and implementation. The workshop also focussed on issues relating to best practices, emerging trends and the implications of implementation or lack of implementation to the well-being of the region. The workshop enhanced the capacity of the PAP members to use their parliamentary role in pushing for the implementation of key commitments in the ACDEG.

9.9 ***Parliamentary roundtable on strengthening advocacy and partnerships in responding to AIDS, tuberculosis and malaria in Africa, 25-26 March 2014.***

The meeting took place at PAP precincts and was co-hosted by the AUC and the PAP. The purpose of the roundtable was to deliberate on ways that lawmakers can effectively utilise their legislative oversight, budget appropriation and expenditure tracking mandate, and accelerate advocacy and accountability efforts in the implementation of the AU Roadmap on Shared Responsibility and Global Solidarity for AIDS, TB and Malaria (2012-2015).

9.10 ***Joint Committee Session of the PAP and the Parliamentarians for Global Action (PGA) on the Arms Trade Treaty, 17-18 October 2013:***

This Joint Session was held in the precincts of PAP and was jointly organized and sponsored by the PAP, the PGA and the German Government on the Arms Trade Treaty (ATT). The purpose was to familiarize the Members of the respective Committee with the Arms Trade Treaty and its goals with a view to heighten understanding of the key role that MPs can play in making the ATT a robust reality. Furthermore, the session facilitated the introduction of the PGA Global Parliamentary Handbook on Ratification and Implementation of the ATT and the PGA Parliamentary Toolkit on the ATT. Possible steps were identified to be taken by MPs to facilitate early ratification and implementation of the ATT and a PAP/PGA Group was established to continue the advocacy on the ATT and other goals of the two institutions.

The Workshop concluded with a communique (Midrand Communique) and launches the PAP-PGA Group as an entity that will facilitate joint ongoing actions and deliberations to secure early entry into force of the ATT and identify optimal means to ensure its robust implementation.

9.11 ***African Parliamentary Engagement with the Millennium Development Goals (MDGs) and the Post-2015 Agenda, 2021 November 2014.***

The United Nations Development Programme (UNDP) Regional Bureau for Africa, in partnership with the PAP, the African Parliamentary Network (APKN), the African Union's High Level Committee (HLC) Secretariat on the Post-2015 Agenda, and the Regional UNDG and the United Nations Millennium Campaign (UNMC), organized this meeting at the PAP precincts in Midrand. The goal was to develop a common understanding and strategies on parliamentary engagement on the agenda and design mechanisms to enhance parliamentary engagement and how to influence the process.

The meeting concluded with an adoption of an Outcome Statement and Next Steps on deepening parliamentary engagement of the Global Development Agenda.

9.12 ***Consultation between the Pan-African Parliament (PAP) technical team with the African Union Commission on the Role of PAP in the Agenda 2063:***

The focus of the consultation was to discuss and develop links between Agenda 2063 and PAP to ensure that Agenda 2063 builds upon and brings on board the PAP Programme and experiences, solicit inputs of the PAP Technical team on the draft Agenda 2063 Document to facilitate its finalization, discuss with PAP on Agenda 2063 implementation arrangements, including in particular the roles and responsibilities of the PAP in relation to other AUC Organs and to identify key issues of PAP for inclusion into Agenda 2063. In effect, the PAP highlighted the following issues for consideration in the Agenda 2063 formulation process:

- ***Need to identify women and youth as true agents of change*** within the context of renewing emphasis and recognition of women and youth as the true agents of change in Africa by establishing platforms to motivate their involvement in Africa's political process and developmental agenda.
- ***Need for greater synergy between the Pan African Parliament and the AUC*** in the development and formulation of the policies, objectives and modalities of implementation of Agenda 2063 which should occur at the decision making process and not after its final development;
- ***Need for transformational leadership:*** For the achievement of the aspirations of Agenda 2063 the need for transformational leadership and stable polity cannot be over stressed. This must be rooted in a strong and reliable public institution necessary for the actualization of the principles of democratic governance, rule of law and free and fair elections.
- ***Need to establish a continental legislative institution or platform:*** The Agenda 2063 framework is being designed against the backdrop of prior continental frameworks that regrettably failed to reach its desired outcome. Both the Lagos Plan of Action and the Abuja Treaty embraced principles and goals manifested in the agenda 2063 with particular reference to industrialization, trade and investment and economic and social development. Given that the failures of prior frameworks have been authoritatively linked to the "absence of a strong continental coordinating mechanism" the transformation of the PAP from a consultative and advisory body to an institution with legislative competence needs to be incorporated in the current draft of Agenda 2063.

10. **Presentation and discussion of the African Union budget**

At the 4<sup>th</sup> Ordinary Session of the Pan African Parliament, the African Union Commission was requested to present for discussion by the parliament, the 2015 African Union Draft budget as provided for under Article 11(2) of the Protocol. The presentation was kindly made by HE Mr Erasmus Nwanche, the Deputy Chairperson of the Commission and the Parliament for the very first time discussed the African Union

budget and made recommendations thereon as required, prior to its approval by the Assembly of the African Union. As the Statutory body charged with the responsibility of approving the budget, PAP together with the AUC and PRC will continue to work together to ensure that the task of discussing the African Union budget by the Parliament remains an annual activity with greater effectiveness.

## 11. Inter-organ collaboration

### 11.1 Collaboration with the AUC

AU Organs are an integral factor in achieving the overall objectives of the Pan-African Parliament (PAP). To this end, the PAP has forged ahead to re-align its Committees to those of the AUC Departments and institutions, to enhance the oversight function of the PAP. This relationship has enhanced the sharing of information, aligning the PAP's Strategic Plan and the Strategic Planning processes and embarks on joint programmes.

### 11.2 African Governance Architecture (AGA)

The Pan-African Parliament (PAP) is a key organ involved in the implementation of the African Governance Architecture (AGA). The African Governance Architecture (AGA) is the continental institutional framework aimed at connecting, empowering and building capacities of African peoples in strengthening governance and consolidating democracy in Africa. The AGA is conceived as the overall political and institutional framework for the promotion, protection and sustenance of democracy, governance, human rights and humanitarian assistance on the continent. It embodies the aspirations of African peoples and their determination to improve their lives with dignity by consolidating democratic values and principles.

As part of efforts aimed at full operationalization of the AGA, an Inter Organ technical consultation involving the four key organs of the AGA, namely the African Commission on Human and Peoples' Rights; the African Court on Human and Peoples' Rights, the Pan African Parliament and the Department of Political Affairs, was convened in Cape Town, South Africa from May 19<sup>th</sup> to May 23<sup>rd</sup>, 2014 with a view to fostering a common understanding, appreciation and ownership of the AGA by four of the key members of the African Governance Platform. At the end of the workshop, AGA Base Documents and a Joint Action Plan to be implemented jointly by the organs were developed.

## 12. Administrative and financial matters

A summary of key administrative and financial initiatives undertaken and noteworthy outcomes achieved were covered in the following core areas of operations:

- 12.1 The PAP has put in place internal control systems and has increased the staff strength within the finance unit which has impacted positively on the overall performance of the finance. The PAP received an audit opinion from the Internal Auditor of PAP for the fiscal year ending December 31, 2013 and completed an assessment of the adequacy of internal controls and implemented corrective action plans as required by Management. Further, the Unit met requirements and deadlines set kby the PAP/AU for developing and submitting all 2013/2014 budget components, including financial plan and decision packages.
- 12.2 During the period under review, the Secretariat also received external board of auditors from the AU and partner organisations to evaluate and audit some of the activities of the PAP. Overall, the PAP audit reports during this reporting period were unqualified due to improvements in the financial Unit which impacted positively on our financial and accounting services; including payroll needs, budget, and planning and analysis for MPs' activities, programmes and projects.
- 12.3 In the same vein, there was marked improvement in the HR unit which drastically reduced the cost of leave days accumulation to the Union by staff, as leave roster is now properly managed so that the staff now take their leave when it is due.

## 13. Key challenges

### *Inadequate financial resources*

The inadequacy of the approved budget for the execution of the PAP's programmes and activities remain a major challenge for the institution. Even with the approved budget, only part of same is released. The PAP, like most other AU Organs, relies heavily on financial and technical support from donors to implement its programmatic activities. This has not augured well for the effective implementation of its mandate and therefore needs to be addressed as a matter of priority.

#### 14. Conclusion and recommendations

##### 14.1 The Establishment of an Election Observation Unit within the PAP Secretariat

It cannot be gainsaid that the AU's election observation missions aims to secure the credibility of national electoral processes by ensuring that the principles of democracy, rule of law, human rights, free and fair results are achieved. The rationale is that the minimization of electoral fraud will guarantee people's confidence in the democratic process and thereby avoid post election conflicts. We believe that members of the PAP possess the requisite knowledge and experience on matters of elections. Hence the participation of the MPs in the management of the process both before and during the election is critical and should be strengthened for more effective coordination and good results. Accordingly, it is recommended that the PAP should be supported to establish an Election Observation Unit (EOU) or a Democracy Support and Election Monitoring and Coordination Unit (DSEMCU) which will set out clear criteria and procedures for election observation delegations.

14.2 Within the limit of its capacity as a mere consultative and advisory organ and despite its funding challenges, the PAP has achieved milestones in the execution of its mandate as can be deduced from this activity report. We believe that with enhanced role and adequate funding, the PAP will no doubt perform more effectively.

14.3 The PAP also believes that Agenda 2063 provides a unique platform to actualize the vision of the founding fathers of the AU. Given the failures of the past frameworks, it has become imperative that for continental growth, development and sustainability, the PAP as a continental Parliamentary organ of the African Union needs to be strengthened as a veritable instrument integral to the realization of the aspirations, goals and milestones of Agenda 2063.

14.4 Against the above background, we implore Your Excellencies to use your good offices to support the adoption of the draft amended Protocol in its entirety by the Assembly, as further amended by the First Ministerial Meeting of the Specialized Technical Committee on Justice and Legal Affairs and earlier approved by the Ministers of Justice and Attorneys General and the Permanent Representatives Committee of the AU Member States.