

African Union, African Regional Bodies

## Activity Report of the Pan-African Parliament, July to December 2008

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# Activity Report of the Pan-African Parliament, July to December 2008

## 1 – Background

1. This report provides an overview of the work and activities of the Pan-African Parliament (the PAP) during the period from July to December 2008. It serves to indicate the extent to which the PAP remains focused in pursuit of the objectives of the African Union (AU) as stated in Article 3 of the AU Constitutive Act, and the pursuit of its mandate derived from the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament (herein referred to as the PAP Protocol).
2. The report reflects, in a synoptic manner, on political and institutional matters that the Pan-African Parliament dealt with during the period under review. It also alludes to the experience of the Parliament during the first five years of its existence.

## 2 – Political issues

### 2.1 – The global and continental context

3. The global economy has experienced one of the worst financial crises in history. In many ways, this situation has impacted on Africa. As the world was still trying to recover from the high oil prices that skyrocketed food prices for the most part of 2008, the global economy was hit by a serious financial crisis that threatened to drive the world into an economic recession reminiscent of the Great Depression of the 1930s.
4. Many developed countries have now announced economic stabilisation programmes, but experts suggest that Africa will still grapple with adverse implications arising from the crisis. Protectionist trade practices by developed countries; low levels of investment and a decline in development assistance to African countries are among a range of undesirable possibilities our continent should be prepared for.
5. During its Tenth Ordinary Session, the Pan-African recommended that African countries should urgently consider measures to protect and minimise the impact of the financial crisis, including the convening of a continental meeting to deal with this matter. The PAP is pleased that, on November 12, the African Development Bank and the Economic Commission for Africa organised a meeting of African Ministers of Finance and Governors in this regard.
6. Politically, the PAP has also witnessed, in December 2008, the beginning of an unfortunate bombardment of the people of Palestine by Israel, using heavy weaponry. The PAP remains optimistic that a lasting solution to this conflict will soon be found.
7. In Africa, the Pan-African Parliament has been monitoring and, indeed, concerned about the violence that destabilised the eastern part of the Democratic Republic of the Congo to which, we believe, dialogue remains the only producer of a lasting solution. The PAP undertakes to do everything in its power to ensure that the political gains made by the people of the DRC are never reversed, and that peace and democracy are consolidated in order to address the pressing socio-economic needs of ordinary citizens.
8. Other situations of serious concern are those in Chad, Darfur, Guinea Conakry, the Horn of Africa, Mauritania and Zimbabwe. The PAP is of the view that these pockets of instability will not be allowed to undo the progress made by Africa towards peace, democracy and economic prosperity. Indeed, the consolidation of peace and security and the deepening of democracy remain key agenda items of the Pan-African Parliament.

## 2.2 – The Tenth Ordinary Session

9. In keeping with Article 14(2) of the PAP Protocol, the Pan-African Parliament "meet in ordinary session at least twice a year". As we have pointed out before, the PAP Sessions are not convened merely to satisfy legal requirements, but mainly to reflect on matters that affect Africa. Furthermore, the Sessions are part of various instruments 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.
10. During the period under review, our Parliament held the Tenth Ordinary Session from 27 October to 07 November 2008. The Session dealt with a number of critical issues affecting Africa. These included the implications of the global financial crisis; progress made in the implementation of NEPAD and the African Peer Review Mechanism; democracy and good governance; women empowerment, agriculture and rural development; and others. As is standard practice, specific resolutions and recommendations have been adopted on each of the issues considered by the Tenth Ordinary Session.

### 2.2.1 – Relations with AU Organs and other partners

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

#### 2.2.1.1 – Address by the Chairperson of the African Union

12. From time to time, the PAP invites or receives requests from representatives of Organs of the AU to address its Sessions. To give effect to this, Rule 73 (1) of the PAP's Rules of Procedure stipulates that: "The chairperson of the Assembly, the Executive Council or the Commission may at any time request the permission of the President [of the PAP] to make a statement." In line with this provision, the Tenth Ordinary Session had the privilege of being addressed by the Chairperson of the African Union and President of the United Republic of Tanzania, His Excellency Jakaya Mrisho KIKWETE, who was our Guest of Honour.
13. In his address, President Kikwete made an important observation regarding general politico-economic trends on the continent, stating that "..... Africa is irreversibly moving towards more vibrant democratic governance, observance of the rule of law, respect for human rights, deeper integration and greater economic prosperity". Economically, the AU Chairperson said that the fact that, over the past 12 months, sub-Saharan Africa achieved an average economic growth rate of over 6.5% was an important indication of progress.
14. He paid attention to particular areas that require collective efforts by the peoples and leaders of Africa. Key among these is the critical need to deal with socio-economic challenges facing the continent. Given that the majority (70 to 80%) of the peoples of Africa live in rural areas, H.E. Kikwete also devoted time to reflect on the importance of agriculture. He called for greater investment in this sector in order to improve the livelihoods of African citizens.
15. Conscious of the salience of infrastructure in development, the AU Chairperson expressed regret that Africa's infrastructure was grossly underdeveloped. For example, while road transport accounts for 80 to 90% of the continent's goods traffic, only 12 to 17% of the total road network in sub-Saharan Africa was paved.
16. Regarding democracy and good governance, President Kikwete made a call that Africans "must continue to build and consolidate the culture of democracy ..... by strengthening the institutions that underpin it". He based this call on his firm conviction that a vibrant democratic culture was a necessary ingredient for

- African nations effectively to "harness the energies and creativities [of their people] for sustainable long term development".
17. Related to governance is the critical issue of conflict prevention and resolution. In this regard, President Kikwete said: "Africa needs peace and security for it to survive and grow" and, therefore, emphasised the need to deal with the causes of conflict. In his view, one of the ways of doing this was by ensuring that the African Union's peace and security architecture was enabled to perform its functions effectively and efficiently with clarity of vision, mission and provision of resources to build its capacity.
  18. H.E. Kikwete also reflected on the role of the Pan African Parliament in continental affairs. Among others, he urged the Parliament to "keep pressure on African governments to fully embrace democracy and good governance," including regularly holding free and fair democratic elections, respect the rule of law, protect human rights and fight corruption. He encouraged the PAP to continue to be fair and firm in giving its opinions on elections, while avoiding the temptation to becoming biased in order not to erode the credibility of the institution.
  19. President Kikwete pointed out that he was not oblivious to the constraints of the Pan-African Parliament. He singled out the lack of sufficient financial resource among the key challenges that needed urgent attention. He commended the PAP for its creativity in exploring solutions in this regard, including the establishment of a Trust Fund.
  20. Finally, H.E. dealt with the urgent matter of the review of the PAP Protocol, advising that when the PAP prepares its impute to the review process, the Parliament should also make practical proposals on how to improve the financing of the work of the PAP. He expressed his full support for the Pan--African Parliament and wished the Tenth Ordinary Session fruitful debates. Members of the PAP expressed their sincere gratitude to President Kikwete for gracing the Session.

### **2.2.2 – Address by AU officials**

21. Also as a way of deepening relations between the PAP and other AU Organs, representatives of the AU Commission attended and addressed the Tenth Ordinary Session.

#### **2.2.2.1. - Deputy Chairperson of the African Union Commission**

22. H.E. Erastus J.O. Mwencha, Deputy Chairperson of the African Union Commission (AUC), addressed the Session. He saluted the PAP for its contribution towards the attainment of the objectives of the African Union. He cautioned the Parliament that, as it contemplated its transforms into a full legislative body, a great deal of responsibilities still lied ahead.
23. H.E. Mwencha informed members of the PAP that the AUC had developed a four-year strategic plan (2009-2012) based on the following pillars:
  - a. peace and Security;
  - b. development, Cooperation and Regional Integration;
  - c. shared values, and
  - d. institution and capacity building.
24. The Deputy Chairperson said that work was continuing apace on all the pillars of the Commission's work. With regard to peace and security the AUC focussed its immediate efforts on the operationalisation of the Continental Early Warning System and the African Standby Force. The AUC's worked was in the context of that of the Peace and Security Council (PSC). He also briefed the PAP about the peace efforts of the AU in countries such as Mauritania, Zimbabwe, the Great Lakes region and others. Members of the PAP further received information on all the other pillars of the work of the AUC. During their liberations all members were unanimous in thanking H.E. Mwencha for the useful information he gave to the Parliament.

### **2.2.2.2 - Ambassador Mohammed Ali Fom**

25. The Tenth Ordinary Session was also addressed by H.E. Ambassador Mohammed Ali Fom, representing the AU Commissioner for Peace and Security. He informed the PAP that the African Peace and Security Architecture (APSA), as articulated by the Peace and Security Council Protocol (PSC), was created to enable the AU effectively to deal with issues arising in various parts of the Continent.
26. Ambassador Fom confirmed H.E. Mwencha's report that work regarding the operationalisation of both the Continental Early Warning System and the African Standby Force was on track, and that the implementation of the Peace and Security Council Protocol was well under way.
27. The Ambassador gave details about the state of affairs in African countries where the AU was engaged in efforts to restore peace and ensure lasting stability. These countries are Cote d'Ivoire, the Democratic Republic of Congo, Liberia, Somalia, the Sudan, Western Sahara and Zimbabwe. The information provided by Ambassador Fom also formed the basis of deliberations leading to the adoption of specific recommendations by the Tenth Ordinary Session.

### **2.2.2.3. - Ambassador Emile Ognimba**

28. Ambassador Emile Ognimba, AU Director for Political affairs, briefed the PAP on issues relating to the African Charter on Democracy, Elections and Good Governance. The Ambassador said that, following the wave of democracy that swept the world in the 1990s, African Heads of State, reflected upon the developments and agreed to adopt a new governance approach for Africa. Ambassador Ognimba said that the adoption of the African Charter on Democracy, Elections and Governance at the Eighth Ordinary Session of the Assembly of the AU should be interpreted against the backdrop of the continent's paradigm shift. He added that the adoption of the Charter demonstrated the determination of the AU and its Member States to promote and strengthen good governance by institutionalising transparency, accountability and democracy.
29. Further, H.E Ognimba stated that the primary responsibility for ratifying and implementing the African Charter on Democracy, Elections and Governance, resided with Member States, and that the Charter needed to find expression in the concrete actions of all stakeholders. The PAP was informed that, of the 53 countries of AU, only 25 States had signed the Charter while only one State, Mauritania, had ratified. The Ambassador thus encouraged PAP Members to urge their home countries to ensure that all AU Member States ratified the Charter. He also reported that, on its part, the Commission had undertaken a number of initiatives in this regard.

## **2.2.3 – Cooperation with National and Regional Parliaments**

30. For the Pan-African Parliament, cementing relations with National and Regional Parliaments is a matter of critical importance. Article 18 of the PAP Protocol enjoins the Parliament to: " ..... work in close cooperation with Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative organs of Member States ...." It is in pursuit of this objective that the President of CEMAC inter-Parliamentary Commission as well as the Speakers of both the National Parliaments of Egypt and Cameroon attended and delivered messages of support to the Session.

### **2.2.4 – President of the People's Assembly of Egypt**

31. H.E. Professor Ahmed Fathi Sorour, President of the People's Assembly of Egypt (hereinafter referred to as the Speaker), said that although recently established, the PAP had already demonstrated that it was able to perform and deliver on the mandate for which it was established. Professor Sorour explained the long ties and cooperation between his country and fellow African countries - from the political support Egypt had provided during the liberation struggle to post-independence cooperation on socio-economic

development issues. He thanked the PAP for inviting him and made a commitment that his National Parliament was willing to assist in hosting workshops aimed at developing human resources in the area of parliamentary work. He pointed out that, in June 2008, the Egyptian Parliament had already hosted the Africa Parliamentary Knowledge Network (APKN).

### 2.2.5 Engagement with strategic partners

32. The Pan-African Parliament is mindful that, in order to achieve its objectives, it will need continually to forge strategic relations with like-minded institutions, within and outside Africa.
33. Among the guests who addressed the Pan-African Parliament are the President of the European Parliament, Honourable Hans-Gert Pottering; the General Secretary of the Latin American Parliament, Senator Sonia Margarita Escudero and the Vice President of the International Criminal Court, Mss Akwa Kuenyehia.

#### 2.2.5.1 – Honourable Hans-Gert Pottering

34. In his speech, Honourable Hans-Gert Pottering pointed out that, from the onset, the European Parliament (EP) enthusiastically welcomed the creation of the Pan-African Parliament, and saw it as the dawn of hope for the whole African continent. He expressed satisfaction that the relationship between EP and the PAP had grown from strength to strength. In this regard, he mentioned some of the practical actions taken to cement this relationship, including that:
  - a. the EP had sent delegations to all Ordinary Sessions of the PAP, including regular contacts between the Presidents of the two Institutions;
  - b. the EP had provided technical support in the preparation of the PAP's Strategic Plan (2006-2010); and
  - c. in 2006 and 2007, the EP and PAP, respectively, set up *ad hoc* committees to deal with relations between the two Institutions.
35. Further to consolidate this relationship, Honourable Pottering recommended that a full-time Inter-parliamentary Delegation be put in place to institutionalise relations between the EP and the PAP. Furthermore, he said that these two continental parliaments had a critical role to play in monitoring the actions of their respective Members States to ensure greater accountability.
36. Also focusing on critical socio-economic issues affecting Africa, Honourable Pottering assured the PAP that the EP would do every thing in its power to ensure that the EU's envisaged food facility - designed to support the development of agriculture in Africa - was not derailed as a result of the global financial crisis. He further made a commitment that his Parliament would exercise vigilance to ensure that the donor community continued to honour its commitments. Honourable Pottering stressed that members of the EP were united in the conviction that "Europe cannot have a good future without a good future for Africa".
37. On human rights and good governance in Africa, Honorable Pottering emphasized that the interest of his Parliament in these issues was not a matter of post-colonial paternalism, but was based on a joint EU-Africa commitment to the universal protection of human dignity. Against this background, he pointed out that the EP would also continue to closely monitor developments in the Great Lakes region, Sudan, Mauritania, Democratic Republic of the Congo and Zimbabwe.
38. Honourable Pottering congratulated the PAP on the work it had done in observing elections in Zimbabwe. He then urged the PAP to closely monitor and ensure the implementation of the multiparty agreement reached in that country on 15 September 2008. Finally, he said that the EP was encouraged by African efforts, to resolve the situation.

### 2.2.5.2 – International Criminal Court

39. The Tenth Ordinary Session was also addressed by the Vice President of the International Criminal Court (ICC), who reminded members of the PAP that African countries were at the forefront of the formation of the ICC in pursuit of justice, especially with regard to crimes against humanity.
40. Mss Akwa Kuenyehia called on African countries to continue supporting the ICC as it works to mete out justice against those who grossly violate human rights on the continent and beyond. She pointed out that the major challenges affecting the operations of the Court, included the lack of cooperation from some states in handing over culprits to the Court, and asked the PAP to seriously consider the issue.
41. Parliamentarians expressed concern about what they perceived as "selective justice" by the ICC, based on their observation that a majority of the cases handled by the Court involved Africans. Some PAP members suggested that it would be best for cases involving Africans to be handled by an African Court.

### 2.3 – Work of Permanent Committees

42. As reported previously, the substantive business of the PAP is organized and processed through its ten (10) permanent Committees (established in terms of Rule 22 of the PAP's Rules of Procedure), which are the following:
  - a. Committee on Rural Economy, Agriculture, Natural Resources and Environment;
  - b. Committee on Monetary and Financial Affairs;
  - c. Committee on Trade, Customs and Immigration Matters;
  - d. Committee on Co-operation, International Relations and Conflict Resolutions;
  - e. Committee on Transport, Industry, Communication, Energy, Science and Technology;
  - f. Committee on Health, Labour and Social Affairs;
  - g. Committee on Education, Culture, Tourism and Human Resources;
  - h. Committee on Gender, Family, Youth and People with Disability;
  - i. Committee on Justice and Human Rights; and
  - j. Committee on Rules, Privileges and Discipline.
43. During the period under review, these Committees undertook a number of activities in pursuit of the strategic objectives of the PAP. Having dealt with a variety of issues falling within the purview of their competencies, the Committees regularly submit reports and make recommendations to the Plenary of the PAP. Accordingly, the Committees did make submissions and recommendations to the Tenth Ordinary Session. Hereunder follows an overview of the work of Committees during the period under review.

#### 2.2.3 – Review of the Protocol

44. As reported previously, the PAP has put in place an internal process to prepare its contribution to the Review of the PAP Protocol. Such a contribution will be made to the Conference of State Parties to take place in line with Article 25 of the PAP Protocol. Our Committee on Rules, Privileges and Discipline drives this internal process, involving experts in the process. During the Tenth Ordinary Session, the Committee reported on the progress it was making, and the PAP is confident that the Parliament will make a constructive and meaningful contribution to the review.

### 2.2.4 – Peace and security

45. The work of the Pan-African Parliament in conflict resolution and international relations is in pursuit of the AU's objective to ensure peace and security on the African continent. In this regard, our work is coordinated by the Committee on Cooperation, International Relations and Conflict Resolution. Hereunder follows a summary of the Committee's major activities during the period under review. It:
- a. held a statutory sitting from 27 to 29 August 2008 in Johannesburg, South Africa;
  - b. held a non-statutory meeting from 21 to 22 October, also in Johannesburg; and
  - c. participated in a joint fact-finding Mission to Mauritania, from 14 to 20 September 2008.
46. This Committee is one of the first PAP Committees to enter into a formal working relationship with an African research institution to complement its PAP's research capacity. It regularly receives briefings from experts from the Institute for Security Studies (ISS), who inform Committee deliberations on a regular. At its statutory meeting, the Committee dealt with situations in the following countries:
- a. Democratic Republic of Congo;
  - b. The Sudan;
  - c. Chad;
  - d. Central African Republic;
  - e. Côte d'Ivoire;
  - f. Zimbabwe;
  - g. Somalia;
  - h. Saharawi Arab Democratic Republic;
  - i. Mauritania;
  - j. Djibouti; and
  - k. Eritrea.
47. On each of these cases, the Committee made specific recommendations, which were adopted by the Tenth Ordinary Session. As regards the conflict between Djibouti and Eritrea, the Committee has plans to dispatch a fact-finding Mission to these countries in the first quarter of 2009.

### 2.3.3 – Democracy and good governance

48. 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. The Pan-African Parliament considers non-adherence to these key legal instruments as a matter of serious concern.

#### 2.3.3.1 – Observer Missions to Angola, Swaziland and Zimbabwe

49. During the period under review, the Tenth Ordinary Session received reports of the PAP's election-observer Missions to Zimbabwe, Swaziland and Angola. With the exception of Zimbabwe, reports on Swaziland and Angola were very positive in that our Missions concluded that the elections went well in a free and fair atmosphere. A few recommendations were made in the two cases, including the need for civic education on electoral process, much greater access to the media for all contestants, and enabling

public funding for all contestants - the latter being more relevant to Swaziland, where contestants do not represent political parties as per that country's electoral law.

50. In the case of Zimbabwe, our Mission acknowledged a relatively peaceful environment in the March 29 election, which saw Mr Morgan Shvangirai winning the elections but not getting enough votes to allow him to constitute a government, as per that country's electoral regime. However, the Mission expressed a serious concern at the spate of violence that occurred during the run-off phase of the election. Incidents of state-sponsored violence, as well as a serious assault on civil liberties, were also reflected on in our Mission's report. Thus, the Mission reached the conclusion that the elections in Zimbabwe did not have the necessary credibility to be declared free and fair, a finding that was endorsed by the Tenth Ordinary Session. Against this background, the PAP recommended that SADC, leaders working together with the AU, should engage the broader political leadership in Zimbabwe to find a lasting solution. This recommendation was adopted by the PAP Plenary.

### **2.3.3.2 – Mauritania**

51. Following the coup d'état in Mauritania on 6 August 2008, where a democratically elected President was arrested, the Pan-African Parliament dispatched a fact-finding Mission to that country in September 2008.
52. Acting on the basis of the information acquired during the Mission, the PAP made specific recommendations to internal parties as well as to external stakeholders, including a request for the AU to condemn the coup d'état with no uncertain terms.

### **2.3.4 Justice and human rights**

53. The work and activities of the PAP on human rights are in pursuit of Article 3(e) and (h) of the AU Constitutive Act and Article 3(2) of the PAP Protocol, which enjoin all Organs of the AU, and the PAP in particular, to protect and promote human rights. These objectives have and continue to inform 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 engages in a variety of activities on an ongoing basis.
54. In August 2008, the Committee met with representatives of the African Court on Human and People's Rights to explore better ways of deepening collaboration between both our institutions to achieve a common purpose. Members of the Committee utilized this opportunity to also gain more insight into the operational and technical aspects of the work of the Court, as well as to keep abreast of the on-going process of merging the African Court on Human and People's Rights with the Court of Justice of the Africa Union.
55. In August 2008, members of the Committee participated in a conference convened to review the status of human rights in Africa. This conference was hosted by the Egyptian National Human Rights Council in Cairo to mark the Sixtieth Anniversary of the Universal Declaration of Human Rights, and to review the progress made in the implementation of the Declaration.

### **2.3.5 – Rural economy, agriculture, natural resource and the environment**

56. As President Jakaya Kikwete pointed out to the Tenth Ordinary Session of the PAP, a majority (70-80%) of African people live in rural areas. Established to serve the interests of the masses of African citizens, the PAP takes issues relating to rural development seriously. During the period under review, our Committee on Rural Economy, Agriculture, Natural Resources and Environment did important work in this regard, including:
  - a. Undertaking a fact-finding in July 2008 mission to the AU Commission;
  - b. Hosting a workshop on land and wealth distribution and their impact on peace and stability in Africa. This workshop took place in Rwanda in December, 2008.



57. The fact-finding Mission to Addis Ababa was meant to consult with the AU Commission's Department of Rural Economy. While also meant to improve working relations with this Department, the Mission was also interested in getting more information about the implementation of the AU Summit decision, taken in Maputo in 2003, for Member States to allocate not less than 10% of their budgets to support Agriculture. It is unfortunate that our Mission did not make positive findings in this regard.
58. The Mission further sought to hold discussions with the AU Commission about issues relating to the impact of genetically modified organisms on African agriculture; early warning systems on drought, floods, natural disasters; desertification; and other important matters. These issues were further discussed at a workshop hosted by the Pan-African Parliament in December in South Africa.

### **2.3.6 – Transport infrastructure and scientific research**

59. In pursuit of its action plan, the Committee on Transport, Industry, Communications, Energy, Science and Technology held a non-statutory meeting in Algiers, Algeria, from 7 to 8 October 2008. The objective was to assess the status of implementation of legal instruments adopted by the AU, NEPAD and other continental bodies, particularly in area of transport infrastructure and scientific research.
60. The Committee presented a detailed report of this appraisal to the PAP during the Tenth Ordinary Session in October-November 2008, which adopted the report together with the accompanying recommendations. Among others, these have informed the recommendations on infrastructure made in this report (see the last section of this report).

### **2.3.7 – Education, culture, tourism and human resources**

61. Education and human resource development are critical priority area for the Pan-African Parliament. It is for this reason that we continue to focus our efforts to make a contribution to the production of a body of highly skilled personnel on the African continent. During the period under review, the PAP Committee on Education, Culture, Tourism and Human Resources undertook:
  - a. a fact-finding Mission to Sierra Leone, from 27 July to 2 August 2008, to obtain first-hand information on the rebuilding of educational systems in African countries that are recovering from conflict; and
  - b. a fact-finding Mission to Swaziland, from 30 August to 2 September 2008, to gain insight into the role of culture in the development of tourism.

### **2.3.8 – Gender and women empowerment**

62. The Pan-African Parliament regard gender issues, specifically women empowerment, as key priority issues. The magnitude of peculiar challenges facing African women remains enormous. It is for this reason that the PAP, jointly with the National Assembly of the Republic of South Africa, hosted an International Women's Conference from 22 to 24 October 2008. The conference was attended by women parliamentarians from the continent as well as women representing a variety of civil society organisations dealing with gender-related matters.
63. The theme of the conference was "Women and the quest for human security." This theme was chosen particularly to give full expression to the daily struggles of African women for basic necessities of life, and further to explore ways of extricating women from the clutches of poverty and underdevelopment.
64. Participants agreed and undertook to return to their home countries and work towards the elimination of all forms of discrimination against women. In this regard, the Pan-African Parliament and National Parliaments were urged to carefully monitor the implementation of key international agreements by AU member states. These include the Protocol to the African Charter on Human and People's Rights Relating to the Rights of Women in Africa; the Solemn Declaration of the African Union on Gender Equality in

Africa; the Dakar and Beijing Platforms of Action; and the Strategic Action Plan of the Conference on Women and Economic Recovery in Africa.

### **2.3.9 – African Peer Review Mechanism**

65. During the Tenth Ordinary Session, the PAP considered African Peer Review Mechanism (APRM) reports on the People's Democratic Republic of Algeria and the Republic of South Africa.
66. The PAP commended Algeria for making strides in many fields of governance, including in education, health, and in the eradication of extreme forms of poverty. On its part, South Africa underwent enormous transformation since its first democratic elections of 1994. The country made progress in attaining a peaceful and stable political regime. Socio-economically, South Africa also registered significant improvements, although major challenges still lied ahead.
67. From the APRM reports, it was clear that both Algeria and South Africa were on a sound governance and developmental trajectory. The PAP thus commended these countries for consolidating democracy, the rule of law, respect for human rights and socio-economic development.

## **2.4 – Continental integration**

68. Our work towards the attainment of the strategic vision of integrating the African continent continues apace. We do this guided by, among others, Articles 3(c) of the AU Constitutive Act and 3(4) of the PAP Protocol, which mandate AU Organs to accelerate continental integration. As it was reported to the previous Summit, in 2006 the PAP initiated a series of regional consultative seminars with sub-regional stakeholders - including Regional Parliamentary Fora and Regional Economic Communities - to solicit their views on how to move continental integration faster.
69. From 8 to 9 September 2008, the PAP - jointly with the Economic and Monetary Community of Central Africa (CEMAC) Inter-Parliamentary Commission - hosted one such consultative seminar to dialogue with stakeholders in the Central African Region. The National Parliament of the Republic of Cameroon availed its facilities for the purposes of the seminar.
70. The theme of the seminar was: "strengthening continental solidarity and creation of a feeling of common destiny among the peoples of Africa". The seminar was specifically convened to deal with the following issues:
  - a. the debate on a Union Government in Africa;
  - b. the impact of Economic Partnership Agreements (EPA) on continental integration and poverty reduction in Africa; and
  - c. the role of regional parliamentary fora in the promotion of democracy and human rights.
71. Participants regarded the debate on the establishment of a Union Government as critical to the integration process. In this regard, they undertook to take part in efforts aimed at actualising the integration project, and further to involve ordinary citizens in the debate.
72. The commitment of Africans to working towards continental integration was indeed evident during the consultations the PAP had in Central Africa. At the end of the seminar, stakeholders adopted the Yaoundé Communiqué, through which they committed themselves "to a speedy process to rationalise, strengthen and harmonise the mandates and agendas of Regional Economic Communities and Regional Parliamentary Fora, and to work towards a Pan-African Parliament and Regional Parliamentary Fora that have legislative powers."
73. The Yaoundé consultation was a continuation from those already held in East and Southern Africa. This year (2009) the PAP will conclude its regional engagements in West and North Africa.

### **3 – Institutional matters**

74. In the report we presented to the Eleventh AU Summit, we reflected at length on a wide range of institutional matters pertain to the operational work of the Pan-African Parliament. Since then, no major changes have taken place in that regard. In this report, we only touch on two critical areas, viz. the review of the PAP Protocol and the salient issue of resources.

#### **3.1 – Resources**

75. Resource constraints continue to pose serious challenges to the implementation of the Pan-African Parliament's Strategic Plan and the realisation of its objectives. The delay on the part of some Member States in making their financial contributions has either led to a situation where some of our planned activities do not get implemented or get postponed from year to year.
76. However, we do not relent in striving beyond frontiers and in exploring creative and cost-effective ways of making a meaningful impact. The PAP Trust Fund is one such important initiative. The PAP is indeed grateful that Heads of State decided in Sharm El Sheikh, Egypt, to operationalise the Fund.
77. For the financial year 2009, the PAP requested from the African Union an operational budget of US\$ 19,126,079 and a programme budget of US\$ 1,400,000.
78. The Pan-African Parliament takes this opportunity to thank the South African Government for providing material support and creating a good working environment for Members. We are pleased that work on the design of the permanent Seat of the Parliament has now been concluded and that construction is about to commence.

### **4 – The first five years of the PAP**

#### **4.1 – Our mandate**

79. It is now five years since the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament entered into force. Serving during the first term of the PAP has both been a historic opportunity and a daunting challenge. Since its inception, the PAP has always been mindful of its political and legal obligations to work towards the attainment of the objectives of the African Union as spelt out in Article 3 of the AU Constitutive Act.
80. The first five years of the PAP's existence can be characterised as a continental context defined by internal and external factors that were both challenging and exciting. During this period, the continent contended with a complex of challenging issues, including those of governance and democracy, socio-economic development as well as critical matters of peace, security and political stability.
81. Evidently, significant progress has been made in resolving some of the conflicts that appeared intractable. Whilst further work still needs to be done, countries such as Burundi, the Democratic Republic of the Congo (DRC), the Ivory Coast, Liberia and (southern) Sudan have registered encouraging progress towards lasting peace.
82. However, daunting challenges still confront Africa. A great deal of work is required to address volatile political situations such as those in Chad, the eastern part of the DRC, Darfur, Somalia and Zimbabwe.
83. The consolidation of political stability and the entrenchment of the culture of democratic governance remains a challenge that needs constant attention, new approaches and strategies. The prevalence of pandemics such as Malaria, Tuberculosis, HIV and AIDS on the continent is among the urgent has responded to this complex and ever-changing environment through a range of interventions and instruments, including through forging strategic alliances with likeminded partners in Africa and beyond.

84. Organisationally, the first five years have been characterised by industrious work to put in place and institutional architecture and organisational machinery to facilitate the political business of the PAP. Further, we have, in 2005, adopted a Strategic Plan (2006 to 2010) to better organise our work and to be able to track progress made.
85. Mindful of the need to constantly monitor and evaluate the PAP's work, we put in place an internal mechanism to assist us to assess the performance of our Parliament over the past five years. From this process, we have already learned important lessons that will be taken into consideration when the PAP finalises its contribution to the process to review its Protocol.
86. From 19 to 23 January, the Pan-African Parliament held a Retreat in Dar es Salaam, Tanzania, to assess the implementation of the PAP's Strategic Plan. We have identified critical issues that require attention, including the need to:
  - a. ensure a common understanding of the PAP mandate among Organs of the AU;
  - b. play a more meaningful role in the harmonisation of laws and in fast-tracking continental integration, as it is stipulated in Article 3(9) of the Protocol;
  - c. strengthen the oversight role of the PAP;
  - d. put in place mechanisms for better participation and representation of the peoples of Africa; and
  - e. strengthen the monitoring and evaluation of the work of the PAP to ensure ongoing improvement.
87. In spite of the challenges and resource constraints faced by the PAP, it is pleasing that a review conducted by an independent expert has found that the PAP is well on track to realise all the objectives it set for itself in its Strategic Plan when the 2010 deadline comes. Five years after the entry into force of the PAP Protocol, we now have a far better appreciation of what needs to be done to make an African continental parliament effective and produce better results. The practical experience we have now gained will, no doubt, be of value to the process of reviewing the Protocol.

## 5 – Conclusion

88. 2008 was a very challenging year, both from political and economic perspectives. The first half of the year saw the world reel under high prices oil and the year ended with a global financial crisis that had not been witnessed in many decades. The African continent has also had to contend with numerous challenges, including governance and political instability in some Member States
89. However, the PAP never relented. As demonstrated in this bi-annual report, the Pan-African Parliament has continued to contribute to peace and security, the promotion of democracy and the socio-economic development of the peoples of African within an environment constrained by political difficulties and serious resource shortages.
90. The strides the PAP made during the period under review and the whole of 2008 indeed provide evidence of the commitment of members of the PAP to work towards the realisation of the ideal of a peaceful, democratic and prosperous Africa.
91. Finally, it is worth reiterating the words of His Excellency Jakaya Kikwete, at the official opening of the Tenth Ordinary Session of the PAP when he said Africa is no longer "the Continent of despair, contempt, stagnation... Africa is now a Continent replete with hope, a Continent of great opportunities..." The work of the Pan-African Parliament is indeed a contribution toward the realisation of this hope and to bringing the peoples of African closer to the realisation of their opportunities.

## 6 – Recommendations

92. Given the background information provided in this report, the Pan African Parliament recommends that:
- a. more resources be allocated to enable the PAP to function better and deliver on its mandate;
  - b. the PAP Protocol be reviewed to better position the PAP to play a greater role in the development of the African continent;
  - c. African Union Member States do everything in their power to fast-track the implementation of NEPAD infrastructure development plans, with particular focus on transport;
  - d. The African Union support collective and individual efforts to seek funds to finance the implementation of transport infrastructure by Member States;
  - e. The African Union establish a Transport Infrastructure Solidarity Fund to support the implementation of infrastructure projects;
  - f. AU Member States re-appraise their sea and air ports with the view to modernizing and adhering to international technical standards;
  - g. The African Union work with African air transport companies and with the private sector to set up an African air transport company that will fill the gap left by Air Afrique; and
  - h. African national and regional parliaments work with their respective governments to harmonize legislations in order to foster transport infrastructure development as a tool for continental integration.
93. This report is presented for consideration and adoption.