PAN-AFRICAN PARLIAMENT CIVIL SOCIETY FORUM 9 JUNE 2021

WEBINAR Pan-African Parliament Civil Society Forum

Wednesday 9 June 2021 11:00 – 14:00 SAST

REGISTER ON ZOOM





Programme: Wednesday 9 June 2021

TIME	ACTIVITY	MODERATOR
11:00 - 11:15	Welcoming Address Professor Frans Viljoen Director, Centre for Human Rights (CHR), University of Pretoria (UP)	Ms Bonolo Makgale Programme Manager, Democracy and Civic Engagement Unit, CHR
11:15 - 12:05	PAP ENGAGEMENT WITH CSOs Implications of the post 4th Ordinary Session of the fifth Pan-African Parliament Mr Jeggan Grey Johnson OSISA Africa Regional Office	Ms Bonolo Makgale Programme Manager, Democracy and Civic Engagement Unit, CHR
	Ratification of the PAP Malabo Protocol and implications for Africa Dr Swikani Ncube Senior Lecturer, Faculty of Law, University of Johannesburg	
	Reflection on Resolutions and Recommendations of the PAP Professor Bonolo Dinokopila Associate Professor, Law Department, University of Botswana	
12:05 - 12:50	PARLIAMENTARY MONITORING AND OPENNESS	Mr Samuel Obeng
	 Mainstreaming Open Parliament principles in the work and practices of PAP Mr Theo Chiviru Regional Lead for Africa & the Middle East, Open Govern- ment Partnership (OGP) Fostering enabling environments for PMOs to monitor national and transnational parliaments in Africa Ms Maria Baron Global Executive Director of Directorio Legislativo & Founding Member of Latin American Network for Legisla- tive Transparency 	Executive Director, Parliamentary Network Africa (PNAfrica)
12:50 - 13:05	Break	
13:05 - 13:50	BUSINESS AND HUMAN RIGHTS The process of adopting an international legally bind- ing instrument on transnational corporations and other business enterprises Dr Sa Benjamin Traore Project Coordinator: ACCA, CHR UP Research Paper Soft Launch: Fair Share?: Shining a Light on the Extractive Industries Fiscal Regimes in Mozambique, Tanzania & Uganda Dr Dan Ngabirano Publish What You Pay	Mr Arnold Kwesi Programme Manager, Business and Human Rights Unit, CHR
13:50 – 14:00	Concluding Remarks Dr Nkatha Murungi Assistant Director, Centre for Human Rights, University of Pretoria	

Background and context

The Pan-African Parliament (PAP) was established by the Abuja Treaty as one of the organs of the African Union (AU) and currently has its seat in Midrand, South Africa. The 18th of March 2021 marked the commemoration of the Pan-African Parliament's (PAP) 17th year anniversary. At the time of its establishment, the PAP was earmarked as an organ of the AU that will provide a platform for increased public participation and for the Africans to participate in decision-making processes that affect the Continent. The Parliament consists of representatives nominated by local legislatures and currently represents all of AU member states, with the exception of Eritrea. The PAP aims to foster development and economic integration on the Continent. The core of the PAP's mandate is to promote citizen engagement and representation as democratic ideals.

The PAP and Civil Society Engagement

In 2014, the AU adopted the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament (Malabo Protocol). The Malabo Protocol was adopted to amend the current Protocol relating to the PAP and is expected to enable the Parliament to extend its functions and allow members of the Parliament to be elected through adult suffrage. Key features of the Protocol have been celebrated as being vital towards strengthening accountability and representation through institutional reforms. These reforms will increase citizen participation and representation and allow for increased access to the PAP. The ratification of the Malabo Protocol will be essential to improving the Parliament's effectiveness. However, ratification of this Protocol is happening at a slow rate.

The Preamble to the PAP Protocol sets out the vision that the PAP would be a 'common platform for African peoples and their grassroots organisations to be more involved in discussions and decision-making'. The PAP has progressively worked towards this goal by cultivating channels for involvement of and dialogue with Civil Society Organisations. This is seen in strategic partnerships such as the establishment of the PAP Civil Society (CSO) Forum which allows for civil society to get better acquainted with the PAP, and to explore avenues for greater involvement and collaboration. The CHR has also developed a toolkit that aids in capacity building of CSOs as well as furthering avenues of participation and familiarisation with the PAP that provides guidelines on CSO Advocacy in the PAP.

I. Special Thematic Issues

The thematic issues that are to be discussed during the forum centre around increased accountability and transparency particularly in areas of governance and business ensuring the promotion and protection of human rights in these areas.

i. Parliamentary Monitoring and Openness

This session will focus on how PAP can adopt Open Parliament principles (transparency, accountability, participation, and inclusion) in its work and practices in the quest to achieve its core mandate. It will further look at how Parliamentary Monitoring Organisations (PMOs) can sustain increased collaborative dialogue with the continental parliament and its member parliaments, and to foster enabling environments for PMOs to monitor the work of national and regional parliaments.

As a representative body of African citizens, the PAP, and with the various national parliaments which perform legislative function and oversight of the executive, are fundamental for the realization of

democratic good governance and the consequent developmental dividend for citizens. By virtue of its core functions, a legislative institution must be transparent and accountable to the citizenry it serves and represents. Hence, it is critical that the performances of parliament itself and its Members are also subjected to assessment by citizen-based groups.

It is in this respect that PMOs are important players in democratic governance, often seeking to facilitate and promote public knowledge of, and participation in parliamentary processes, as their work shows promise in strengthening a number of components of democratic governance, including the accountability of parliaments to the electorate; citizen engagement in the legislative process; access to information about parliaments and their work; and the capacity to encourage parliamentary reform and serve as mechanisms to strengthen legislatures in meeting citizens' demands.

The role of the media in this task of parliamentary monitoring at the PAP and national parliament levels, can also not be over emphasised. Recently, the African Parliamentary Press Network (APPN) has been initiated as a joint effort between civil society and the PAP to ensure that journalists are empowered to track the work of the PAP and its Members even at the national level, in order to promote the mandate of PAP and to give visibility to the need to ratify the Malabo Protocol. Discussants will explore how the 'Declaration on Parliamentary Openness' – a global call to national and transnational legislative bodies by PMOs for an increased commitment to openness and to citizens engagement in parliamentary work – can be operationalised at the PAP level; and explore opportunities of how the continental organ can recommend benchmarks on parliamentary openness for use by its member parliaments.

ii. Business and Human Rights

a) Adoption of an internationally binding instrument on transnational corporations & other business enterprises

This presentation will focus on the process of adopting an international legally binding instrument on transnational corporations and other business enterprises.

In June 2014 at its 26th session, Ecuador and South Africa presented to the UN Human Rights Council in Geneva a resolution they had drafted proposing an international legally binding instrument on Transnational Corporations and Other Business Enterprises with respect to human rights. An open-ended intergovernmental working group with the mandate to elaborate an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights was subsequently established, chaired by Ecuador. The first session of the open-ended intergovernmental working group (IGWG) took place from 6 to 10 July 2015 in Geneva. Subsequent sessions followed in October 2016, October 2017 and October 2018. Despite this progress, African states including their civil society, private sector and most importantly governments have not taken an effective role in this process. While a number of developments have been realized including the development of the Elements for the draft legally binding instrument were issued by the Chair in September 2017, and a Zero Draft was presented in July 2018, many African states have not been seen to be effectively engaging. Given the importance of this process in streamlining the legal and policy at the global level and its subsequent role in shaping the human rights protection and accountability landscape in Africa it is essential for CSOs and governments alike to participate and engage effectively towards finalising the drafting of this instrument.

b) Research Paper Soft Launch Fair Share?: Shining a Light on the Extractive Industries Fiscal Regimes in Mozambique, Tanzania & Uganda

Recent discoveries of vast quantities of oil and natural gas resources in Eastern Sub-Saharan Africa i.e. Mozambique, Tanzania, and Uganda, have raised hopes and improved the region's prospects of emerging as a new petroleum frontier. However, this possibility is subject to numerous other considerations such as, the ability of each of these countries to obtain a fair share, prudent management of resource revenues, management of the long-term effects of the COVID-19 pandemic, and the inevitable energy transition, among others.

Given this importance, Publish What You Pay commissioned studies to evaluate the effectiveness of the extractive industries fiscal regimes in three Eastern Sub-Saharan countries. The Mozambique country study focused on the Golfinho/Atum project within the Rovuma basin, while Tanzania and Uganda studies were focused on mining and petroleum projects, respectively. The objective of these country studies was to generate the information necessary for reform of extractive industries fiscal frameworks, and to steer collective advocacy for countries to obtain a fair share of revenue from their resources at the regional and global level. This report is important in highlighting the role of CSOs in promoting accountability and transparency and the potential contribution that increased transparency and respect for human rights in business has for development on the continent.

II. Aim and Objectives

The aim of the Civil Society Forum is to foster closer collaboration between and among CSOs on PAP related issues on the one hand, and between CSOs and the PAP on the other, with a view to advancing and promoting the mandate of the continental Parliament. To that end, the meeting will seek to achieve the following objectives:

- 1. To sensitize civil society organizations on the workings of the PAP, including on the key themes of the PAP Session and potential avenues to engage with the PAP;
- 2. To raise awareness about the importance of transparency and accountability in the operations of Parliaments on the Continent;
- 3. To assist PAP committees with development of model laws and human rights guidelines around business and human rights;
- 4. To enable sharing of best practices on effective civil society engagement with the PAP;
- 5. To identify gaps and challenges relating to civil society engagement with the PAP and devise effective strategies for addressing them;
- 6. To work towards establishing collective campaign towards the ratification of the Malabo Protocol;
- 7. To adopt a common approach for sustained civil society engagement with the PAP and deepen reflections on the establishment of a PAP Civil Society Forum.

III. Expected Participants

The Civil Society Forum will bring together about 75 participants from the following groups:

- Representatives of African civil society organisations, including university students and members of academia;
- A select number of PAP Members;
- Members of the PAP Secretariat;
- Local and International Media.

IV. Methodology and working languages

The Civil Society Forum will be conducted through interactive plenary sessions, in which resource persons from the PAP and civil society will make technical presentations on various topics. Participants will have an opportunity to engage with the various topics and formulate observations, comments and recommendations. The working language will be English.

Event details

Wednesday 9 June 2021

09:00 GMT / 10:00 WAT / 11:00 SAST / 12: 00 EAT All participants are required to **register on Zoom**. Zoom Meeting ID: 995 0072 9596 (registration required)

Contacts

For more information, please contact:

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