



One Africa, One Voice

COMPENDIUM

OF RESOLUTIONS, RECOMMENDATIONS AND DECLARATIONS OF THE 4TH PARLIAMENT OF THE PAN-AFRICAN PARLIAMENT



May 2015 - October 2017

Midrand, Republic of South Africa

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AND DECLARATIONS OF THE
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PAN-AFRICAN PARLIAMENT**

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***Compendium of Resolutions, Recommendations and Declarations
of the 4th Parliament of the Pan-African Parliament: May 2015-
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Foreword

The 2001 Protocol to the Treaty Establishing the African Economic Community vested the Pan-African Parliament with consultative and advisory powers only, but with the aim of the Parliament evolving into an institution with full legislative powers, whose members would be elected through universal suffrage. For the last fifteen years, including during its Fourth Parliament, the Pan-African Parliament continued to operate under this consultative and advisory capacity.

In fulfilment his mandate of ensuring an effective participation of the peoples of African in the economic development and integration of the African continent, the Fourth Parliament of the Pan-African Parliament succeeded in asserting its relevance and proactiveness by considering, debating and formulating resolutions, recommendations and declarations on a wide range of matters that speak directly to the realities of the continent and the peoples of Africa, whether in the area of human rights, good governance, democracy, peace and security or integration and development. In particular, the Pan-African Parliament systematically mainstreamed in its activities the African Union themes of the three years of the Fourth Parliament, namely the year of women's empowerment and development towards Africa's Agenda 2063 (2015), the year of human rights, with a particular focus on the rights of women (2016) and the year of harnessing the demographic dividend through investments in youth (2017).

Under the leadership of the Bureau which I had the honour to preside over, the Fourth Parliament also successfully undertook constructive engagement with strategic stakeholders, particularly regional and national parliaments, the interparliamentary fraternity and international institutions, to advance the voice and aspirations of the peoples of Africa and to sensitize of the effective implementation the African Union policy and legal instruments at the domestic arena. At the international level, our parliamentary diplomacy recorded strides evidenced by the coordination and harmonisation of African voice on United Nations climate summits negotiations and advocacy for the lifting of economic sanctions against African countries.

All resolutions, recommendations and declarations which embody the meritorious efforts of the Pan-African Parliament in fulfilment of its strategic objectives would remain dead if they are not compiled and publicised, to promote their use by Members of Parliaments, policy-makers and other stakeholders such as academics, researchers, civil society and the common African citizen who may be interested to engage with the work of the Pan-African Parliament. This Compendium is therefore a valuable compilation of work that will assist Parliamentarians and parliamentary practitioners in their quest to access and make good use of decisions of the Pan-African Parliament. The publication goes beyond anything previously produced by the Pan-African Parliament and is a testament to the hard work and dedication of the Parliamentarians and the Secretariat of the Pan-African Parliament, which it is worth commending.

First, sincere thanks go to the Members of the Fourth Bureau, Honourable Vice-Presidents for the leadership and constant involvement in the functioning of Bureau and the Parliament. They are Honourable Eduardo Joaquim Mulembwe (First Vice-President, representing Southern Africa); Honorable Safia Elmi Djibri (Second Vice-President, representing Northern Africa); Honourable Suilma Hay Emhamed Saleh (Third Vice-President, representing Eastern Africa) and Honourable Dr. Bernadette Lahai (Fourth Vice-President, representing Western Africa). The Bureau would not have been able to provide effective leadership to the work of the Parliament, which culminated into the resolutions, recommendations, and declarations which this Compendium documents, if they did not consistently avail themselves to the discharge their Bureau responsibilities, including by during intersessional rotations.

Also, I wish to appreciate the commitment and contributions of all Members and Permanent Committees, engines of the Pan-African Parliament, for their active participation in the realization of the decisions reported in this Compendium. The presence of PAP Members in the statutory and non-statutory activities and their altruistic participation in official missions cannot be taken for granted, in view of their busy schedules and dual membership, as well as conflicting schedules. Nothing would have been possible without them availing themselves for the work of the Pan-African Parliament, and indeed without the generous support of our Member States.

I also wish to commend the PAP Secretariat Staff, irrespective of functions and grades, who deployed their energy, experience and knowledge to provide technical support for the achievement of the mandate of our Parliament. The activities and strategic objectives of the Pan-African Parliament cannot be achieved without the enormous work and technical support from the Secretariat. I particularly commend the editorial team which took the initiative to immortalise decisions of the Fourth Parliament under this Compendium. Our wish is that decisions from other previous Parliaments will also compiled for our internal use and for external consumption.

Last, but not least, our sincere gratitude also goes to our development partners, for their generosity and fruitful partnership, which contributed to the achievement of our objectives, especially where we experienced some budgetary gaps. We are delighted that the Pan-African Parliament has continued to garner the trust of our development partners in support for our activities.

Right Honourable Roger Nkodo Dang

President of the Fourth Parliament of the Pan-African Parliament

Editorial

This is the first volume of the Compendium of Resolutions, Recommendations and Declarations of the Pan-African Parliament, which covers all decisions adopted by the Plenary of the Fourth Parliament of the Pan-African Parliament, covering the period from May 2015 to October 2017. It is meant not only to facilitate access to decisions and basic legal instruments of the Pan-African Parliament to Parliamentarians and Staff of the Pan-African Parliament, but also to promote their use by practitioners, academics, researchers and even the common African citizen. Indeed, the Compendium particularly bridges the gap of external access and consumption of decisions of the Pan-African Parliament, which have partly resulted in the scarcity of academic research and literature on the Pan-African Parliament, and the little appreciation of the work and achievement of the Pan-African Parliament.

This volume includes all Resolutions, Recommendations and Declarations taken on a wide range of matters tabled in Plenary through the various Permanent Committees during the period under review. Each resolution, recommendation or declaration is clustered under the Ordinary Session during which it was adopted and bears the order number originally attributed to it.

It is worth indicating that the Compendium also contains Final Communiqués of the Annual Speakers' Conference and Annual Meetings of the Association of Secretaries-General of African Parliaments, which were convened by the Pan-African Parliament during the Fourth Parliament. These outcome documents do not constitute or become Resolutions, Recommendations or Declarations of the Pan-African Parliament. They are included in the Compendium for purposes of dissemination, reference and use by the Pan-African Parliament, African regional and national Parliaments as well as external stakeholders.

Further, the Compendium includes, in the annexes, the basic legal documents of the Pan-African Parliament. These include the Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament, adopted in Sirte, Libya in March 2001 (current Protocol) and the Rules of Procedure of the Pan-African Parliament, as amended in October 2011. Though not yet in force, the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament, adopted in Malabo in June 2014 is also included. This is to facilitate access by any practitioner or researcher to a legal instrument that is critical to the institutional reform of the Pan-African Parliament. The Charts of ratification of both protocols, as at the date of publication of the compendium, are also annexed.

The Compendium is structured into nine chapters, the first six of which correspond with the six ordinary sessions falling under the fourth Parliament. The seventh and eighth chapter cover respectively the Final Communiqués of the Annual Speakers' Conferences and the recommendations from the Association of Secretaries-General of African Parliaments, which the Pan-African Parliament hosted during the fourth Parliament.

The Compendium is also available in French. Translation in Arabic and Portuguese will be finalised as soon as possible, to ensure that the Compendium is widely accessible and used by more Parliamentarians, policy-makers, researchers, civil servants, civil society organisations and academics alike, in Africa and abroad, who have an particular interest in the work of the Pan-African Parliament.

We are most grateful to the political and administrative leadership of the Pan-African Parliament for the encouragement and support given to us in the realisation of this publication, as is reflected in the foreword and the acknowledgement.

Phebe Mavungu Clément
Editor in Chief

Acknowledgments

It is with great honour and gratitude that I present the Compendium of Resolutions, Recommendations and Declarations of the Fourth Parliament of the Pan-African Parliament.

We could not have done it without the notable guidance of the Bureau of the Fifth Parliament. I am particularly grateful for the support of the Rt. Hon. Roger Nkodo DANG. I sincerely appreciate his leadership.

This collection of documents presents the work of the Continental Parliament that originates from the eleven Permanent Committees and culminates into important decisions and recommendations by the Plenary during the Sessions of Parliament.

With this document – presented both in French and English languages, it is our earnest hope that Stakeholders such as Research Institutions, Youth, Civil Society, Governments and Parliaments will easily access knowledge about the Pan-African Parliament (PAP) and its business as an organ of the African Union.

This work could not have been possible without the contribution of all Staff of the Pan-African Parliament. I therefore commend them for their commitment to serve the continent unreservedly.

I am grateful to the Secretariat Team of Experts who worked relentlessly and collaboratively to make it possible. Their enthusiasm over this project is evidence of remarkable dedication to civil service and indebtedness to the people of Africa.

I am also grateful to the University of Pretoria Law Press (PULP) for their sustained interest in, and support of the work of the continental Parliament. I sincerely appreciate the expertise of PULP in the production of this important publication.

The launch of this Compendium paves way for the Secretariat to address the deficit of the past. We are therefore looking forward to releasing the Compendium of Resolutions, Recommendations and Declarations of the Third and Second Parliaments soon.

Gali Massa HAROU

Acting Clerk of Parliament

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1. Resolutions, Recommendations and Declarations from the First Session of the Fourth Parliament: 18 - 29 May 2015

1.1. Resolutions from the First Session of the Fourth Parliament

1.1.1. Resolution expressing gratitude to Honourable Bethel N. Amadi former President of the PAP (PAP.3/PL/Res.01(VI))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

MINDFUL of the fact that assumption of legislative powers as soon as possible is essential for the PAP to fulfil its mission;

SATISFIED with the remarkable contribution made by Hon Bethel N.AMADI towards the institutional development of PAP in his capacity as President of PAP;

PAYING TRIBUTE to his humility, his availability, his open mindedness and his leadership;

CONVINCED of his quality as a negotiator and unifier;

CONSIDERING the urgent need for the signing and ratification of the Protocol to the Constitutive act of the African Union relating to the Pan-African Parliament as adopted at Malabo in Equatorial Guinea;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. Congratulate Hon. Bethel N. AMADI;

2. Designate Hon. Bethel N. AMADI as «*Ambassador*» of PAP charged with the promotion, signing and ratification of the Protocol as revised by PAP;
3. Call on the Bureau of PAP to make available to the «*Ambassador*» the necessary resources required for the success of his mission.

Midrand, 29 May 2015.

1.1.2. Resolution for the establishment of Former Pan-African Parliamentarian's Caucus (PAP.3/PL/Res.02(VI))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING ALSO Article 3 of the Constitutive Act of the African Union (AU) whose objectives are inter alia, to promote and protect human and peoples' rights in accordance with the African Charter on Human and People's Rights and other relevant human rights instruments;

CONSIDERING FURTHER Article 3 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament (PAP) and Article 4(a) of the Rules of Procedure of the Pan-African Parliament, which vests the PAP with the mandate to facilitate the effective implementation of the policies and objectives of the African Union;

CONSIDERING that the PAP is composed of 250 members coming from 50 Parliaments and of which about 1/3 of its members is renewed at every plenary session:

NOTING that the PAP has a great reservoir of knowledge and capacity which can help to strengthen itself in terms of expertise on continental issues;

RECALLING the initiative taken by Late Dr. Idriss Ndelé, Former President of the PAP during the special session held in January 2011 in Addis Ababa for the establishment of a Former PAP Parliamentarians' Caucus,

NOTICING that several caucuses of this nature exist, in particular that of the European Parliament and that of AWEPA which are assets on the African continent and are working on several issues related among others to security, elections, democracy and aid to development;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES:

1. It is hereby established a “Former Pan-African Parliamentarians’ Caucus”.
2. The objectives of the Caucus shall be to:
 - (i) sensitise national Parliaments and the population on the objectives and actions of the PAP,
 - (ii) help the PAP in its advocacy in favour of the signing, ratification and domestication of the legal Instruments of the AU;
 - (iii) assist the PAP in:
 - election observation;
 - supervision of issues such as the MDGs, climate change, the fight against corruption, immigration, etc....

The operation, seat and financing of the Caucus shall be defined in details in a statute that will be submitted to the Plenary for approval.

Midrand, 29 May 2015.

1.1.3. Resolution supporting the Government and People of Kenya in the fight against terrorism (AP.3/PL/Res.03(VI))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING FURTHER Article 3 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament (PAP) and Article 4(a) of the Rules of Procedure of the Pan-African Parliament, which vests the PAP with the mandate to facilitate the effective implementation of the policies and objectives of the African Union;

EXPRESSING its dislike towards the despicable act of terrorism perpetuated by the Al-Shabaab terrorist group at the *Garissa University College* in Kenya,

on 2 April 2015, which led to the death of 147 and left more than 100 wounded;

CONSCIOUS of the fact that the young university students who were targeted by the terrorists constitute an essential component of the population which could have ensured the development of Kenya, Africa and even the world;

PAYING TRIBUTE to the measures already taken by the Government of Kenya to try the authors of this despicable act and to fight against terrorism in the country and in the Horn of Africa, in close collaboration with her neighbours, in particular the Government of Somalia;

HAILING the concerted global efforts made by the United Nations and the African Union towards protecting the Horn of Africa and the entire continent against the endemic effects of terrorism ;

CONSCIOUS of the responsibility which is incumbent on African leaders and continental organs of governance to design and execute strategies towards the protection of the African people and guarantee peace, security and stability;

CONDEMNING in the strongest terms the use of religion by the extremists to execute heinous, criminal and terrorist attacks;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. **EXPRESS** its solidarity with the Government of Kenya, the families of students, police officers and lecturers who lost their lives;
2. **DENOUNCES** in the strongest terms the ignoble terrorist attacks orchestrated by the Al-Shabaab group against innocent people in general and students and university lecturers in particular;
3. **EXHORT** the international community to technically and materially support the Government of Kenya and other State governments in the Horn of Africa in particular the Government of Somalia towards securing the region against the threat of terrorism;
4. **SEIZE** the African Union of the issue of terrorist threat as expeditiously as possible.

Midrand, 29 May 2015.

1.2. Recommendations from the First Session of the Fourth Parliament

1.2.1. Recommendations on the situation of Peace and Security in Africa (*PAP.3/PL/Recoms. 01(VI)*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

PROFOUNDLY CONCERNED by the existence of violent conflicts and areas prone to conflicts in Africa;

CONSCIOUS of the fact that conflicts in Africa are caused by factors such as political and socio-economic exclusion, lack of democratic governance, poor organization of elections, violation of human rights, inequitable distribution of wealth and terrorism;

NOTING that Africa has made considerable progress on democracy in the last two decades;

CONCERNED by the resurgence of new hotbeds of tension on the African continent;

FURTHER CONCERNED by the growth of the scourge of terrorism, violent extremism and transnational criminality including human trafficking, which are booming among desperate people looking for a brighter future;

ALARMED by acts of violence perpetrated by the extremist Boko Haram sect against civilian populations, especially women and children in Northern Nigeria and in the neighbouring towns of that region;

NOTING that the threat and killings committed by Boko Haram militants have jeopardized the socio-economic gains made in the countries affected by the operations of Boko Haram in various sectors such as agricultural, health and water supply projects in some parts of Cameroon, Chad, Niger and Nigeria;

EXPRESSING its profound concern on the issue of the decolonization of the Saharawi Arab Democratic Republic;

CONCERNED by the security situation in Burundi;

TAKING NOTE of the signing of a peace and reconciliation agreement in Bamako on 15 March 2015 in the presence of many African Heads of State under the mediation of Algeria;

CONSCIOUS of PAP's role in the promotion of peace and security on the African continent;

RECALLING its earlier recommendations on the state of peace and security in Africa;

COGNIZANT OF the concerted efforts made by the African Union, the United Nations and the international community towards finding solutions to various armed conflicts in a number of African countries;

STRONGLY CONDEMNING violations of human rights perpetrated by terrorist groups such as Boko Haram, the accomplices of Daesh/IS, the Lord's Resistance Army (LRA) and Al-Shabaab against African peoples;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS THAT:

1. the AU strengthen the capacity of all its organs and mechanisms that it already has in place in order to enable them to play a preponderant role in the prevention of conflicts in Africa;
2. All Member States sign, respect and implement all the AU instruments relating to peace, security and good governance, in particular, the African Charter on Democracy, Elections and Governance;
3. All the warring parties in Burundi abstain from the use of violence and establish dialogue between all the parties in the interest of the Burundian people;
4. The AU encourage Algeria to pursue mediation between the Malian parties in order to put an end to the violence and ensure a return to security throughout the territory for a just and lasting peace in Mali.
5. The parties preoccupied by the problems of political governance in Africa resort to dialogue rather than violence in solving their problems;
6. The AU, through its organs tasked with the promotion of peace and security work together with State stakeholders as well as civil society organizations to support the efforts aimed at resolving the Boko Haram crisis and evaluate priorities and needs of affected peoples and countries;
7. The AU invite all Member States to strengthen their capacity in the fight against illegal arms trafficking which continues to fuel wars in Africa;
8. The current peace efforts deployed by the African Union with the support of the United Nations and other institutions be intensified with a view to eradicating terrorism on the continent.

Midrand, 29 May 2015.

1.2.2. Recommendations on the Report of the African Union High Level Panel on Illicit Financial Flows (PAP.3/PL/Recoms. 02(VI))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

NOTING the presentation made by H.E. Thabo Mbeki, former President of the Republic of South Africa and Chairperson of the African Union High Level Panel on Illicit Financial Flows (IFF) from Africa at the Pan-African Parliament Plenary on Thursday, 21 May 2015;

NOTING that the High-Level Panel on Illicit Financial Flows from Africa was established following a mandate by the 4th Joint African Union Commission/ United Nations Economic Commission for Africa (AUC/ECA) Conference of African Ministers of Finance, Planning and Economic Development held in 2011;

CONCERNED that many African countries would not be able to meet the Millennium Development Goals (MDGs) during the target period ending;

FUTHER CONCERNED by the Panel's findings on the increasing of illicit financial flows from Africa and the emerging new and innovative ways of generating illicit financial flows;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS THAT:

1. More efforts are needed to stimulate and expedite the process of asset recovery and repatriation;
2. the illicit financial flow issues need to be incorporated and better coordinated across the United Nations processes and frameworks;
3. It is imperative that the various national Parliaments on the continent thoroughly debate the Report on the African Union High Level Panel on Illicit Financial Flows (IFF) in order to chart a way forward in addressing this plague which had exacerbated poverty and underdevelopment in Africa; and

4. PAP serve as an ambassador for the scrupulous implementation the Report the African Union High Level Panel on Illicit Financial Flows (IFF) through whatever legitimate means it has at its disposal.

Done in Midrand, 29 May 2015.

2. Resolutions, Recommendations and Declarations from the Second Session of the Fourth Parliament: 5 - 17 October 2015

2.1. Resolutions from the Second Session of the Fourth Parliament

2.1.1. Resolution on the Promotion of Peace and Security in Africa (*PAP.4/PL/Res.01(I)*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONCERNED by the deteriorating peace and security situation in Africa, which has resulted, over the recent years, in increased threats to human security loss of the lives of millions of fellow Africans and deplorable and inhuman conditions particularly of women and children;

RECOGNISING that the African continent has a long history of armed conflicts, which are both intra and inter-state in nature;

EXPRESSING CONCERN over the peace and stability posed by outbreaks of fresh violent conflicts, terrorism and extremism acts on the continent and the negative role of external forces in African conflicts;

PAYING TRIBUTE to the progress made by African countries in the reduction of inter-State conflicts and organization of democratic elections on the continent these past years;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters

relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES THAT:

1. The African Union, its Organs and the Regional Economic Communities should strengthen mechanisms to promote peace and security in order to facilitate integration of the continent, learning from the experience of the United Nations.
2. The African Union reinforces its Continental Early Warning Mechanism to effectively anticipate and prevent conflicts and to timely predict and trigger safeguard measures against natural disasters and tribal conflicts and wars.
3. In collaboration with the Africa Council of Political Parties, the African Union Peace and Security Council and the AU Economic, Social and Cultural Council encourage and establish mechanisms to advance both national political dialogues (among political parties) and community dialogues (among civil society organizations) in all African countries by:
 - (a) Organizing periodical national African-to-African conferences involving participants from African political parties, civil society, traditional and religious organizations and leaders;
 - (b) Organizing and disseminating education and media programmes that foster the culture of peace, tolerance and denunciation, drawing inspiration from the experience of South Africa and other African countries.
3. The African Union budget more funds to finance conflict resolution and peace building operations in Africa by requesting for contributions from African countries to reduce the over-reliance on external funding that comes with conditions.
4. The African Union establish an African centre for conflict and arbitration focusing on providing, training and capacity building on Alternative Dispute Resolution mechanisms in the five sub-regions of Africa under the oversight of the African Court on Human and People's Rights.
5. The African Union along with the Regional Economic Communities co-ordinate their actions and strategies aimed at the Pan-African economic and political integration with the ultimate objective of attaining the African Unity dreams of the founding fathers.
6. Member States respect the principle of non-interference in the internal affairs of other states as provided for in the Constitutive Act of the African Union.

Midrand, 15 October 2015.

2.1.2. Resolution on the establishment of Committee on Audit and Public Accounts within the Pan-African Parliament (PAP.4/PL/Res.02(I))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

NOTING the expiration of the mandate of the Ad Hoc Committee on Administrative and Financial Evaluation (CAFE), which also assumed the audit Committee functions within the Pan-African Parliament;

MINDFUL of the fact that the existence of a permanent committee with an audit Committee function would ensure compliance with the recommendations in past external and internal audit reports and keep the Pan-African Parliament in line with modern corporate governance standards;

NOTING FURTHER the report of the Committee on Rules, Privileges and Discipline joint bureaux' proposal on the alignment of the Committees of the Pan-African Parliament with the thematic departments of the African Union;

ACKNOWLEDGING that a permanent committee in charge of auditing would significantly contribute to ensuring accountability, transparency and effectiveness in the financial and administrative operations as well as the overall governance of the Pan-African Parliament;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES:

Article 1: Establishment

A Committee on Audit and Public Accounts (CAPA) is hereby established in accordance with Rule 22 (2) of the Rules of Procedure of the Pan-African Parliament.

Article 2: Composition

The Committee shall be composed of fifteen members on the basis of three designated by each Regional Caucus, taking into account gender balance and competence in the area of accounting, auditing and risk management.

Article 3: Functions of the CAPA

The CAPA shall have the mandate to:

- (i) Consider the internal and external audit reports relating to the PAP and recommend appropriate measures for an effective implementation of the recommendations arising therefrom;
- (ii) Consider the reports of the Board of External Auditors on the African Union and recommend appropriate measures for an effective implementation of the recommendations arising therefrom;
- (iii) Exercise all other functions as are incidental or auxiliary to the discharge of its mandate.

Article 4: Organisation and Functioning of the CAPA

The organisation and functioning of the CAPA shall be regulated pursuant to the relevant provisions applicable to all permanent Committees of the Pan-Africa Parliament.

Article 5: Provisional arrangements

The current members and bureau of the CAFE shall carry out the audit committee function until the effective establishment and designation of the members and bureau of the CAPA.

Article 6: Entry into force

This resolution shall enter into force as soon as it is adopted.

Adopted at Midrand, on 14 October 2015.

2.2. Recommendations from the Second Session of the Fourth Parliament

2.2.1. Recommendations for the approval of the Energies for Africa Project and the creation of and Energy-Financing Structure (PAP.4/PL/ Recom.01(I))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING FURTHER Article 3 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament (PAP) and Article 4(a) of the Rules of Procedure of the Pan-African Parliament, which vests the PAP with the mandate to facilitate the effective implementation of the policies and objectives of the African Union;

HAVING ATTENTIVELY TAKEN NOTE of the presentation made by Mr. Jean-Louis Borloo, President of the Energies for Africa Foundation;

CONSIDERING the continent's particularly low rate of electrification, which is a disincentive for the economic and social development of the Member States of the African Union;

CONVINCED that the electrification of the African continent is one of the essential vectors for the development of the member countries;

CONSIDERING the energy potential of Africa compared to the increasing energy needs of the continent's economies and to the chronic deficit in electricity infrastructures in Africa;

CONCERNED by the impact of such a shortage on the African peoples and economies, aggravated by the consequences of climate disruption;

NOTING that Africa is seriously affected by climate disruption while it emits very little CO₂;

NOTING ALSO that the absence of a perennial energy greatly contributes towards deforestation through the use of fire wood and charcoal, while the African forest contributes to carbon capture and storage;

NOTING FURTHER that access to electricity is a vital necessity for the African people, a guarantee for social peace and stability and a notable contribution to economic and social development;

NOTING WITH CONCERN that the international subsidies provided for since Copenhagen have not been established and fearing that this will again be the case during the 21st United Nations Conference on Climate Change (COP21) which will be held in Paris from 30 November to 11 December 2015;

APPROVING the conclusions and proposals of the Energies for Africa project with a view to generally addressing the energy needs of the continent, coordinated with appropriate financing;

PURSUANT to the report of the President of NEPAD, unanimously adopted by the Heads of State and Government, during the African Union Summit on 15 June 2015, calling for the creation of an energy financing instrument in Africa, with adequate international subsidies;

CONSCIOUS of the need to have a concrete, urgent, immediately operational agreement adopted at the COP21 in December 2015, which would enable the African continent electrification Agency to have the essential subsidies for mitigation and adaptation as from 2016.

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS:

1. The African Union to create, from 2016, a Pan-African Agency for the annual financing of projects decided upon for electrification, an autonomous regional structure established in Africa, with legal entity, with the mission of mobilising the essential additional resources, as subsidies, in particular for mitigation financing and the adaptation of the United Nations Framework Convention on Climate Change;
2. The developed countries, the main CO2 emitters, to grant essential subsidies of 5 billion US dollars a year, according to the terms of distribution and bonus-malus aimed at the Energies for Africa project;
3. The international community to support any African effort aimed at seeking and obtaining, by COP21, the amount of subsidies provided for in the project;
4. The President of the Pan-African Parliament to advocate all national and international authorities, including the governments of the main CO2 emitters who are parties of Annexe 1 of the United Nations Framework Convention on Climate Change, particularly the President of the COP21 and the UN Secretary General, with a view to obtaining a concrete, immediately operational agreement, which would enable the African continent electrification Agency to have the essential subsidies for mitigation and adaptation as from 2016.

Midrand, 15 October 2015.

2.2.2. Recommendation on the Promotion of Peace and Security in Africa (PAP.4/PL/Recom.02(I))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING PARTICULARLY the role of the Pan-African Parliament to promote the principles of human rights and democracy in Africa, promote peace, security and stability, facilitate cooperation and development in Africa;

NOTING WITH CONCERN the peace and security situation in Africa, the threats to peace and stability posed by outbreaks of fresh violent conflicts, terrorism and extremism acts on the continent;

NOTING ALSO that in recent years, threats to human security throughout the African Continent have been increasing, negatively impacting on the lives of millions of fellow Africans;

NOTING FURTHER that external forces play negative roles in conflicts on the African continent in supporting certain factions;

RECOGNISING that the African continent has a long history of armed conflicts, which are both intra and inter-state in nature;

EMPHASISING that conflicts raging in Africa have negatively impacted the whole continent and women and children have been subjected to deplorable and inhuman conditions on account of aggression and violence;

ACKNOWLEDGING the progress made by African countries in the reduction of conflicts and the organisation of democratic elections on the Continent these past years;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS:

1. The African Union, its Organs and the Regional Organisations to promote peace and security in order to facilitate integration of the continent;
2. The African Union to reinforce its Early Warning Mechanisms on conflicts and disputes in various regions of Africa especially those that are likely to be affected by famines and disputes;
3. The African Union to draw on and make use of the UN capabilities and experiences in peace keeping and disseminate peace culture;
4. The Pan-African Parliament, in collaboration with the Africa Council of Political Parties and ECOSOCC, to encourage and establish mechanisms for both national political dialogues (among political parties) and community dialogues (among civil society organizations) in all African countries;
5. The Pan-African Parliament to organize a periodical national African-to-African Conferences including participants from the African Political parties, civil society organizations, leaders of native and tribal administration as well as religious preachers and leaders;
6. The African Union to reinforce its fund to finance the conflict resolution and peace building operations in Africa. African countries and the International Community should contribute to the fund under the supervision of the Africa Union Commission which would spare the continent conflict resolution mechanisms relying currently on the external funds and the concomitant negative foreign influence and intervention in the African Affairs;
7. The Pan-African Parliament to make use of the African heritage in conflict resolution provided by native administrative, tribal leaders and the religious leaders;
8. The African Union to establish Arbitration Centres for conflict resolution in various African countries and regions by consolidating the role of

- the African Court on Human People's rights in resolving conflicts and disputes;
9. The Pan-African Parliament, in collaboration with ECOSOC, to promote and political Pan-African integration strategies with the ultimately objective of attaining the African Unity dreamed of by the founding fathers;
 10. The African Union to establish an African Centre for conflict and dispute studies focusing on training and capacity building, and spreading the relevant laws such as International Humanitarian and Human Rights Law;
 11. The African Union to encourage and speed up the economic, intelligence and political Pan-African integration strategies with the ultimately objective of attaining the African Unity dreamed of by the founding fathers;
 12. The African Union and the Regional Economic Communities to continue on programmes relating to integration of the continent;
 13. All Member States to refrain from interfering in the internal conflicts of Members States on exercise of direct interest or foreign powers interests upon which such states act as agent or agents to advance that interest.

Midrand, 15 October 2015.

2.2.3. Recommendation relating to the Agreement on Peace and National Reconciliation in Mali, signed on 15 May 2015 in Bamako (PAP.4/PL/ Recom.03(I))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING ALSO the various resolutions adopted by the National Assembly of Mali on the situation in the North of the country since the outbreak of the crisis in Mali;

NOTING the mediation undertaken by the entire international community and the dominant role played by the Republic of Algeria in the negotiations between the Government of the Republic of Mali and the representatives of armed movements;

NOTING that the Agreement on Peace and National Reconciliation in Mali, signed on 15 May 2015 in Bamako does not compromise either the unity, the

integrity of the national territory, the republican or the secular nature of the State;

NOTING ALSO the presence of high-level personalities from more than twenty countries, the Mediation and the armed groups at the signing ceremony on 15 May 2015;

NOTING FURTHER the effectiveness of the signing of the Agreement by all the armed groups on 20 June 2015;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY:

1. Congratulates the international community for its support during the negotiations held in Algeria, right up to the signing of the final Agreement on Peace and National Reconciliation on the Malian soil on 15 May and 20 June 2015 in Bamako;
2. Congratulates the Democratic People's Republic of Algeria for all the efforts made during more than eighteen months of negotiations between the different parties, having led to this inter-Malian Agreement with the support of the International Community as well as the Armed Forces of Chad, Niger and other States of the Union;
3. Congratulates the leadership of the President of the Republic of Mali, His Excellency Ibrahim Boubacar KEITA for the signing on the Malian soil, as well as for the efforts he has made for the implementation of the said agreement;
4. Commits all the party to respect this Agreement for a final peace, for the reconstruction of the North of Mali and the overall development of the country;
5. Urges the international community to a concrete commitment in order to support Mali in the implementation of the Agreement and in its fight against terrorism and for development;
6. Condemns the latest attacks carried out against the people and the security and armed forces of Mali, in violation of the commitments made during the peace and reconciliation Agreement;
7. Reaffirms its firm conviction that only the implementation and the strict respect of the Agreement signed by all the parties can guarantee peace, reconciliation and development in Mali;
8. Congratulates the African Union through its Peace and Security Council, for its determination to take the appropriate measures against all those whose action could hinder the peace process in Mali.

Done in Midrand, 15 October 2015.

2.2.4. Recommendation on the Support of the efforts of the African Union for the Decolonisation of the Western Sahara (PAP.4/PL/Recom.04(I))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the United Nations Resolution 151 and the United Nations Resolution Plan of 1991 signed by the two parties in the Western Sahara conflict and the Security Council;

NOTING the fact that the African Union is a partner with the United Nations in the resolution of the conflict in the Western Sahara;

APPRECIATING the significant progress made by the African Union Peace and Security Council towards ending colonisation in Africa;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY:

1. Supports the efforts of the African Union through its Special Envoy to the Western Sahara, Mr. Joaquim Chissano with a view to finding a lasting solution likely to strengthen peace and security in Africa and which will put an end to the last case of colonization on the African Continent;
2. Requests that the Peace and Security Council Resolution of March 27 2015 on the situation in Western Sahara be reactivated by expanding the *Ad Hoc* Committee to include ten Heads of State and Government, two of whom should represent each of the five regions of the continent for the formation of an *ad hoc* committee of Heads of State and Government on the conflict in Western Sahara.

Done in Midrand, 15 October 2015.

2.2.5. Recommendation of the Colloquium on Mortality and Unsafe Abortion in Africa (PAP.4/ PL/Recom.05(I))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONCERNED in particular by the issue of unsafe abortion which is one of the major causes of maternal mortality and morbidity in Africa, representing up to 30% of maternal deaths in certain sub-Saharan countries;

RECOGNISING that the Protocol to the African Charter on Human and Peoples' Rights relating the Rights of Women in Africa (Maputo Protocol) and ratified by more than two-thirds of Member States, is the only Internal Treaty on Human Rights which explicitly provides for the right to access to legal and safe abortion in certain specific cases;

NOTING that maternal mortality and morbidity are a public health, social equity and human rights problem in Africa as illustrated by the high avoidable maternal and morbidity rate linked to pregnancy and abortion;

NOTING ALSO the efforts of the African Commission on Human and Peoples' Rights, through the adoption of General Comments N° 2 on Article 14.1(a), (b), (c) and (f) and Article 14. 2 (a) and (c)) of the Protocol on the African Charter on Human and Peoples' Rights relating the Rights of Women in Africa;

NOTING FURTHER that abortion is the only reproductive health issue governed by criminal law, which contributes in increasing mortality and morbidity rate due to unsafe abortion and which leads to a criminal approach of the issue rather than to model laws on reproductive health as provided for in the Maputo Protocol;

AKNOWLEDGING that the exemplary practices based on evidence applied by some Member States and those quoted as examples by the African Union Campaign on Accelerated Reduction of Maternal Mortality in Africa (CARMMA) as practices that have indeed contributed towards reducing infant mortality and morbidity due to unsafe abortion;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS:

1. The development by the Member States of a public health national plan based on paragraph 30 of the above-mentioned General Comments N°2 and the reviewing of their national legislation on abortion so as to conform to the minimum requirements of the Maputo Protocol and other instruments relating to Human Rights, while taking country diversities into account;
2. The improvement of services related to family planning and contraception, comprehensive sexual education and to safe abortion as far as the law allowed, while taking the diversity of cultures and national contexts into account;
3. The consideration by the relevant Committees at the level of National Parliaments, of existing evidence, laws and policies relating to abortion and submit recommendations on the revision of punitive or restrictive laws that could contribute towards maternal mortality and morbidity due to unsafe abortion;
4. The capacity building of Members of the Pan-African Parliament on the issue of maternal mortality and unsafe abortion through fact-finding missions in Member States that have managed to reduce maternal mortality caused by unsafe abortion so as to share good practices with countries that still have problems to this effect;
5. The popularisation of information on the neglected issue of maternal mortality and morbidity caused by unsafe abortion at the national and sub-regional levels, including within the relevant Committees of national Parliaments in collaboration with the media and the Civil Society;
6. The collaboration with other African Union institutions and non-governmental role players so as to develop an annual stamp card on the efforts deployed by the Member States for the ratification, domestication and implementation of the Maputo Protocol;
7. The involvement of the various partners who promote women's rights to sexual and reproductive health at the national and regional levels for a better synergy of the actions to be undertaken.

Done in Midrand, 15 October 2015.

2.2.6. Recommendations on the Promotion of the Maputo Protocol (PAP.4/PL/Recom.06(I))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

TAKING NOTE OF the fact-finding mission undertaken by the Committee on Gender, Family, Youth and People with Disability of the Pan-African Parliament (PAP), from 24 to 28 November 2014 to Kigali, Rwanda, for the promotion of the Protocol of the African Charter of Human and Peoples' Rights relating to women's rights (Maputo Protocol);

NOTING WITH CONCERN the weak link between human rights, social justice, dignity, equality and freedom, on the one side, and gender, disability, children, youth and other vulnerable groups in Africa, on the other;

NOTING WITH CONCERN ALSO the obstacles relating to awareness building, the ratification, domestication and effective implementation of the Maputo Protocol;

COMMITTED TO strengthening the actions leading to the empowerment of women as contained in the Declaration of the "2010-2020 Decade of the African Woman", adopted by the Assembly of Heads of State and Government of the African Union in 2010;

TAKING NOTE of the progress made by the various Member States that recognise the Rights of Women through the adoption and implementation of the Maputo Protocol;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS:

1. The popularisation and awareness-building of the African people on the provisions of the Maputo Protocol are effective by taking the example of Rwanda.
2. The AU Member States that have ratified the Maputo Protocol to integrate its provisions in domestic legislations for an effective application;
3. The AU Member States to encourage the involvement of the educational institutions in the gender promotion policies by the systematic integration of issues of promotion and respect for gender equality in educational programmes;
4. The AU Member States to carry out an inventory of all the laws discriminating against women to repeal them and adopt model laws ensuring gender equality, particularly by referring to people as such, and not in consideration of their gender;
5. The Members of the PAP to act as relays with their peers and in National Parliaments to raise awareness on the provisions of the Protocol so as to promote its ratification, domestication and effective application by the AU Member States;
6. The National Parliaments to take into account of the concerns and programmes related to gender equality in national budgets;

7. The Permanent Committees of the PAP in general, particularly the Committee on Gender, Family, Youth and People with Disability in partnership with the Rwandan Parliament, to organise a continental conference with the theme: ***“From internalising to putting the Maputo Protocol into practice: the case of Rwanda”***, to enable the other Parliaments to draw from the Rwandan experience and ensure Women’s Rights in their respective legislations;
8. The Parliament of Rwanda to reiterate African women’s grievances to the Rwandan Head of State for the organisation of an African Heads of State summit in Rwanda to sensitise them on the need to ratify and implement the provisions of the Maputo Protocol like the Republic of Rwanda;
9. The Governments and Parliaments of African States [to](#) intensify dialogue with civil society organisations and the media for a greater popularisation of the Protocol.

Done in Midrand, 15 October 2015.

3. Resolutions, Recommendations and Declarations from the Third Session of the Fourth Parliament: 3 - 13 May 2016

3.1. Resolutions from the Third Session of the Fourth Parliament

3.1.1. Resolution for the holding the Third Ordinary Session of the Fourth Parliament of the Pan-African Parliament in a Member State, The Pan-African Parliament (PAP.4/PL/Res.01(II))

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING Rule 34 of the same Rules of Procedure which stipulates that that Parliament shall hold its sittings and those of its Committees at its seat or at such other venue as may be determined by the Bureau upon the invitation of a Member State;

CONVINCED that holding of the Session in another African State shall effectively contribute to bring the Pan-African Parliament closer to the peoples of Africa and increase its visibility;

IN ACCORDANCE with Rule 5(d) which stipulates that the Pan-African Parliament shall have the power to make recommendations and take resolutions on any matters relating to the African Union and its organs, Regional Economic Communities and their respective organs, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

HOLD its third Ordinary Session of the Fourth Parliament in another Member State of the African Union other than in South Africa, its host country.

Midrand, 12 May 2016.

3.1.2. Resolution on the Status of the former Presidents and Vice-Presidents of the Pan-African Parliament (*PAP.4/PL/Res.02(II)*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERANT FURTHER Article 5(b) and (c) of the Rules of Procedure of the Pan-African Parliament, which stipulates that the Pan-African Parliament shall have powers to, inter alia, organise debate on the objectives, policies, aims, programmes and activities of Regional Economic Communities, on all matters relating to the proper functioning of organs and the life of the African Union ; examine, discuss or express an opinion or give advice on its own initiative or at the request of any of the Organs of the African Union;

FURTHER CONSIDERING Article 10 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament and Rule 17 of the Rules of Procedure of the Pan-African Parliament;

RECALLING the Resolution by the Bureau of the Pan-African Parliament, taken during the 16th session held on 1 March 2016, on titles and benefits of former members of the Bureau of the Pan-African Parliament;

CONSIDERING the need to preserve the public image of the Pan-African Parliament;

CONSIDERING the experience of former members of the Bureau of the Pan-African Parliament and their knowledge of this organ of the African Union makes them valuable leading personalities;

APPRECIATING the outstanding and diverse contributions made by Bureau Members for the attainment of the objectives of the Pan-African Parliament;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. Grant the following titles and benefits to former Members of the Bureau of the Pan-African Parliament:
 - 1.1. *Goodwill Ambassadors of the Pan-African Parliament* to former Presidents of the Pan-African Parliament;
 - 1.2. *Honorary Vice-Presidents of the Pan-African* to former Vice-Presidents of the Pan-African Parliament.
2. These *titles* will accord them the right to a vehicle and per diem when they are on a mission on behalf of the Pan-African Parliament.

Midrand, 12 May 2016.

3.1.3. Resolution for the establishment of focal points relating to women within the structures of the Pan-African Parliament (PAP.4/PL/Res.03(II))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING FURTHER the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, adopted in Maputo in 2003 and which aims to advance the participation of women in development;

RECALLING the declarations on the Decade for African Women in 2010-2020 and the theme of the African Union Commission which decreed 2016: “The African Year of Human Rights, with a particular focus on the Rights of Women”;

RECALLING the mandate of the Committee on Gender, Family, Youth and Persons with Disabilities tasked, inter alia, with considering issues relating to the promotion of gender equality; and the objective of the Pan-African Parliamentarian Women Caucus which aspires for *“an integrated Africa where all women and men participate in the decision-making process and enjoy all their rights (...)”*

PREOCCUPIED by the disparity observed between men and women in the enjoyment and exercise of human rights;

CONVINCED that the transversality of the theme « woman » requires a holistic approach and the mobilisation of forces at all the levels of the structures of the Pan-African Parliament;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. Establish, within PAP, focal points responsible for issues relating “Women” within all the structures of PAP (Bureau, Caucus, Committees and Secretariat);
2. Implement “Gender mainstreaming” in all policies and in the daily functioning of the Parliament;
3. The functions of the focal points shall be to:
 - Encourage a more favourable and sensitive attitude in matters relating to women;
 - Support procedures which will make it possible to take into account issues relating to women in the exercise of their functions;
 - Increase awareness of gender issues and advocate for the reduction of gender gaps;
 - Regularly assess issues relating to gender in order to strengthen the coordination of actions within and without the PAP as well as to provide technical support and advice and so provide *“Equal skills, equal opportunities”*;
 - Compile a detailed report on the situation of women within the organs of PAP at each statutory meeting of the PAP Parliamentarian Women’s Caucus.

Midrand, 12 May 2016.

3.1.4. Resolution on the establishment of a NEPAD agency as a focal point for the Pan-African Parliament (PAP.4/PL/Res.04(II))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

NOTING the presentation by Dr. Ibrahim Assane Mayaki, CEO of the NEPAD Agency on the mandate of the New Partnership on Africa's Development (NEPAD) Agency, the technical arm of the African Union within the ambit of the PAP in ensuring the promotion of accelerated growth and sustainable development, the eradication of widespread and severe poverty as well as an end to the marginalisation of Africa in the globalisation process;

RECALLING past and existing collaboration and cooperation between the NEPAD Agency and several PAP Committees;

CONVINCED that the need for strengthened cooperation and collaboration with the NEPAD Agency requires the establishment of a NEPAD focal point;

CONVINCED FURTHER that a NEPAD focal point would ensure effective coordination in PAP-NEPAD Agency joint action towards achieving economic growth and development, increased employment, reduction in poverty and inequity, diversification of productive activities, enhanced international competitiveness and increased exports as well as increased African integration;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES THAT:

1. A NEPAD Focal Point is established within the Pan-African Parliament;
2. The focal point shall be designated by the Bureau of the Pan-African Parliament from amongst the members of the Permanent Committee on Cooperation, International Relations and Conflict Resolution based on technical knowledge and experience on the mandate and operations of the NEPAD Agency;
3. The Focal Point shall have the mandate to:
 - (i) Ensure linkages, coordination and synergies between the PAP Committees dealing with NEPAD-related;
 - (ii) Serve as the political and strategic focal point on NEPAD-related

- issues at the Pan-African Parliament;
 - (iii) Identify and propose new cooperation and collaboration areas for PAP-NEPAD partnership;
 - (iv) Exercise all other functions as are incidental or auxiliary to the discharge of its mandate as NEPAD is the socio-economic development blueprint for the AU to implement its objectives.
4. The NEPAD Focal Point shall report to the Bureau of the Pan-African Parliament.

Midrand, 12 May 2016.

3.1.5. Resolution African Parliamentarians Summit on Climate Change (*PAP.4/PL/Res.05(II)*)

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

TAKING NOTE of the report of the Committee on Rural Economy, Agriculture, Environment and Natural Resources of the Pan-African Parliament on its participation in the Second African Parliamentarians Summit on Climate Change held in Nairobi, Kenya, from 10 to 13 November 2015;

COGNISANT THAT climate change is a serious and global issue that is mostly affecting Africa and that the legislators on the continent can play a critical role in respect of climate change through appropriate legislations;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

HEREBY RESOLVES TO:

1. **Develop** a concrete work plan for the annual participation of the Committee on Rural Economy, Agriculture, Environment and Natural Resources and relevant Committees in future Conferences of the Parties on Climate Change (COP);
2. **Mobilize** adequate financial resources to secure the participation in global annual climate change meetings;
3. **Establish** an ad hoc committee to coordinate and organize the participation of the PAP and the Committee on Agriculture in future COPs;

4. **Coordinate** with the relevant organs of the African Union (AU) to harmonize the participation of the AU organs in the future COPs.

Midrand, 12 May 2016.

3.1.6. Resolution on Non-Statutory meetings of Permanent Committees (*PAP.4/PL/Res.06(II)*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

TAKING NOTE of the report of the participation of the Committee on Education, Tourism, Culture and Human Resources of the Pan-African Parliament in the non-statutory meeting held in Addis Ababa, Ethiopia, from 20 - 22 August 2016;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

HEREBY RESOLVES TO:

1. **Encourage** all Permanent Committees of the PAP to hold their non-statutory meetings outside the precincts of the PAP;
2. **Develop** appropriate policies and strategies to enhance the capacity of the Permanent Committees in generating and disseminating knowledge and information;
3. **Support** the organization of regular meetings for the Permanent Committees with their counterpart departments of the AUC;

Midrand, 12 May 2016.

3.1.7. Resolution on Electronic Governance in Africa (PAP.4/PL/Res.07(II))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the African Union Assembly decision Assembly/AU/Decl.1 (XIV) on Information and Communication Technology in Africa: Challenges and Prospects for Development, taken during its 14th Ordinary Session held in Addis Ababa, in Ethiopia from 31 January to 2 February 2010;

RECALLING ALSO the Abidjan Declaration adopted on 22 February 2012, and that of Addis Ababa adopted on 22 June 2012 on the harmonisation of cyber laws in Africa and also the Oliver Tambo Declaration adopted by African Ministers in charge of Communication and Information Technology in Johannesburg on 5 November 2009;

NOTING the breakthrough experienced in Information and Communication Technology (ICT) and its global expansion, including Africa where their use has “upset” the ordinary functioning of governments and public institutions;

ANXIOUS to put electronic governance at the service of the administrative reform of the three arms of the State, namely the Executive, the Legislative and the Judiciary;

FURTHER NOTING THAT communication constitutes a democratic and institutional imperative for all modern parliaments, regardless of their longevity and magnitude of the means that they can use;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO;

1. Lobby African States to sign and ratify the AU Convention on cyber security and the protection of personal data;
2. Sensitize National Parliaments on the adoption of laws on cyber security and on the creation, at the national, regional and continental level on emergency computer science intervention team and/or security and intervention teams for computer science incidents;
3. Urge national and regional Parliaments to implement a real parliamentary communication policy, with a view to strengthening access by citizens,

to all governmental institutions, including the Parliament, on the one hand, and to promote transparency, efficiency and acceptability of State institutions.

Midrand, 12 May 2016.

3.2. Recommendations from the Third Session of the Fourth Parliament

3.2.1. Recommendations for the adoption on the Budget of the African Union for the Financial Year 2017 (*PAP.4/PL/Recom.01(II)*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING FURTHER Rule 4 (1) (g) of the Rules of Procedure of the Pan-African Parliament which stipulates that the Pan-African Parliament examines and debates the Budget of the African Union and makes recommendations thereon prior to its approval by the Assembly;

TAKING NOTE of the presentation and debates on the Budget of the African Union for the Financial Year 2017 at the Plenary of the Pan-African Parliament on 10 May 2016;

NOTICING THAT the proposed total budget for 2017 is US\$ 781.606.000 of which US\$ 493. 075. 789, or 63%, allocated to the operation of the institutions and the remaining US\$ 288. 530.333, that is 37% earmarked for the realisation of the programme of the Union;

FURTHER NOTICING THAT the greater of the budget that is US\$ 569, 587,236 representing 63% of the total budget will come from external partners;

CONVINCED that the budget as earmarked will enable and facilitate the smooth functioning of all the institutions of the Union and the execution of its programmes, in particular within the prospect of the implementation of the first ten years of Agenda 2063;

IN ACCORDANCE WITH Rule 5(a), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, oversee, organize debate, examine, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters

relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

RECOMMENDS:

The adoption by the Assembly of the African Union, the budget of the Union for the Financial Year 2017, as submitted for its consideration.

Midrand 12 May 2016.

3.2.2. Recommendation on the fact-finding mission of the Pan-African Parliament in the Republic of Burundi, 23rd to 27th November 2015 (*PAP.4/PL/Recom.02(II)*)

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

NOTING the report by the PAP Committee on Cooperation, International Relations and Conflicts Resolution on the fact-finding mission in Burundi conducted from 23rd to 27th November 2015;

CONCERNED by the deteriorating peace and security situation in Burundi resulting from the 2015 general elections in the Republic of Burundi;

CONCERNED FURTHER by the resulting humanitarian crisis, especially an increase of refugees, internal displaced and by the continued human rights abuses occurring in Burundi;

NOTING the importance of dialogue amongst the people of Burundi a lasting solution to the Burundi crisis with the support of the international community;

EMPHASIZING the need for African leaders to adhere to the principles set out in the African Charter on Democracy, Elections and Good Governance;

ACKNOWLEDGING the efforts of the African Union in the resolution of the Burundi conflict and the role of the Pan-African Parliament in advancing sustainable peace and security in Burundi;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its

organs, Regional Economic Communities, Member States and their organs and institutions;

RECOMMENDS THAT:

1. The international community, particularly the United Nations and the African Union take all necessary measures to ensure a speedy resolution of the conflict in Burundi, particularly by encouraging and supporting dialogue between all stakeholders;
2. The AU and the UN support the key national Burundian institutions set up to address the consequences of the conflicts, particularly the National Commission on Inter Burundian Dialogue and the Truth and Reconciliation Commission and the Burundi justice system;
3. The AU and the UN and the International community to work together under the chairmanship of the African Union to negotiate an acceptable agreement between the Government of Burundi and all the opposition political parties and other stakeholders both in and outside Burundi.
4. The African Union Commission expedite the finalisation of the Memorandum of Understanding with the Burundi Government and determine the areas of support for the African Union and the Pan-African Parliament;
5. The Government of Burundi to ensure inclusive national dialogue, impunity of gross human rights violations and a safe return for the internal displaced persons and refugees;
6. The African Union play a more proactive role in conflict prevention and resolution in upcoming elections in African States.

Adopted in Midrand, 12 May 2016.

3.2.3. Recommendation on the establishment of a United Nations Parliamentary Assembly (UNPA) (PAP.4/PL/Recom.03(II))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING FURTHER Rule 5 of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

HAVING REGARD to the PAP Resolution on a UNPA adopted on 24 October 2007;

RECALLING its commitment to achieve the creation of a consultative UNPA within the United Nations (UN) system in accordance with Article 22 of the Charter of the United Nations that empowers the UN General Assembly to establish subsidiary bodies;

REAFFIRMING its view that a UNPA is necessary to strengthen democratic participation and representation of the world's citizens in the UN;

CONVINCED that a UNPA will contribute to strengthening democratic oversight over UN operations, particularly in Africa;

REITERATING that a UNPA as a parliamentary body of the UN system can significantly complement the valuable work of the Inter-Parliamentary Union, the umbrella organization of national parliaments;

NOTING that a UNPA is indispensable for the realization of the right of all to participation in global decision-making as stated in the UN General Assembly's resolutions on the promotion of a democratic and equitable international order, most recently A/RES/70/149 of 17 December 2015;

WELCOMING the efforts of the International Campaign for a UNPA that was launched in 2007;

NOTING that all regional supranational organizations have included parliamentary institutions in their institutional architectures as a means to ensure meaningful and effective peoples' participation and involvement in the affairs of the said regional organizations;

FURTHER NOTING with concern that the creation of a UNPA is currently not part of the official UN reform agenda;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY:

1. **CALLS ON** the African Union and its Member States to support the creation of a UNPA and to take necessary steps to advance this goal at the UN by triggering and initializing a preparatory intergovernmental process for the purpose of establishing a UNPA;
2. **RECOMMENDS** that the African Union develops and advance a common African position on the matter;
3. **REQUESTS** the President of the Pan-African Parliament to take all necessary measures to submit and defend this recommendation to the African Union Policy organs and to call for its full support by the

Member States of the African Union and the Chairperson of the African Union Commission.

Adopted in Midrand, 12 May 2016.

3.2.4. Recommendations on the Electronic Governance in Africa (PAP.4/PL/Recom.04(II))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the decision of the African Assembly/AU/Decl.1(XIV) on Information and Communication Technology in Africa; challenges and prospects for development, taken during its 14th Ordinary Session held in Addis Ababa, in Ethiopia from 31 January to 2 February 2010;

RECALLING ALSO the Abidjan Declaration adopted on 22 February 2012, Addis Ababa adopted 22 June 2012 on the harmonisation of cyber laws in Africa and also Oliver Tambo Declaration adopted by African Ministers in charge of Communication and Information Technology in Johannesburg on 5 November 2009 ;

UNDERSCORING the importance of Information and Communication Technology (ICT) in global and African governance and economy;

PREOCCUPIED BY the lack of interconnection infrastructure between African States, the delay experienced by Africa in the domain of ICT and also its dependence due to high penetration of ICT and the absence of an overall African policy on the putting in place of a mechanism making it possible to cope with the dangers and the risk related to the use of computer science and data on individuals with a view to respecting private life and freedom while enhancing the promotion and development of ICT in African Union Member countries;

ANXIOUS that the other African countries benefitting from the experiences of countries such as Algeria, Tunisia and Estonia which have registered substantial breakthrough in the modernisation of their administrations, and taking into account the role of the African Union in the coordination and harmonisation of policies in the domain of ICT at the national, regional and continental level;

UNDERSCORING the fact that the African continent is considerably lagging behind in terms of commercial flow and in particular intra-African trade;

PREOCCUPIED by the fact, that African products and services lack visibility on the international market and African SME's don't have the size and the means necessary to cope with competition from other continents;

IN ACCORDANCE with Rule 5(d) of the same Rules of Procedures of the PAP which authorises the PAP to make recommendations and formulate resolutions on all issues relating to the African Union and to its organs, Regional Economic Communities and to their respective organs to Member States and to their organs and institutions;

RECOMMEND THAT:

1. The African Union encourages and supports the bilateral and unilateral cooperation for the apprenticeship and the exchange of practical experiences in the domain of e-governance in order to help countries that are lagging behind in this domain to develop analogue tools for an electronic and modern administration;
2. The African Union relaunches the project on the creation of an African Virtual University in light of the fact that many African countries have to date* developed and put in place infrastructure on ICT;
3. The African Union requests African governments to assist local enterprises to migrate to digital economy;
4. The African Union calls on governments to facilitate and encourage the promotion of African products to the creation of online markets of "Made in Africa" products;
5. National Parliaments be endowed with a digital portal for an efficient Parliamentary communication and a better visibility of their Parliamentary activities by the end of 2016.

Midrand 12 May 2016.

3.2.5. Recommendation on strengthening Women's Rights to Land Access: A parliamentary response to close the gender GAP for economic development through agriculture (PAP.4/PL/ Recom.05(II))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

TAKING NOTE of the report on the joint workshop on “Strengthening Women’s Rights To Land Access: A Parliamentary Response To Close The Gender Gap For Economic Development Through Agriculture” organized jointly by the Committee on Gender, Family, Youth and People with Disability and the Committee on Rural Economy, Agriculture and Natural Resources of the Pan-African Parliament in Midrand, on 1 April 2016;

RECOGNIZING THAT agriculture is the predominant source of livelihood and economic activity in Africa and that women as the people who have the responsibility for food security need equitable access to land;

DEEPLY CONCERNED THAT the continued marginalization of women in respect of access to land resulting from gender stigmatization and patriarchy still characterizing access to resources, governance systems, globalization, conflict, poverty, demographic pressures and urbanization;

CONVINCED THAT increasing women’s access to land involves addressing inequality between men and women and the removal of economic, legal and social barriers to women’s economic, social and political participation;

RECALLING the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol) and the Solemn Declaration on Gender Equity in Africa as a significant steps towards effective advancement and protection of women’s rights, as they guarantee, inter alia, women’s equal access to the opportunities and resources available in their respective countries;

RECALLING FURTHER the Declarations of 2010-2020 as the African Women Decade in 2010; the year 2015 as the year of Women’s Empowerment and Development towards the African Agenda 2063 and the year 2016 as the year of “Human Rights with a focus on Women’s Rights”.

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

RECOMMEND TO:

1. **Mobilize** National Parliaments, Civil Society Organizations, women’s organizations, legislators, Ministers on Women Affairs and Parliamentary Committees to promote the ratification, domestication and effective implementation of the Maputo Protocol and other the African Union legal instruments on women empowerment in order to secure women’s right to land.;

2. **Raise** awareness on the domestication of the Maputo Protocol in Member States among National parliamentarians, Ministers in charge of the Maputo Protocol, the responsible Parliamentary Committee as well as the Women Caucus in the national Parliaments to harmonize the law of succession in line with the Maputo Protocol.
3. **Encourage** Member States to eliminate onerous clauses in their national laws impeding on the effective realization of the rights guaranteed under the Maputo Protocol, including the rights to access to education, to health and to water especially for rural women and girls;
4. **Develop** a framework guiding the interactions between PAP and National Parliaments in monitoring progress on the ratification, domestication and implementation of the AU instruments advancing women's access to and control over land;

Midrand, 12 May 2016.

3.2.6. Recommendation on Western Sahara (PAP.4/PL/ Recom.06(II))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING the historic resolutions of the Organisation of African Unity and the African Union on Western Sahara as a decolonisation issue;

CONSIDERING the resolutions of the UN General Assembly and the Security Council on Western Sahara recognising the inalienable right of the Saharawi people to self-determination to be exercised by means of a free, fair and transparent referendum;

EXPRESSING its support to the African Union and its Special Envoy for Western Sahara Mr. Joaquim Chissano;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

RESOLVES TO:

1. **Condemns** the Moroccan persistent occupation in Western Sahara;
2. **Condemns** the Moroccan expulsion of 84 Staff from the civilian component of UN Mission for the Referendum in Western Sahara (MINURSO);
3. **Urgently calls** the Security Council to fulfill the mandate of the (MINURSO) and to extend it to monitor human rights violation committed by the Moroccan occupation in Western Sahara;
4. **Demands** the unconditional release of the Saharawi political prisoners in Moroccan prisons;
5. **Calls upon** Morocco to stop the exploitation of Western Sahara natural resources.

Midrand, 12 May 2016.

4. Resolutions, Recommendations and Declarations from the Fourth Session of the Fourth Parliament: 10 - 19 October 2016

4.1. Resolutions from the Fourth Session of the Fourth Parliament

4.1.1. Resolutions on the Promotion of Articles 15, 19 and 21 of the Maputo Protocol on Women's Access to Land (PAP.4/PL/Res.01(III))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

APPRECIATING the will of African Heads of State to promote women's rights by the adoption of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in Maputo in 2003, known as the Maputo Protocol;

RECALLING that all the Member States of the African Union have ratified the Constitutive Act of the AU thus making the ratification, domestication and implementation of the standards and norms of the AU compulsory;

HAVING undertaken consultative meetings on the promotion and domestication of the Maputo Protocol on the Rights of Women in Africa, particularly the rights to land in Dakar, Senegal, from 23 to 27 May 2016;

NOTING that Senegal has ratified the Maputo Protocol and carried out actions for its effective implementation through various the laws adopted by the country, particularly the law on parity, a development and human rights issue;

COMMENDING the commitment of the Senegalese women to their fight for their rights and the strategies implemented to assert them while adhering to Senegalese socio-cultural values as well as the involvement of all stakeholders who work for the promotion of the socio-economic welfare of women by acknowledging their rights, particularly those related to land;

AWARE that land as a means of production and shared out equally, could increase the economic power of African women who mainly provide for food security in our households;

MINDFUL that the participation of women in decision-making and their rights to land is not a question of assertion but rather a question of the socio-economic and political development of our society;

FURTHER COMMENDING the Republic of Senegal for all the actions undertaken that have raised the country to 6th in the world and 3rd in Africa, after Rwanda and Seychelles, with regard to women's representation in national parliaments with the implementation of the law on parity and the efforts to integrate women in the decision-making structures of the State;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

THE PAN-AFRICAN PARLIAMENT RESOLVES TO:

CONTINUE engaging with the Civil Society Organisations that deal particularly with human rights issues to carry on their actions of education, awareness-building and training programmes on the provisions of existing laws and Protocols in favour of gender equality;

ENCOURAGE African Union Member States to strengthen national human rights Institutions with a view to empowering them to become autonomous to act as whistle blowers and to be able to organize regular national debates on the implementation of the provisions of the various laws in favour of gender parity;

URGE National and Regional Parliaments to increase women participation in legislative bodies through the implementation of the AU gender policy that promotes gender equality, gender justice, non-discrimination and

fundamental human rights in Africa, and apply positive discrimination of women with a view to encouraging their participation whenever necessary;

SENSITIZE National and Regional Parliaments to take into account the gender aspect in budgetary policies to institutionalize capacity-building programmes in collaboration with the civil society, in favour of women's organisations to enable them to analyse their own situation;

FURTHER ENCOURAGE Member States to adopt a culture of participative approach involving all groups of the population in the drafting of legislations on land. This will put women at the centre of debate and will overcome socio-cultural barriers on the right of women to land access;

FURTHER SENSITIZE governmental structures that deal with issues of women's access to land to ensure their empowerment and to be inspired by countries that have already done so such as Senegal which is a textbook example, to facilitate the effective implementation and domestication of the Maputo Protocol and the gender parity law;

FACILITATE the development of a land policy to harmonize various African legislations and adopt land rights in a view to protecting vulnerable groups in their rights to acquire those rights.

Adopted in Sharm El Sheikh on 18 October 2016.

4.1.2. Resolution on the Dialogue on Combatting Corruption: Sharing knowledge, deepening understanding and transforming policy to practice (*PAP.4/PL/Res.02(III)*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

ACKNOWLEDGING that this is the first interface meeting between PAP, AUABC and Civil Society;

CONSCIOUS that efforts to combat corruption by AU member states have been embarked upon over the years;

ACKNOWLEDGING that the African Union has elevated the importance of combatting corruption, and promoting a culture of transparency and good governance by demonstrating its resolve through its declarations, treaties,

policy formulations and establishment of policy organs mandated to assist in combating graft;

RECALLING the Africa Mining Vision, which was adopted by Heads of State at Twelfth Ordinary Session of the Assembly of the Union, February 2009;

FURTHER RECALLING the African Union Convention on Preventing and Combating Corruption in Africa (AUCPCC) adopted by Heads of State at the Second Ordinary Session of the Union, July 2003;

NOTING that 37 AU members are state parties to the Convention;

FURTHER NOTING that the AUABC has been the body mandated to spearhead the battle against corruption at the continental level;

RECOGNIZING that the efforts being made to combat graft are inadequate, and more needs to be done to stem corruption;

CONCERNED that Africa is haemorrhaging astronomical amounts of money to rampant corruption amounting to between fifty to ninety billion US dollars annually;

CALLING on the AU Assembly to extend and streamline the AUABC board members' tenure and term of office from two years to four so as to ensure greater sustainability and continuation in respective roles and responsibilities of board members.

FURTHER CALLING on the AUC to endorse and support the AUABC's proposal to the Executive Council to declare 2018 the Year of Combating Corruption in Africa;

REGRETTING that universal ratification of the AUCPCC has not been attained-countries such as: Angola; Cameroon; Central African Republic; Cape Verde; Djibouti; DRC; Egypt; Equatorial Guinea; Eritrea; Mauritania; Mauritius; Somalia; South Sudan; Sao Tome & Principe; Sudan; Swaziland; Tunisia.

URGING AU member states to urgently ratify and deposit their instruments of ratification with the AUC;

ENCOURAGING state parties to honour their reporting obligations to the AUABC, and create necessary avenues for regular country missions by the AUABC, as prescribed in the AUCPCC;

URGING state parties to the AUCPCC to implement the Cardinal Principles of the AUCPCC namely:

- (i) Article 5(3) Establish, maintain and strengthen independent national anticorruption authorities or agencies. 5(5) Adopt legislative and other measures to protect informants and witnesses in corruption and related offences, including protection of their identities.
- (ii) Article 7(1) Require all or designated public officials to declare their assets at the time of assumption of office during and after their term of office in the public service.
- (iii) Article 9 Access to Information- Each State Party shall adopt such

legislative and other measures to give effect to the right of access to any information that is required to assist in the fight against corruption and related offences.

- (iv) Article 10 Funding of Political Parties- Each State Party shall adopt legislative and other measures to proscribe the use of funds acquired through illegal and corrupt practices to finance political parties; and (b) Incorporate the principle of transparency into funding of political parties.
- (v) Article 11(1) Adopt legislative and other measures to prevent and combat acts of corruption and related offences committed in and by agents of the private sector.

RECOGNIZING the important oversight role of Parliament in ensuring transparency and accountability principles that can enable our people to benefit from their mineral resources.

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

The Pan-African Parliament resolves to:

- (i) support the AUABC to deploy its mandate in combatting corruption in Africa;
- (ii) prioritize support to the Advisory Board on Corruption members by ensuring that nominations at country level for the members are individuals of impeccable character who are credible, competent in the subject matter of combating corruption in Africa;
- (iii) support the role of APNAC in elevating and promoting the culture of transparency, probity and accountability;
- (iv) liaise with the Multi Sectoral Working Group on Combating Corruption to further advance the aims and objectives of the group at national, regional and continental levels;
- (v) request financial and technical support to ensure that campaigns for Treaty ratifications and domestication thereof are prioritized, particularly the African Charter on Democracy Elections and Governance; African Union Convention on Preventing and Combating Corruption;
- (vi) undertake to examine, debate and adopt the African Model Law on Combatting Corruption by the end of 2018;
- (vii) Request the African Union Commission, the African Minerals Development Center and key regional CSOs to support efforts towards strengthening the capacity of PAP and its committee structures and all internal processes in ways to effectively and coherently play its oversight role in the implementation and domestication of the African Mining Vision and its instruments at the continental, regional and national level;

- (viii) Undertake to pass a Parliamentary resolution that clearly introduces a new legislative regime on the role of Parliament in relation to the AMV and the management of mineral resources in Africa

Adopted in Sharm El Sheikh, Egypt, 18 October 2016.

4.1.3. Resolution calling for the immediate lifting of unilateral economic sanctions imposed on the Sudanese population by the United States of America (*PAP.4/PL/Res.03(III)*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING THAT the economic, financial and trade sanctions unilaterally imposed on Sudan by the United States of America since 1997 have grave repercussions, not only on all sectors of the country's economy but also on the fundamental rights of the Sudanese people,

NOTING that the catastrophic consequences of these sanctions hindered peace-building and impede the economic recovery of this Least Developing Country (LDC) emerging from inherited and induced violent conflict,

REFERRING to the World Summit on Sustainable Development 2015 and the unanimous adoption of Agenda 2030 for Sustainable Development which emphasized inter alia, the absolute rejection of the unilateral coercive measures by the international community,

RECALLING Resolution 27/21 of the Human Rights Council of the UN which stresses that the unilateral coercive measures violate international law, international humanitarian law, the Charter, the norms and principles governing peaceful relations among the States:

SUPPORTING all the resolutions taken by the African Union, the Arab League, the Organisation of Islamic Cooperation, and the Non-Aligned Movement demanding the immediate lifting of economic sanctions unilaterally imposed on the Sudanese population by the United States of America;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its

organs, Regional Economic Communities, Member States and their organs and institutions;

THE PAN-AFRICAN PARLIAMENT,

1. Strongly **condemns** these economic, financial and trade sanctions inflicted on the Sudanese population by the United States of America;
2. **Urges** the United States Government to immediately remove these measures that are unjustly hurting and degrading to the Sudanese people;
3. **Calls on** the PAP Bureau to implement forthwith an effective programme leading to the immediate lifting of these unjust sanctions;
4. **Reassures** the people, Government and Parliament of Sudan of its unflinching support in their struggle against the sanctions unjustly imposed on the country by the United States of America;
5. **Convey** a vote of thanks to all the African leaders for their continuous support to the people and government of Sudan in their long struggle to lift the unilateral coercive measures imposed by the United States of America against the Sudan;
6. **Decides** to remain seized on the matter.

Adopted in Sharm El Sheikh, Egypt, 18 October 2016.

4.1.4. Resolution on Sciences Academies (PAP.4/PL/Res.04(III))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

TAKING NOTE of the report of the Joint Workshop for the Committee on Transport, Industry, Communication, Energy, Science and Technology and the Committee on Education, Culture, Tourism and Human Resources on the “Role of Science Academies and the International Science Council in Africa” held in Midrand, South Africa, on 02 August 2016;

AWARE THAT Science can play a crucial role in life and welfare of the African people and future generations;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its

organs, Regional Economic Communities, Member States and their organs and institutions;

HEREBY RESOLVES TO:

1. Encourage Pan-African Parliament's Permanent Committees to use academies of science for policy advice since the academies can help them at national, regional and international levels with policy matters, and can conduct studies on their priority areas, fundraise together and influence policies of member states;
2. Assist Academy of Science of South Africa (ASSAF) in disseminating its policy maker's booklets, studies and other publications;
3. Contribute to raise awareness on the role of the science academies;

Adopted in Sharm El sheikh, Egypt, on 19 October 2016.

4.2. Recommendations from the Fourth Session of the Fourth Parliament

4.2.1. Recommendations of the Ninth 2016

Conference of Women Parliamentarians of the Pan-African Parliament on the theme: 'Promoting Women Access to Political Decision-Making and Leadership Positions: A Parliamentarian Response to Gender Equality' (PAP.4/PL/Recom.01(III))

The Annual Women Parliamentarian Conference of the Pan-African Parliament held on 13 and 14 October in Sharm El-Sheikh, Egypt, adopted the following final recommendations:

BEARING IN MIND that the main theme of the Conference was the development of strategies to "Promote women access to political decision-making and leadership positions: A Parliamentarian response to gender equality";

CONSIDERING the crucial role that women are called to play in the realisation of the road map of the African Union for development in Africa and the implementation of Agenda 2063, which aims at an integrated, prosperous and peaceful Africa whose peoples represent a dynamic force on the world stage;

BASED on the provisions of the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (Maputo Protocol) which stipulates that the rights of women are recognised and guaranteed by all international instruments relating to human rights, including the Universal

Declaration of Human Rights, the International Covenant on Civil and Political Rights as well as legal, social and cultural rights, the Convention on the Elimination of All Forms of Discrimination Against Women or its Optional Protocol, the African Charter on the Rights and Welfare of the Child, and all other Conventions and international covenants relating to the rights of women as having inalienable, interdependent and indivisible human rights;

The Conference:

1. Enjoins parliamentarians to prevail on their individual governments to speed up the signing, ratification and implementation of mechanisms to domesticate the Maputo Protocol, specifically Articles 9 and 12 relating to the participation of women in politics and in policymaking and their right to education and training;
2. Requests women parliamentarians to take action to disseminate and popularise Agenda 2063 and the Maputo Protocol in the media anywhere they may be, so that all women, whether in rural or urban areas, whether they are educated or illiterate, are familiar with Agenda 2063 and the Maputo Protocol;
3. Condemns human rights abuses, especially those against women in conflict areas and calls on governments to respect international agreements on the protection of women;
4. Calls on women parliamentarians to make sure that their respective countries respect legislation on enhancing the rights of women and gender parity at all levels of government and within political parties with a view to influencing decision-making on socio-cultural and traditional issues relating to the emancipation of women;
5. Urges the States to allocate a percentage of their national budgets towards the creation of a support fund for women in general but particularly to the attainment of Sustainable Development Goals (SDGs);
6. Encourages Member States to promote programmes on the protection of women's rights, especially the rights of women and young girls to reproductive and maternal health, through education and training programmes for women;
7. Recommends that women parliamentarians from countries that do not yet have an exchange platform and a national women's council set up such a platform for exchanges and advocacy to facilitate issues of ratification and harmonisation of national laws on women;
8. Recommends the establishment of a "Gender Label" under which participating State organisations, private companies and other national institutions can obtain tax reductions that enable them to support women in their working and professional lives;
9. Urges the Bureau of the Women' Caucus to develop strategies and identify areas of cooperation with international organisations working in the area of women's rights;
10. Urges the Bureau of the Women' Caucus to develop appropriate mechanisms for the implementation of the resolutions and recommendations adopted previously;
11. Wishes to express its gratitude to the Government and Parliament of Egypt, the host country of the Women's Conference 2016, the Association of European Parliamentarians with Africa (AWEPA), which provided financial support for the present conference, and the Bureau of PAP for its support and leadership;

Adopted by Members of the Pan-African Parliament, members of regional Parliaments; Women Parliamentarians from Member States of the African Union, representatives of the African Union Organs; organisations representing civil society; representatives of business women's organisations, and resource persons from development institutions.

Done at Sharm El Sheikh on 18 October 2016.

4.2.2. Recommendations on the Free Movement of People and the new African Passport (*PAP.4/PL/ Recom.02(III)*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONCERNED by the challenges posed by immigration on the African continent;

CONSIDERING that Chapter VI of the Abuja Treaty is devoted to issues related to free movement of people, the right of residence or establishment;

CONSIDERING ALSO that free movement of persons is a cross-cutting issue in the African Union Agenda with regard to integration and human rights on the continent and that the idea is also linked to the issuance of the African passport;

RECALLING Decision EX.CL/197(VIII) on freedom of movement in Africa, adopted by the African Union Executive Council at its Seventh Ordinary Session held in June/July 2005 in Sirte, Libya, by virtue of which the Council agreed in principle on the issuance of an African diplomatic passport;

RECALLING ALSO Agenda 2063, Aspiration 2: “an integrated continent, politically united and founded on the ideals of Pan-Africanism and the vision of Africa’s renaissance”, a continent where free movement of persons, capital, goods and services will significantly increase trade and investment among African countries thus helping the continent to attain unprecedented levels and strengthen its place in world trade;

WELCOMING the Agenda 2063 flagship project on: “an African passport issued by the Member States, building on migration worldwide through the issuance of electronic passports, with the abolition of visa requirements for all African citizens in African countries by 2018 “;

WELCOMING ALSO the Act of Pan-Africanism, adopted by the Twenty-Seventh Ordinary Session of the African Union Assembly of Heads of State and Government with the launch of the African Union electronic passport (e-passport) to facilitate free movement of persons within the continent;

EXPRESSING its profound gratitude to the African Union for all its efforts towards developing a protocol on free movement of persons on the continent;

COMMENDING all initiatives by the Economic Community of West African States (ECOWAS) and the East African Community in the framework of implementing Agreements on Free Trade Areas and free movement of goods and persons;

IN ACCORDANCE WITH Rule 5(d) of the above-mentioned PAP Rules of Procedure, which empowers the PAP to, inter alia, make recommendations and take resolutions on any matters relating to the African Union and its organs, to Regional Economic Communities and their respective organs, and to Member States and their organs and institutions;

NOW HEREBY RECOMMENDS THAT:

1. The other RECs expedite their processes on free trade areas and free movement of persons within their regions in order to facilitate regional economic integration which will contribute to economic growth across the continent;
2. All Member States and RECs support the idea of free movement of persons on the continent and that of the African passport and work actively on developing and adopting the Protocol on Free Movement of Persons.

Done at Sharm El Sheikh on 18 October 2016.

5. Resolutions, Recommendations and Declarations from the Fifth Session of the Fourth Parliament: 8-19 May 2017

5.1. Resolutions from the Fifth Session of the Fourth Parliament

5.1.1. Resolution on the establishment of a Pan-African Parliamentary Forum on Trade, Customs and Migration (*PAP.4/PLN/RES/01/MAY.17*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the African Union Assembly Decision /AU/Dec.394 (XVIII) of 2012 on the establishment of the Action Plan for Boosting Intra African Trade (BIAT) and the Continental Free Trade Area (CFTA) by 2017 in order to boost intra-African trade, particularly in the area of trade policy, trade facilitation, productive capacity, trade related infrastructure, trade finance, trade information and factor market integration;

RECALLING FURTHER the AU Millennium Integration Programme (MIP) adopted in 2009 as one of the steps towards the African Economic Community (AEC) in line with the Abuja Treaty;

NOTING WITH DEEP CONCERN the low level of intra-African trade due to the lack of capacity of the manufacturing sector, the undiversified production, lack of coordination and harmonization of production and marketing policies, which make Africa in the last position as compared to other regions of the world such as East Asia, where trade is believed to have been particularly instrumental in the development of that region and has had an enormous impact on poverty levels through its effect on economic growth, employment, consumer prices and government revenues and spending;

ACKNOWLEDGING that trade is a powerful engine for economic growth and development as recognised by the United Nations Economic Commission for Africa's (UNECA) Computable General Equilibrium (CGE) Modelling of a Continental Free Trade Area (CFTA), which estimates the impact of the removal of all internal tariffs on goods and finds that the share of intra African trade would increase from 10.2 percent in 2010 to 15.5 per cent in 2022 after the establishment of the CFTA;

COGNIZANT of the role of Parliamentarians in the process of boosting Intra-African Trade (BIAT) and fast tracking the establishment of the Continental Free Trade Area (CFTA) negotiations in line with the Decision Assembly/AU/Dec.394 (XVIII) of January 2012;

ACKNOWLEDGING FURTHER the efforts at both national and regional levels by the Regional Economic Communities (RECs) and Member States to elaborate and ratify the protocols on the Free Movement of Persons, rights of residence and establishment in the RECs which is a priority in the AU Millennium Integration Programme (MIP);

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES:

1. The Pan-African Parliamentary Forum on Trade, Customs and Immigration is hereby established with the following objectives:
 - (a) To advocate for the ratification and domestication of relevant trade agreements, working closely with RECs, and relevant African Union and United Nations organs, institutions and agencies, as well as other development partners;
 - (b) To ensure capacity building, experience and knowledge sharing amongst African Members of Parliaments on Parliamentary monitoring of and oversight over trade agreements and deals;
 - (c) To create an interactive platform for African Parliamentarians to share best practices on trade facilitation, working in collaboration with Speakers/Presidents and Clerks/Secretaries General of African Parliaments;
 - (d) To empower National Portfolio Committees on Trade to effectively carry out their parliamentary oversight and legislative functions and hold the Executive accountable on the ratification of trade agreements and implementation of trade facilitation measures;
 - (e) To promote regional integration, the establishment of the Continental Free Trade Area and the free movement of goods, services, capital and people across the African Continent;
 - (f) To advance the adoption of legislations that facilitate the establishment of One-Stop-Border Posts on the continent advocate and lobby for the removal of tariff and non-tariff barriers to trade;
 - (g) Promote a borderless continent with safe migration, cross border trade and protected refugee rights;
 - (h) Carry out evidence-based policy research and studies on trade agreements, trade facilitation and migration;
 - (i) Work closely with civil society to minimize the social impacts of trade and migration and to fight human trafficking in Africa.
2. The Pan-African Parliamentary Forum on Trade, Customs and Immigration shall have the Status of a Sub-Permanent Committee under the Committee on Trade, Customs and Immigration Matters, in accordance with Rule 24(1) of the Rules of Procedure of the PAP.

3. The Pan-African Parliamentary Forum on Trade, Customs and Immigration shall function in accordance with the relevant provisions of the Rules of Procedure of the Pan-African Parliament.

Adopted at Midrand, South Africa, 18 May 2017.

5.1.2. Resolution on the Free Movement of People in Africa and the African Passport (*PAP.4/PLN/RES/02/MAY.17*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING further Chapter VI of the Abuja Treaty, devoted to the Free Movement of Persons, Rights of Residence and Establishment;

RECALLING its recommendations *PAP.4/PL/Recom.02(III)* adopted during the Third Ordinary Session of its Fourth Parliament held in October 2016 at Sharm El Sheikh, in Egypt;

EMPHASIZING that the process of building one Africa involves integration of its peoples and the respective socio-economic and political sectors of African countries;

MINDFUL that African integration cannot occur in an environment where movement of people and capital within the continent is restrictive;

NOTING that Aspiration 2 of the Agenda 2063 foresees “an integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa’s Renaissance” through free movement of people within Africa;

NOTING ALSO that Agenda 2063 further envisions the creation of an Africa where the free movement of persons, capital, goods and services will result in significant increase in intra-Africa trade and investments, giving rise to unprecedented levels and strengthening Africa’s place in global trade;

ACKNOWLEDGING the tremendous milestones made by the African Union Commission towards attainment of free intra-Africa mobility and issuance of the AU Passport;

IN ACCORDANCE WITH Rule 5(b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize

debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. Undertake awareness-raising initiatives for the popularization and demystification of the concept of “African Passport”, to particularly allay the fears that some Member States may have in respect of free movement of persons within Africa might as a potential threat to their socio-economic and political well-being;
2. Initiate advocacy activities for the adoption and ratification of the draft Protocol on Free Movement of Persons, Right of Residence and Right of due for consideration in AU January 2018 Summit;
3. Set up a Mechanism for monitoring progress on, and coordinate domestic parliamentary oversight over, AU Member States’ signature, ratification and implementation of the draft Protocol on Free Movement of Persons, Right of Residence and Right;
4. Develop a draft Model Law on free movement of people in Africa and the African Passport, working in close collaboration with the African Union Commission and other relevant AU Organs so as to entrench the aspirations of free mobility of persons in legislation.

Adopted at Midrand, South Africa 18 May 2017.

5.1.3. Resolution on the Transport Sector in Africa (PAP.4/PLN/RES/03/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING further the report on the Workshop for Members of the Pan-African Parliament on the “Transport sector in Africa: Challenges and perspectives” held in Midrand, Republic of South Africa on 8th March 2017;

RECALLING the Africa Union’s Vision to “build an integrated, prosperous and peaceful Africa, an Africa driven and managed by its own citizens and presenting a dynamic force in the international arena and to have an integrated infrastructure of transport, ICT, tourism and energy that is safe, reliable, efficient and affordable, capable of promoting regional and continental integration and sustainable development of the continent”;

CONVINCED that transport is a key sector which plays a crucial role in the achievement and attainment of the goals of poverty eradication and sustainable development;

RECOGNIZING that AU Agenda 2063 revives the aspirations of the people of Africa and her Diaspora to create a prosperous continent, with the means and resources to drive its own development with sustainable and long term stewardship of its resources by the year 2063;

RECOGNISING further that the attainment of the AU Agenda 2063 aspirations cannot be realized in isolation from the development of sound, efficient, affordable and durable transport infrastructure in Africa.

IN ACCORDANCE WITH Rule 5(b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES TO:

1. Take the lead in exercising its oversight role over the implementation of infrastructure projects under the African Union at the continental level, particularly those under NEPAD,
2. Develop structured liaison with legislative bodies for respective regional economic communities to monitor implementation of infrastructure projects at regional levels;
3. Undertake advocacy initiatives for national governments to focus on regional infrastructure development for the common good as a tool for enhancing regional integration and promoting intra-African trade;
4. Urge its Members to rally political will of Member States in supporting and financing infrastructure projects to open up the continent for rapid mobility of people, goods and services;
5. Spearhead regulatory reforms, harmonization of rules, tariffs and regulations on mobility of people, goods and services, with a view to reduce transit transport constraints and eliminate non-tariffs barriers that limit intra-African trade;
6. Formulate a clear legal framework on transport infrastructure development in Africa.

Adopted at Midrand, South Africa 18 May, 2017.

5.1.4. Resolution on the development of a Model Police Law for Africa and mutual assistance treaties for police cooperation in Africa (*PAP.4/PLN/RES/04/MAY.17*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

NOTING that the development of a Model African Law on Police and Model Treaty for Mutual Legal Assistance for police co-operation in Africa by the Pan-African Parliament will make a significant normative contribution to improving policing in Africa, and will complement other African Union and regional efforts to promote safety, security, democratic governance and human rights.

FURTHER NOTING that a Model Law on Policing and Model Treaty for Mutual Legal Assistance for police co-operation in Africa are effective ways to promote review by Member States of existing policing legislation and bilateral treaties, and to encourage legislative reform, that governs the mandate, organisational structure, and performance of law enforcement agencies in African Union Member States.

CONFIRMING that model police legislation and a Model Treaty for Mutual Legal Assistance for police co-operation in Africa must be based on democratic and civilian control, adherence to rule of law, and human rights compliant standards of policing.

RECALLING that the Pan-African Parliament's legislative mandate makes it well placed to develop a Model African Law on Police and Model Treaty for Mutual Legal Assistance for police co-operation in Africa.

FURTHER NOTING that the Model Law and Model Treaty for Mutual Legal Assistance for police co-operation in Africa can be adopted in whole or in part by African Union Member States, or used as a template to establish or review existing policing laws.

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY;

MANDATES the Committee on Human Rights and Justice, and with the technical support of its partners at the African Policing Civilian Oversight Forum, to develop a Model Police Law for Africa and a Model Treaty for Mutual Legal Assistance for police co-operation in Africa (including through necessary continental and regional consultations), and to provide the draft Model Police Law and Model Treaty for Mutual Legal Assistance for police co-operation in Africa for consideration by the Plenary of the Assembly.

Adopted at Midrand, South Africa 18 May, 2017.

5.1.5. Resolution on the establishment of the PAP Alliance on the Sustainable Development Goals (SDGs) (PAP.4/PLN/RES/05/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

NOTING the report of the PAP's Committee on Rural Economy, Agriculture, Natural Resources and Environment on the "Brainstorming Session on the Monitoring of the Sustainable Development Goals: Role of Parliaments" held in Midrand, Republic of South Africa on 09 March 2017;

ACKNOWLEDGING that the United Nations Sustainable Development Goals echo with the African Union Agenda 2063 and that they constitute an effective tool for addressing Africa's peace, stability and development challenges;

ACKNOWLEDGING further the vital role which the Pan-African Parliament and its various Committees as well as National Parliaments can play in advancing and monitoring progress towards achieving the SDGs, in particular through law-making and policy oversight on the Executive;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES:

1. The PAP Alliance on the Sustainable Development Goals is hereby established.
2. The PAP Alliance on SDGs shall have the status of a thematic caucus in accordance with Rule 85 of the Rules of Procedure and be composed of Members designated by PAP Permanent Committees with a mandate that is relevant to Sustainable Development Goals;
3. The organization and functioning of the Alliance shall be regulated pursuant to the relevant provisions applicable to Caucuses of the Pan-African Parliament;
4. The PAP Alliance on SDGs shall have an Executive Committee composed of Members representing and designated by all relevant Permanent Committees;
5. The Executive Committee will elect a Bureau in which all represented Committees shall seat under the leadership of the Committee on Rural Economy, Agriculture, Natural Resources and Environment.

Adopted at Midrand, South Africa 18 May 2017.

5.1.6. Resolution on the Holding of Autonomous Election Observation Missions (PAP.4/PLN/RES/06/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING that elections are an essential element of democracy enabling the deep aspirations of African peoples to be met;

CONSIDERING that elections in Africa must comply with the universal principle of transparency and that the organization of proper elections constitutes a guarantee of stability and peace;

CONSIDERING that the Pan-African Parliament has in the past carried out election observation missions that were unanimously believed to be independent and credible;

TAKING INTO CONSIDERATION that the participation of the Pan-African Parliament in joint election observation missions under the aegis of the African Union Commission does not conform to its mandate;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES to call for the institution of autonomous election observation missions.

Adopted at Midrand, South Africa 18 May 2017.

5.1.7. Resolution on conferment of observer status on the Parliament of Palestine (PAP.4/PLN/RES/07/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

DEEPLY CONCERNED about the plight of the Palestinian people;

RECOGNIZING the legitimate aspiration of the Palestinian people to freedom and sovereignty of its territory;

EXPRESSING ITS SUPPORT for the liberation struggle of the Palestinian People;

MINDFUL of the provisions of Rule 77(4) of the Rules of Procedure, which provide that special observer status may be conferred on Parliaments outside Africa;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES to confer observer status on the Parliament of Palestine.

Adopted at Midrand, South Africa 18 May 2017.

5.1.8. Resolution on the rotation of the Presidency of the Pan-African Parliament (*PAP.4/PLN/RES/08/MAY.17*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

NOTING that the principle of rotating the office of the President of the Pan-African Parliament is not prescribed in the basic texts of the Parliament;

AWARE of the fact that this principle is expressly mentioned in the amended Protocol of the Pan-African Parliament (Article 12(1)) adopted by the 23rd Ordinary Session of the Assembly of Heads of State and Government in Malabo, Equatorial Guinea, on 27 June 2014;

CONSIDERING the very slow pace of ratification of the amended Protocol of the Pan-African Parliament by the Member States;

CONFIRMING that the unanimous support that the Regional Caucuses gave to their nominated candidates in accordance with Rule 15(1) of the PAP Rules of Procedure is an accepted practice;

RECOGNIZING that the African Union respects the practice of rotating the presidency of its Organs;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RESOLVES that the Rules of Procedure of the Pan-African Parliament be amended in accordance with the provisions of Rule 93 to include the principle of rotation of the office of the President of the Pan-African Parliament.

Adopted at Midrand, South Africa 18 May 2017.

5.2. Recommendations from the Fifth Session of the Fourth Parliament

5.2.1. Recommendation on the Draft African Union Model Law on Protection of Cultural Property and Heritage (PAP.4/PLN/RECOM/01/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the African Union Charter for African Cultural Renaissance, the Universal Declaration of Principles of International Cultural Co-operation, the Pan-African Cultural Manifesto of Algiers, the Convention on the Protection of Cultural Property in the Event of Armed Conflict, the Convention Concerning the Protection of World Cultural and Natural Heritage, the Convention on the Protection and Promotion of Diversity of Cultural Expressions, and the Decision of OAU Summit on the establishment of the African Academy of Languages;

RECALLING also the African Union Agenda 2063 Aspiration 5, which envisages ‘an Africa with a Strong Cultural Identity, Common Heritage, Values and Ethics’;

RECALLING FURTHER Decision EX.CL/974 (XXIX) calling on AU Member States, the Pan-African Parliament, RECS and other stakeholders to engage in the process of development and popularization of the AU Model Law on the Protection of Cultural Property and Heritage;

DEEPLY CONCERNED by the depersonalisation and falsification of part of the African peoples and their history as well as cultural domination during the slave trade and the colonial era, the destruction, illicit trafficking and looting of African cultural property and heritage within the continent and beyond,

ACKNOWLEDGING that any African cultural policy should of necessity enable peoples to evolve for increased responsibility in its development; and that culture should be regarded as a set of distinctive linguistic, spiritual, material, intellectual and emotional features of the society or a social group, equally entitled to respect just as all individuals are equal as regards free access to culture;

CONVINCED that the African unity is founded first and foremost on its history, and that the protection and preservation of African cultural property and heritage is a shared and common priority for the African Union Member States, Civil Society Organizations and all peoples of Africa

NOTING the noble initiative taken by African Union Commission Department of Social Affairs to develop a Model Law on the Protection of Cultural Property and Heritage;

NOTING WITH SATISFACTION the presentation of the Draft African Union Model Law on the Protection of Cultural Property and Heritage made before the PAP's Committee on Education, Culture, Tourism and Human Resources and to the Plenary;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedures of the PAP, which authorises the PAP to make recommendations and formulate resolutions on any matter relating to the African Union and its organs, Regional Economic Communities and their respective organs, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS THAT:

1. The African Union Policy Organs adopt the Draft AU Model Law on the Protection of Cultural Property and Heritage and urge AU Member States to adopt it and/or bring relevant national legislations in line with the AU Model Law;
2. The Regional Economic Communities (RECs) support the popularization of the AU Model Law on the Protection of Cultural Property and Heritage and urge also their respective Member States to adopt and/or bring their relevant national legislations in line with it;
3. All Member States to domesticate and mainstream the Model Law in their national legislations.
4. Encourage Member States to eliminate onerous clauses in their national laws impeding on cultural diversity rights or contributing to cultural domination and falsification;
5. The National Parliaments, Civil Society Organizations and all other stakeholders to ensure the protection and preservation of national cultural property and heritage;
6. The PAP to develop a framework to guide the collaboration with National Parliaments in monitoring and evaluating progress on the adoption and/or use of the Model Law on the Protection of Cultural Property.

Adopted at Midrand, South Africa 18 May 2017.

5.2.2. Recommendation on enhancing institutional and legal environment for the Rights of Girls and Women's education (PAP.4/PLN/RECOM/02/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

REAFFIRMING the content of Universal Declaration of Human Rights (UDHR), UNESCO Convention against Discrimination in Education (CADE), the Convention on the Rights of the Child (CRC), Beijing Declaration and Platform for Action (BPFA), the International Covenant on Economic, Social and Cultural Rights (ICESCR), World Declaration on Education For All: Meeting Basic Learning Needs, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on the rights to education for girls and women.

FURTHER REAFFIRMING the content of the 10 Year Implementation Plan of Agenda 2063, the Continental Education Strategy for Africa (2016-2025), the Solemn Declaration on Gender Equality in Africa, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), the African Women's Decade (2010-2020), and other Gender policies and frameworks.

RECOGNISING that education is a basic human right for a continent's development and that gender equality and women's socio-economic and political empowerment can never be achieved without the implementation of policies, instruments adopted and ratified at global, regional and national levels and related to women and girls' rights;

AWARE OF efforts to promote girls' and women's education around the continent, yet continue to face an array of socio-economic, cultural and political challenges which limit the implementation of international, regional and national frameworks on promotion and protection of girls and women's right to education;

RECOGNISING existing and emerging threats to Africa's development, including climate change, conflicts, terrorism, the illicit proliferation of arms and health pandemics (Ebola, HIV/AIDS) and the disproportionately negative impact they have on girls' and women's lives and well-being; and underscore girls' and women's education plays a critical role in their lives and that large numbers of African girls and women continue to be disenfranchised by a lack of education annually;

APPRECIATING the commitment of Heads of State and Government of the African Union to girls' and women education in Africa;

RECALLING the final Communiqué of the Capacity Building Workshop jointly organized by the African Union International Center for Girls' and Women's Education in Africa (AU/CIEFFA) and the Pan-African Parliament (PAP) held on the 13th of May 2017 at the PAP;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedures of the PAP, which authorises the PAP to make recommendations and formulate resolutions on any matter relating to the African Union and its organs, Regional Economic Communities and their respective organs, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS THAT:

AUC, RECs and Member States to:

1. **Implement** legal policies, instruments related to women and girls' rights to access educational systems;
2. **Undertake** strong measures at the policy and management/administration level to address the fear among girls and parents/families of potential molestation, harassment and discrimination of girls both on their way to and from school and within school;
3. **Reformulate** policies related to gender education and gender equality and highlight the need for capturing the lived experience of girls while they go through the educational process rather than merely focusing on the issue of gender parity alone;
4. **Encourage** AU Policy Organs to appoint an AU Special Rapporteur on Girls' and Women Education with a political mandate on the rights of girls to access schools and complete at least secondary schooling in spite of eventual break-ups in their schooling;
5. **Implement** targeted specific school programmes and infrastructures for countries in emergency situation as well as other socially vulnerable groups like out-of school girls;
6. **Reconstruct** school infrastructure in emergency situations as well as ensuring an education for displaced children and youth by encouraging teachers to resume teaching in conflict-affected areas;
7. **Initiate** curricular reforms so that the curriculum for the entire spectrum of schooling from primary education to tertiary level fully and properly addresses the issues of gender parity, gender equality and gender equity not only as they pertain to the education sector but also with regard to women's empowerment in the socio-economic spheres;
8. **Encourage** the improvement of the existing Educational Management and Information System (EMIS) to capture detailed and disaggregated data on many aspects of education, such as the quality aspect, the transformational experience of learners and teachers and the gender dimension, in a comprehensive manner and assessment of progress on access, retention and completion of girls and young women in the educational system;
9. **Encourage** public-private sector collaboration as well as involvement of NGOs and CSOs working in the education sector in addressing a variety of socio-economic and cultural barriers;
10. **Encourage** AU Member States to set up satellite campuses, feeder schools and recruit local female teachers, representing the disadvantaged groups, to facilitate implementation of programmes and projects seeking to achieve gender parity and gender equity provided that quality aspects are also ensured;
11. **Share** best practices and challenges faced in retaining girls and young women in schools and universities;

Adopted at Midrand, South Africa, 18 May 2017.

5.2.3. Recommendation on the creation of One-Stop Border Posts (OSBPs) on the African continent (PAP.4/PLN/RECOM/03/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING Aspiration 2 of the African Union's Agenda 2063, which aims *inter alia* for an integrated continent, politically united, based on the ideals of Pan-Africanism and the vision of Africa's Renaissance and the goal for Africa to be a "continent with seamless borders" where "the free movement of people, capital, goods and services will result in significant increases in trade and investments among African countries;

NOTING the findings from the report of the PAP Fact-finding Mission to Chirundu One-Stop Border Post (OSBP) between Zambia and Zimbabwe on the North-South corridor that the Committee on Trade, Customs and Immigration matters undertook from 12-14 March 2017;

NOTING ALSO that the establishment of One Stop Border Posts (OSBPs) constitutes one of the priority within the 2012 AU Plan of Action on Boosting Intra African Trade, which foresees OSBPs at all key border posts, the reduction of border time crossing of goods and the extension of the operating times of the borders and ports, to 24 hours and 7 days a week, where necessary;

CONVINCED that the establishment of OSBP throughout Africa is in line with the continental priorities and objectives of the Niamey Convention set out in Article 2 on the promotion of cross-border cooperation, at the local, sub-regional and regional levels, the seizure of the opportunities arising from shared borders, the need to address the related challenges, to facilitate the definition, demarcation and reaffirmation of interstate borders in conformity with mechanisms agreed upon by the parties concerned, and to transform border areas into catalysts for growth, socio-economic and political integration of the continent, as referenced in the 2012 AU Draft Strategy for Enhancing Border Management;

CONVINCED FURTHER that OSBP are a key tool for border management and regional integration of the various Regional Economic Communities (RECs) and it can facilitate the free movement of goods, persons and services, which is the last stage of the establishment of a common market;

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, *inter alia*, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its

organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS:

1. The Regional Economic Communities (RECs) to promote the expansion of One-Stop Border Posts in the continent as this mechanism can help to reduce transit times for traders and ease human mobility within African regions;
2. The RECs to accelerate the process of regional integration and to ensure that human mobility concerns are adequately addressed on the continent by promoting the free movement of people, good and services;
3. Member States to adopt necessary measures to accelerate the simplification and standardization of customs procedures by harmonizing the nature of the required documents and information and progressively migrating to IT-based customs and immigration management and controls; and, to that end:
 - To sensitize their police and security services, customs agents and other relevant stakeholders on trade facilitation measures and instruments;
 - Invest in customs administrations reforms that cultivate a high level of professionalism, integrity and transparent on their procedures;
 - Design capacity building programme in the area of border management;
 - Take appropriate border management responses at times of humanitarian crisis to ensure that border management practices can be adjusted to the needs of specific groups found within complex mixed migration flows;
4. The African Union to assist and encourage the Regional Economic Communities to implement regional support programmes for cross border cooperation.

Adopted at Midrand, South Africa, 18 May 2017.

5.2.4. Recommendation on the Free Movement of People in Africa and the African Passport (PAP.4/PLN/RECOM/04/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING further Chapter VI of the Abuja Treaty, devoted to the Free Movement of Persons, Rights of Residence and Establishment;

RECALLING its recommendations *PAP.4/PL/Recom.02(III)* adopted during the Third Ordinary Session of its Fourth Parliament held in October 2016 at Sharm El Sheikh, in Egypt;

EMPHASIZING that the process of building one Africa involves integration of its peoples and the respective socio-economic and political sectors of African countries;

MINDFUL that African integration cannot occur in an environment where movement of people and capital within the continent is restrictive;

NOTING that Aspiration 2 of the Agenda 2063 foresees “an integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa’s Renaissance” through free movement of people within Africa;

NOTING ALSO that Agenda 2063 further envisions the creation of an Africa where the free movement of persons, capital, goods and services will result in significant increase in intra-Africa trade and investments, giving rise to unprecedented levels and strengthening Africa’s place in global trade;

ACKNOWLEDGING the tremendous milestones made by the African Union Commission towards attainment of free intra-Africa mobility and issuance of the AU Passport;

IN ACCORDANCE WITH Rule 5(b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS THAT:

1. The African Union Member States ratify all instruments relating to facilitating the free movement of persons and goods within Africa and issuance of the AU Passport.
2. The Regional Economic Communities and National Parliaments initiate applicable legislation to domesticate and implement continental instruments on the free movement of persons and goods;
3. The African Union Commission initiate an inter-ministerial and inter-agency approach to analyse the consequence, trends and status of migration in Africa so as to compile credible data for informed policy formulation on migration;
4. The African Union Commission facilitate negotiations with the International Civil Aviation Organization (ICAO) for provision of international legitimacy of the AU Diplomatic Passport to enable its holders to travel outside Africa without the requirement for entry visas;
5. The African Union Commission organise inter-agency fora and consultations on the free movement of persons and the AU Passport so as to promote understanding of the concept, thereby enabling the

various agencies involved in the process to prepare requisite systems and infrastructure for coordinated management of migration in Africa.

Adopted at Midrand, South Africa 18 May 2017.

5.2.5. Recommendation on the Transport Sector in Africa (PAP.4/PLN/RECOM/05/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the 1980-2000 Lagos Plan of Action for Economic Development, which envisaged creation of the African Common Market that would allow free movement of goods, services and labour to increase Africa's self-sufficiency;

RECOGNIZING that sound and efficient transport network is a key driver for African integration and a fundamental facilitator of Africa's economic development through increased mobility of labour, technology integration and intra-African trade;

MINDFUL that inadequate network and poor state of existing transport infrastructure is a hindrance to the realization of the aspirations of the 1980-2000 Lagos Plan of Action for Economic Development and the 1991 Treaty Establishing the African Economic Community (AEC) to fully integrate Africa;

ACKNOWLEDGING the tremendous progress made by NEPAD in mitigating the poor state of transport infrastructure in Africa by identifying and pursuing key transport corridor projects for efficient transport infrastructure connectivity in Africa and formulating strategies for implementation of those projects;

EMPHASIZING that timely ratification and domestication of AU and RECs transport sector instruments is key in accelerating attainment of improved transport infrastructure in Africa;

IN ACCORDANCE WITH Rule 5(b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, advice make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS THAT:

1. NEPAD and the AU Commission support institutions of learning to enhance training and capacity building for technicians and engineers through research/training at selected universities in the various regions and partnering with the transport sector in these regions for placement of student-engineers/technicians for practical attachment to enable them tackle infrastructure challenges in Africa;
2. The AU facilitate intra-Africa education exchange programmes and harmonization of the engineering and technology training across the continent so as to produce technicians and engineers capable of handling infrastructure projects in respective Member States of the Regional Member Countries (RMCs);
3. The AU Commission initiate the recast of education curriculum for technologist and engineers to focus on African infrastructure challenges, imparting appropriate social skills and practical competencies to increase their employability in their countries and across the continent;
4. The African Union partner with development partners and select universities to put in place an engineering scholarship programme to fund promising engineers/academics to study in specialized fields and undertake research aimed at finding solutions to Africa's infrastructure challenges;
5. The Governments of AU Members States submit to their National Parliaments all treaties, agreements and protocols on the transport sector improvement for ratification in order to enable AU Agencies, particularly NEPAD to speed up implementation of key projects and unlock the full socio-economic potential of Africa;
6. The Regional Economic Communities (RECs) and national governments of Regional Member Countries (RMCs) increase their collaboration with NEPAD in undertaking feasibility studies, sourcing finances and implementation of infrastructure projects.

Adopted at Midrand, South Africa 18 May 2017.

5.2.6. Recommendation on the Question of Western Sahara (PAP.4/PLN/RECOM/06/MAY.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the various resolutions of the OAU on disputes among African States, particularly Resolution AHG/Res. 16(I) which solemnly declares,

inter-alia that all Member States pledge to respect the borders existing on their accession to national independence,

CONSIDERING the historic resolutions of the Organization of African Unity and the African Union on the question of Western Sahara as a decolonization issue;

RECALLING the UN General Assembly Resolution 1514 (XV) on the granting of independence to colonial countries and peoples of 14 December 1960;

CONSIDERING the resolution of the UN General Assembly and the Security Council on the question of Western Sahara recognizing the inalienable right of the Sahrawi people to self-determination to be exercised by means of a free, fair and transparent referendum;

EXPRESSING its support to the African Union and its special envoy for Western Sahara, Mr. Joaquim Chissano;

RESOLVES TO:

1. Call on the Kingdom of Morocco to abide by the Constitutive Act of the African Union namely on the respect of the borders at independence;
2. Heed the decisions of the Pan-African Parliament to send delegations to the occupied territory of Western Sahara;
3. Call on the Kingdom of Morocco to allow the AU observer delegation to return to EL Aiun and resume its collaboration with the Minurso (Mission des Nations Unies pour le referendum au Sahara occidental)
4. Urge the Security Council to fulfill the mandate of the MINURSO and to extend it to monitor human rights violation committed by the Kingdom of Morocco in the occupied territory of Western Sahara;
5. Demand the unconditional release of all the Sahrawi political prisoners, including the 24 Prisoners of Gdim Izik;
6. Call on the Kingdom of Morocco to cease the illegal exploitation of the resources of Western Sahara as called for by the various resolutions of the African Union and the United Nations.

Adopted at Midrand, South Africa 18 May 2017.

5.3. Declarations from the Fifth Session of the Fourth Parliament

5.3.1. Declaration of support to Palestinian Prisoners (PAP.4/PLN/DECL/01/MAY.17)

WE, Members of the Pan-African Parliament, meeting in an Ordinary Session from 8 to 19 May 2017;

EXPRESSING the will of our people and their desire for freedom and emancipation;

COMMITTED alongside the Peoples fighting for just causes to defend their freedom and the sovereignty of their territory;

NOW HEREBY:

1. Declare our support to the Palestinian prisoners who are being held in Israeli prisons and who have embarked on a hunger strike since 17 April 2017, to mark the “Palestinian Prisoners Day”;
2. Pay tribute to the struggle of the Palestinian People.

Adopted at Midrand, South Africa, 18 May 2017.

6. Resolutions, Recommendations and Declarations from the Sixth Session of the Fourth Parliament: 9 -20 October 2017

6.1. Resolutions from the Sixth Session of the Fourth Parliament

6.1.1 Resolution calling for the lifting of the United States travel ban on Chadians entering the United States of America (PAP.04/PL/RES.01(V))

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

Acknowledging the legitimate right of every State to take protective measures for its citizens and institutions against terrorist threats and attacks, and the overriding need for cooperation against this evil,

Noting with shock the decision taken on 25 September 2017 to implement the the United States Executive Order 13780 of 6 March 2017, banning Chadians from entering the United States, on the grounds that Chad does not adequately share public security and terrorism-related information,

Considering, however, that the country’s commitment to combatting terrorism, by deploying its defence and security forces to work side by side

with the military forces of the countries of the Lake Chad Basin Commission, and the G5 Sahel Multinational Joint Task Force, is a fact that has been recognized and hailed the world over; and that, apart from the active cooperation between Chad and the United States, which provides technical support to the Chadian forces, France's Operation Barkhane, stationed on Chadian soil, all point to the good intentions of the country,

HIGHLY APPRECIATIVE of efforts by the Bureau of the Pan-African Parliament, which immediately initiated talks with the United States Congress to advocate for the lifting of the Executive Order banning citizens of Chad from entering the United States, which undermines the image of Chad and the interests of Chadian citizens,

ENDORISING the various statements by the African Union, G5 Sahel, the Chadian Government, the political class and civil society in Chad, expressing bewilderment and regret at the decision, which is likely to affect the commitment of Chad and the morale of its forces already at the forefront of the fight against terrorism,

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

The Pan-African Parliament:

1. Expresses its solidarity and unwavering support to the Government and people Chad and regrets the decision by the United States President to ban citizens of Chad from entering the United States;
2. Prevails upon the United States Government to exclude Chad from the list of countries whose nationals are banned from entering the United States.

Adopted at Midrand, South Africa 18 October 2017.

6.2. Recommendations from the Sixth Session of the Fourth Parliament

6.2.1 Recommendations of the 10th Pan-African Parliament Annual Conference on Women Rights (*PAP.4/PLN/RECOMS/02/OCT.17*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

CONSIDERING FURTHER the presentations and debates held during of the 10th Pan-African Parliament Women Conference held in Midrand, Johannesburg, South Africa, from 12th to 13th October 2017, under the theme, “Role of Parliamentarians in promoting international and regional Human Rights instruments, especially those related to Women and Youth, Peace and Security, and Female Genital Mutilation in order to achieve the Demographic Dividend”;

RECALLING international human rights instruments including the Universal Declaration of Human Rights (1948) and its protocols; the Convention on the Elimination of All Forms of Discrimination against Women or CEDAW (1979); and the Convention on the Rights of the Child - CRC (1990);

REAFFIRMING key regional Human rights instruments committed to by our countries such as the African Charter on Human and People Rights (1981) and its Protocol related to Rights of Women in Africa (Maputo Protocol 2003);

TAKING INTO CONSIDERATION international and regional commitments such as the International Conference on Population and Development (ICPD) Plan of Action (1994) and subsequent reviews including the Addis Ababa Declaration on Population and Development (2014); Beijing Declaration and Platform for Action (1995); the Millennium Declaration that birthed the Millennium Development Goals (2000); the Maputo Plan of Action for the Operationalization of the Continental Policy Framework on Sexual and Reproductive Health and Rights (2016-2030); the African Union Commission Gender Strategy (2009); the Africa Health Strategy (2016-2030), in addition to relevant commitments at the Regional Economic Communities (RECs) level;

NOTING WITH CONCERN the unacceptably high prevalence of harmful practices within our societies including Female Genital Mutilation (FGM), where more than 3 million girls are at risk annually of being cut with its attendant obstetric, gynaecological and psychological problems throughout their lives which constitute one of the most severe and pervasive forms of gender based violence;

EMPHASIZING the need to ensure Africa addresses gender inequalities, where all members of society - particularly men and boys - play an active role in promoting and ensuring women’s empowerment and fight all forms of gender based violence and harmful practices, including child marriages and female genital mutilation;

TAKING COGNISANCE of the progress made so far in advancing gender equality and women’s empowerment through adoption, ratification and domestication of the AU Women’s Protocol ratified by 38 Member States as at October 2017;

COMMENDING the African Union and its organs, and Member States for the progress made in the implementation of gender related protocols and resolutions, and noting the need for accelerated implementation;

RECOGNISING the need for the African continent to seize this point in time to take advantage of the opportunity to reap the demographic bonus, particularly where distinct political commitment is being shown by leaders across the continent as demonstrated through the adoption of the African Union theme of the year 2017 as “Harnessing the Demographic Dividend through Investments in Youth”;

CONSIDERING that Peace and security remain an imperative towards the attainment of sustainable development and that Africa has been confronted by different crises that affect peace and security conditions for populations, access to social services and ability of individuals to contribute to their own development;

COMMENDS the efforts of the Countries of the Sahel in the fight against terrorism within the framework of the G5 Sahel, the mixed multinational force and the fight against the terrorism groups in the Lake Chad basin and northern Mali;

WELCOMING ongoing regional initiatives on peace and security such as the G5 Sahel that brings together five (5) countries that include Burkina Faso, Mali, Mauritania, Niger and Chad with the highest concentration of threats to peace and security;

NOTING with consternation the Presidential Decree 13780 issued on 06 March 2017 by the White House of the United States of America which suspends the entry of nationals of Chad.

IN ACCORDANCE WITH Rule 5(d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

The Pan-African Parliament;

1. Call on the African Union Heads of State and Government Summit through its designated structures including the Executive Council and the Specialized Technical Committees to make explicit commitments towards ending harmful practices within the spectrum of the AU Agenda 2063 and UN Agenda 2030 on Sustainable Development.
2. Calls on the African Union Member States to take deliberate actions to protect women, young girls and young people, and ensure the abandonment of all harmful practices including child marriage and female genital mutilation among others;
3. Further calls the African Union Member States to adopt and dedicate a special campaign as a continental mechanism to align, coordinate and accelerate efforts towards ending female genital mutilation;
4. Commits the Members of the Pan-African Parliament who are also legislators in respective countries to advance discourse on legislative measures and budgetary allocations to address harmful practices in our countries, and push for the provision of health care services for girls and women who have undergone female genital mutilation;

5. Encourages the medical fraternity, including training institutions and health service providers to ensure the highest ethical standards are observed and to put in place measures addressing medicalization of female genital mutilation;
6. Invites African Union Member States, Regional Economic Communities and stakeholders to recognize the important role and adopt language and approaches that promote engaging men and boys in addressing gender inequalities and gender-based violence, including changing social norms that are perpetuating practices such as Female Genital Mutilation and child marriage;
7. Further encourages the 38 African Union Member States that have ratified the AU Women's Protocol to domesticate and implement the protocol at national level and for those who have yet to ratify the Protocol to take urgent action towards ratification and domestication;
8. Reminds on Member States to report on the progress made on the implementation of the Protocol under Article 62 of the Charter of Human and People's Rights Article 26(1) of the Protocol and Article 9 of the Solemn Declaration on Gender Equality in Africa;
9. Reiterates the immediate lifting of the action taken by the Government of the United States suspending the entry of Chad nationals into the United States;
10. Commends the Pan-African Parliament for convening the 10th PAP Women Conference and thanks the Hon. President of PAP and the Honorable Speaker of the National Assembly of Republic of South Africa for attending the conference.
11. Congratulates the Bureau of PAP Women Caucus and calls for the implementation of the resolutions.

Adopted at Midrand, South Africa 18 October 2017.

6.2.2. Recommendation from the Fact-Finding mission of the Pan-African Parliament to the Republic of South Sudan (PAP.4/PLN/RECOMS/02/OCT.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

PURSUANT to the mandate of the Pan-African Parliament Committee on Cooperation, International Relations and Conflict Resolutions set out in Rule 26(4)(a) and (d) of the Rules of Procedure of the Pan-African Parliament to "assist the Parliament in its efforts of conflict prevention and resolution", and consider matters of developmental policies of cooperation and international relations;

RECALLING the AU vision of “an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena”;

PAYING TRIBUTE to the progress made by the Intergovernmental Authority on Development (IGAD), the Joint Monitoring and Evaluation Commission (JMEC), the African Union and United Nations Mission in South Sudan (UNMISS) in their role to minimize conflict and provide an African solution in South Sudan;

NOTING that peace and stability, good governance, democracy and human rights are foundations for development of societies and that the Pan-African Parliament has the role to promote the principles of human rights, good governance and democracy in Africa, promote peace, security and stability, facilitate cooperation and development in Africa;

SERIOUSLY CONCERNED with the security, humanitarian and economic challenges, which have continued to hinder political stability and economic development in South Sudan;

FURTHER CONCERNED that the delay in implementing the Agreement on the Resolution of the Conflict in South Sudan has resulted in continued strife within the country;

TAKING NOTE of the findings from fact finding mission of the Committee on Cooperation, International Relations and Conflicts Resolution in the Republic of South Sudan, which was held from 11th to 15th September 2017;

IN ACCORDANCE WITH Rule 5(b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, advice make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS:

1. The immediate cessation of all hostilities in South Sudan to allow for dialogue between all political parties and other stakeholders, including members of civil society;
2. The international community to support the national dialogue initiative in South Sudan as an African solution to African problems and to encourage all stakeholders to take part in it;
3. The African Union and its organs, the IGAD and the United Nations to bring all stakeholders together under one platform through the organisation of an international conference in South Sudan; and to support measures for the alleviation of the humanitarian crisis in South Sudan;
4. The IGAD High Level Revitalisation Forum to ensure that, during the revitalization process, all stakeholders especially all political parties and representatives of the civil society are brought on board;
5. The IGAD, AU, UN and other donors to financially and technically support the implementation of the Revitalized Agreement;

6. The IGAD and the AU to revisit the requirements for a hybrid court alongside the Truth and Reconciliation Commission to address the serious human rights abuses committed during the conflict in South Sudan;
7. The AU Member States to provide humanitarian assistance to the victims of conflict in South Sudan;
8. The inclusion of the Pan-African Parliament as a part of the negotiation and conflict resolution mechanism together with IGAD and other AU organs;
9. The Committee on Cooperation, International Relations and Conflict Resolution to continue to be seized with the South Sudan situation and advise Parliament accordingly.

Adopted at Midrand, South Africa 18 October 2017.

6.2.3. Recommendation on the Transport sector in Africa (*PAP.4/PLN/RECOMS/03/OCT.17*)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

PURSUANT to Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament, which empowers the Pan-African Parliament to facilitate the implementation of policies, objectives and programmes of the African Union and to oversee their effective implementation;

HAVING REGARD to Article 4(2)(a) of the 1991 Treaty Establishing the African Economic Community (AEC), requires the PAP to promote the attainment of the objectives of the Community by envisioning the advancement of continental integration through the strengthening of Regional Economic Communities (RECs) as building blocks for establishing other communities for continental solidarity and integration;

RECOGNIZING that sound and efficient transport network is a key driver for African integration and a fundamental facilitator of Africa's economic development through increased mobility of labor, technology integration and intra-African trade;

RECOGNIZING FURTHER that transport is one of the key sectors that play a crucial role in achieving the goals of poverty eradication and sustainable development and significantly influences developments in other sectors of

the economy, by positioning itself as the sector with immense impact on the fulfilment of the Sustainable Development Goals (SDGs) in Africa;

RECALLING the AU vision to: "Build an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the global arena" and for an integrated infrastructure of transport, ICT, tourism and energy that is safe, reliable, efficient and affordable, capable of promoting regional and continental integration as well as sustainable development of the continent";

RECALLING ALSO the 1999 Yamoussoukro Decision (YD) relating to the implementation of the Yamoussoukro Declaration through the Liberalization of Air Transport Services has as its objective to harmonise air transport policies and free exchange of traffic rights for improved safety, low fares and increased traffic in the intra-African Markets;

RECALLING FURTHER recommendation PAP.4/PLN/RECOM/05/MAY.17 of the Pan-African Parliament's for speedy implementation of infrastructure projects in the transport sector in Africa;

AWARE that Africa is predicted to grow in the world market and, according to Airbus, its Aviation contribution to economic growth in the region will surpass the global growth in the short to medium term;

ACKNOWLEDGING the notable progress made by the East African Community (EAC) with respect to realizing priority regional infrastructure projects to integrate and interconnect the EAC region;

NOTING WITH CONCERN that aviation in Africa faces challenges of liberalization of markets, safety, costs, infrastructure and regulatory controls despite supporting nearly seven million jobs and contributes approximately US\$80 billion to GDP;

IN ACCORDANCE WITH Rule 5(b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which empowers the PAP to, inter alia, organize debate, discuss, express an opinion, advice make recommendations and take resolutions on the objectives and on any matters relating to the African Union and its organs, Regional Economic Communities, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS:

1. To the Member States of the African Union to:
 - (i) Fully comply with the provisions of the 1999 Yamoussoukro Decision (YD) and other related decisions of the African Union Assembly of Heads of State and Government;
 - (ii) Adopt without delay the regulatory instruments on competition rules, consumer protection and disputes settlement, and the legal framework for institutional responsibility of the Executing Agency of the Yamoussoukro Decision;
 - (iii) Join the champion Member States which have made a Solemn Commitment towards the establishment of a Single African Air Transport Market (SAATM) by 2017;

- (iv) Implement the African Civil Aviation Policy (AFCAP) to ensure focus, harmonization and uniformity on issues pertaining to safety, security and sustainable development of air transport in Africa;
 - (v) Sign and/or ratify the Constitution of the African Civil Aviation Commission (AFCAC) adopted in Dakar, Senegal on the 16 December 2009, and other international air law instruments;
 - (vi) Speed up the implementation of the Windhoek Declaration and Aviation Security and Facilitation Targets for Africa with a view to developing a strong and viable aviation sector on the continent.
2. To the Regional Economic Communities (RECs) to:
- (i) Establish dedicated regional institutions to strengthen national agencies for projects implementation;
 - (ii) Move diligently to projects preparation, financing and implementation in order to achieve the desired economic growth;
 - (iii) Create a conducive and enabling legal, regulatory and institutional framework for private sector investment and open, fair and competitive procurement.

Adopted at Midrand, South Africa 18 October 2017.

6.2.4. Recommendation on the African common position on the Global Compact on Migration (GCM) (PAP.4/PLN/RECOMS/04/OCT.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

RECALLING the Decision of the African Union Assembly of Heads of State and Government (Assembly/AU/Decl. 6(XXV) adopted in Johannesburg in June 2015, whereby the Assembly recognised the positive impact of migration on development and expressed concern over the gravity of irregular movements of African migrants within Africa and beyond;

FURTHER RECALLING the New York Declaration for Refugees and Migrants (71/1 of 19 September 2016), in which the UN General Assembly set out steps towards the achievement of a global compact for safe, orderly and regular migration (hereafter referred to as the 'Global Compact on Migration' - GCM) in 2018;

RECALLING also the Uganda 2017 Decision on an African common position on the Global Compact on Migration (GCM) of the Senior Officials from Member States of the African Union responsible for Migration and related issues;

CONSIDERING that the GCM is expected to make an important contribution to global governance and enhance coordination on international migration as it would present a framework for comprehensive international cooperation on migrants and human mobility;

NOTING that African Common Position (ACP) as inputs to the negotiations and contribution to the outcome of the 2018 intergovernmental conference on international migration will reflect Africa's concerns and priorities in the future Migration Governance Architecture;

ACKNOWLEDGING the necessity for Africa to speak with one voice and act collectively to promote common interests, while at the same time addressing the concerns of groups that are often more marginalised, including women, girls, children, elderly persons and persons with disabilities;

ACKNOWLEDGING FURTHER that remittance of foreign currency by migrants is a key element of development in the sending countries

IN ACCORDANCE with Rule 5(d) of the Rules of Procedures of the PAP, which authorises the PAP to make recommendations and formulate resolutions on any matter relating to the African Union and its organs, Regional Economic Communities and their respective organs, Member States and their organs and institutions;

NOW HEREBY RECOMMENDS THAT:

1. The African Union and its Member States address migration as a driver for development;
2. The African Union Member States adopt and implement adequate legislations and improve socio-economic framework aimed at retaining their citizens and preventing forced and irregular migration;
3. The AU Member States work on improving their economies, education systems, health facilities and create employment and business opportunities especially for the youth;
4. The African Union promote integration across Africa to allow free movement of people and more specifically implementation of the African passport without delay and galvanize support from Member States on the Common African Position on migration, labour mobility, refugees and human trafficking.
5. The AU Member States address the underlying causes of migration and labour mobility and develop an inter-state cooperation framework on migration and labour mobility;
6. The National Parliaments advance the process of ratification, domestication and implementation of regional and sub-regional treaties and decisions on free movement of persons, the right of residence and the right of establishment;

Adopted at Midrand, South Africa October 2017.

6.2.5. Recommendation on the mission to Tunisia to promote ratification and implementation of the Maputo Protocol (PAP.4/PLN/RECOMS/05/OCT.17)

THE PAN-AFRICAN PARLIAMENT;

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP);

CONSIDERING ALSO Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and Rule 4(a) of the Rules of Procedure of the Pan-African Parliament;

NOTING the report of the joint consultative mission of the Committee on Gender, Family, Youth and Persons with Disability and the Women's Caucus of the Pan-African Parliament, held in Tunis from 3 to 7 July 2017, as part of the consultative meetings to promote ratification and domestication of the Protocol to the African Charter of Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), to identify best practices that can serve as a model for other African countries,

NOTING WITH SATISFACTION the actions undertaken by the Tunisian Government to promote and protect women's rights by strengthening its legal and legislative framework and particularly adopting a law against gender-based violence,

FURTHER NOTING the commitment of Tunisian women to the promotion and enjoyment of their rights and socio-cultural values, particularly those of rural women who, despite their significant contribution (70%) to socio-economic development, remain very vulnerable, and whose rights are often not protected by these laws,

NOTING WITH APPRECIATION the actions undertaken by Tunisian women parliamentarians with the support of their male counterparts leading to the adoption of the new electoral law in 2016 aimed at increasing the rate of women in leadership positions within local authorities to 30%,

IN ACCORDANCE WITH Article 5(b), (c) and (d) of the Rules of Procedure of the Pan-African Parliament, which vests PAP with powers to, inter alia, organize debates, discuss, express an opinion, make recommendations and take resolutions on the objectives and all matters relating to the African Union and its organs, the Regional Economic Communities, Member States and their organs and institutions,

HEREBY RECOMMENDS THAT:

1. The Government of the Republic of Tunisia should:
 - (i) Complete the work underway to protect and promote women's rights, particularly by ratifying the Maputo Protocol;
 - (ii) Further strengthen collaboration with parliamentarians, political

- parties and civil society, including by providing material support and financial resources that will enable them to contribute to the promotion and protection of women's rights;
2. The Government of Tunisia and political parties should promote inclusive debates for increased representation of women within decision-making bodies;
 3. The other African Union Member States should redouble efforts to achieve women's socio-economic and political well-being in Africa, including through the effective implementation of the Maputo Protocol and legal frameworks on women's rights;
 4. The Pan-African Parliament should encourage the establishment of women's caucuses and work with national parliaments, including through consultative missions by the Permanent Committees, to ensure concerted and coordinated actions to strengthen advocacy for the implementation of regional and national legal frameworks on women's rights.

Adopted at Midrand, 18 October 2017.

7. Final Communiqués from the Speakers Annual Conferences

7.1. Final Communiqué from the Seventh Annual Conference of Speakers of African Parliaments held under the theme “2015 The Year of Women’s Empowerment and Development towards Africa’s Agenda 2063” on 6 - 7 August 2015

The Annual Conference of Speakers of African Parliaments held from 6 to 7 August 2015 at the Pan-African Parliament (PAP) in Midrand, Johannesburg, Republic of South Africa (RSA) adopted the following Final Communiqué:

Pursuant to Article 19(1) of the Protocol of the Pan-African Parliament which stipulates that the PAP may in accordance with its Rules of Procedure, convene annual consultative fora with Parliaments of Regional Economic Communities and the National Parliaments or other deliberative body to discuss matters of common interest;

Noting that the overall theme of the 2015 Speakers Conference will be “2015 The Year of Women’s Empowerment and Development towards Africa’s Agenda 2063”,

On the signature and ratification of the reviewed Protocol of the Pan-African Parliament

The Conference resolves that the Speakers of Regional and National Parliaments take special measures as follows;

1. Urge their respective regional Organisations and Governments to speed up the ratification process in order to get the required 28 ratifications from Member States for the reviewed Protocol to come into force;
2. Include debates at the Plenary Sessions on the PAP reviewed Protocol in their agendas;
3. Request their Departments/Ministries of Foreign Affairs to instruct their ambassadors who are members of the Permanent Representative Committee (PRC) of the Africa Union in Addis Ababa to reconsider the PAP administrative organogram in order to include key positions in Parliamentary Administration that will support PAP functions such as drafting model laws;
4. Provide an enabling environment to the PAP and African Parliaments to popularise, promote and implement AU legal instruments, programmes and policies in the Member States.

On the Declaration of the 25th Assembly of the African Union on the theme “2015 Year of Women’s Empowerment and Development towards Agenda 2063”

5. The participants welcomed the Declaration of the 25th Assembly of the African Union on the theme “2015 Year of Women’s Empowerment and Development towards Agenda 2063”;
6. Undertake to advocate for its implementation as it presents viable means to ensure commitment and a rapid implementation of the process of women’s economic empowerment at National level;
7. Scrutinise the Tripartite Trade Agreement of COMESA, EAC and SADC and ensure its implementation with specific provision for the participation of women in free trade areas;
8. Consider, as legislators, the policies for the inclusive financing for women and pass laws and establish regulations that facilitate women’s access to resources;
9. Urge the Pan-African Parliament to support the establishment of a continental mechanism for an African Women’s Fund initiated by the African Development Bank (AfDB) and strengthen the Fund of African women which will help in developing women’s economic activities across the continent and in the various economic sectors.
10. Undertake to support the Declaration of the 25th Assembly of the African Union on the theme “2015 Year of Women’s Empowerment and Development towards Agenda 2063”, and in particular the Call for Action on the financial inclusion of women in the agro-industry.

On the consideration of the progress made with regard to the African Women’s Decade (2010 - 2020) - implications for Women’s Empowerment in Africa: Challenges and Successes

The Conference took note of the challenges and successes of the implementation of agreed global and regional commitments to Gender Equality and Women Empowerment (GEWE) and resolved as follows:

11. Follow up on the work being done by the AU organs such as the AUC and NEPAD, the Member States and relevant stakeholders in reflecting a

clear commitment to gender equality and empowering women towards Africa's Agenda 2063;

12. Ensure that National and Regional Parliaments have included gender equality in the programmes and that women at the local level participate fully in the development process;
13. Recommend that the Pan-African Parliament Women's Caucus, in collaboration with relevant stakeholders and development partners mobilise resources to build the gender analysis skills of regional and national Parliaments, caucuses, select committees, to promote women's equal representation and ultimately achieve institutionalisation of gender mainstreaming.
14. Recommend the establishment of gender champions within National Parliaments who will lead the gender mainstreaming efforts through peer education and community mobilisation to move from the gender-neutral approach of service delivery; to action planning for gender mainstreaming supported by human, material and financial resources through collaboration with the civil society, government ministries, non-governmental local community partners and other stakeholders including all citizens.
15. Suggest the use of international finance supports from Development Partners such as the AfDB.
16. Request the Pan-African Parliament to work with National Parliaments in promoting a transparent, effective and enabling economic environment that supports the Small and Medium Enterprises (SMEs) of women in the informal sector, especially rural women and help them to graduate into bigger businesses.

On the Rights of the Women to access and ownership of land

The participants put emphasis on women and widows as they are often among the most vulnerable people in society when it comes to accessing and owning land, and decided as follows:

17. Improve access to land for women, particularly through legislation and programmes that facilitate land ownership as it is a prerequisite to achieving food security, economic growth and social equity;
18. Accelerate the adoption of the development of sustainable low cost methods which are urgently needed for documenting the natural and human rights to land in Africa, especially for women with regard to customary jurisdictions;
19. Urge the Pan-African Parliament to actively engage regional Parliaments and legislative Assemblies to advocate for appropriate interventions, knowledge exchange as well as best practices, and build the capacities for research, legislature reforms and monitoring the support of women with regard to access to land and securing land tenure;
20. Urge the Pan-African Parliament to expedite efforts to establish a joint programme with the AU-ECA-AfDB on the Land Policy Initiative (LPI) to strengthen capacities, partnerships and mobilise resources for a sustained commitment in supporting the implementation of the AU Declaration on Land, especially to review and develop policies that improve women's land rights;
21. Request National Parliaments to encourage national Governments to support the call for the 30% target for women with regard to i) new land allocations; ii) documentation of land rights; and employment in land administration and management institutions;

On the position of African Parliaments on the United Nations Climate Change Conference (COP21) to be held in Paris, France, from 30 November to 11 December 2015

The Conference acknowledges the need to have an African position to be presented at the COP21 on a new agreement to be negotiated to ensure that the objectives relating to the protection of the environment as a key factor for achieving the SDGs for the continent.

22. Urge the Speakers of regional and national Parliaments to support the African delegation on the new aspects of the negotiations such as the source of funding including Adaptation and Loss and Damage; technology transfer; climate finance and capacity development.
23. Call for the urgent constitution of a Working Group to be spearheaded by the PAP to develop the African parliamentary position on behalf of the African parliaments on the COP21 to be presented at the Paris Conference to develop a joint declaration on the following issues:
 - (a) the need to move towards the transformation of its economy and in a sustainable way;
 - (b) invest in science, innovation and technology;
 - (c) establish a development centred on Man;
 - (d) create conditions for security, peace and political stability;
 - (e) develop environmental protection policies to better fight against climate change, desertification and loss of biodiversity.
24. Invite the Pan-African Parliament to take the lead in drawing up and developing a framework declaration of Parliamentarians on the basis of the following working documents:
 - the Brazzaville Declaration;
 - the UNCCD Declaration made in Bonn, Germany;
 - the Common Position of Parliamentarians and the Civil Society in Central Africa; and
 - the declaration of the position of the Network of Parliamentarians for the sustainable management of forest ecosystems in Central Africa (REPAR).

On Women, Peace and Security in Africa

The Conference noted with regret that, conflicts have devastating consequences on the children, women and men however, it further noted that women as well as the children often had fewer resources and capacity to protect themselves and resolved as follows:

25. Call upon stakeholders to protect women and children during armed conflicts as well as promote the importance of women's equal and full participation as active agents in the prevention and resolution of conflicts, peace keeping and peace building;
26. Request Parliaments to consider the national Plan of Actions and programmes and ensure that gender issues especially the Women, Peace and Security (WPS) Agenda are granted substantial resources from the national Budgets instead of relying on external funded budgets;
27. Request National Parliaments to ensure that when sending military and police peace keepers, women are included and that they prepared and equipped with gender friendly operation kits;
28. Support the African Union continental result Framework that will facilitate the review of the implementation of the United Nations Resolution 1325 adopted in 2000 as well as the policy instruments

relating to the Women, Peace and Security Agenda and monitor its implementation;

29. Call on the Pan-African Parliament to establish a specific committee on women, peace and security that will help stimulate the role of African Parliaments in ensuring that African women are safe, protected, productive and game changers in the road to transformative development of our beloved continent;
30. Support the effort of the African Union Commission and the Special Representative H.E Mr Joachim Chissano with a view to accelerating the organisation of the Referendum for self-determination for the independence of the Western Sahara.

On Bringing the Pan-African Parliament Closer to the People of Africa

The Conference supported the need to increase the frequency in carrying out the activities to enhance the visibility of the PAP, at the national levels as follows:

31. Accelerate the establishment of a PAP office /section or focal point which would ensure the liaison between the PAP and National Parliaments. The office would be a centre of resources and information on the work and activities of the PAP vis-à-vis the national Parliaments and other bodies as well as citizens;
32. Ensure the creation and proper functioning of a “PAP Office /Section/ Focal Point” by August 2016.
33. Need for national and regional Parliaments to establish programmes with the PAP to ensure that Parliaments get continuous updates on the decisions made at the PAP and the AU;
34. Ensure that national and regional Parliaments organise a “Pan-African Parliament day” in order to discuss, promote and create awareness on all PAP/AU matters related to the development of the African Continent;
35. Create opportunities enabling the lobby for all the activities of the PAP and which will make it possible for national Parliaments to fully appreciate the activities and programmes of the PAP;
36. Urge the PAP, the national and regional Parliaments to amend their Rules of Procedure to facilitate the rotational sittings of the PAP and Committees in national Parliaments in order to increase PAP’s continental visibility and bring it closer to the people;
37. Encourage the Pan-African Parliament, regional and national Parliaments to actively use the Media and social media for the publicity of the PAP

Done in Midrand, Johannesburg, RSA 7 August 2015.

7.2. Final Communiqué from the Eighth Annual Conference of Speakers of African Parliaments held under the theme “From Adoption to Ratification of the African Union Treaties, in Particular the New Protocol of the Pan-African Parliament: What are the Gains for Africa?”

The 8th Annual Conference of Speakers of African Parliaments, convened by and at the Pan-African Parliament (PAP) from 4 to 5 August 2015 in Midrand, Johannesburg, Republic of South Africa under the theme “From Adoption to Ratification of the African Union Treaties, in Particular the New Protocol of the Pan-African Parliament: What are the Gains for Africa?”;

PURSUANT to Article 18 of the Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament (PAP Protocol), which enables the PAP to work in close cooperation with regional and national Parliaments, inter alia, by convening annual consultative fora with the Parliaments of the Regional Economic Communities and Nations and other deliberative organs to discuss issues of common interest;

NOTING all the remarks, submissions and recommendations made by the Guest of Honour and the Resources Persons on the theme of the Conference, as well as the recommendations from the meeting of Secretary Generals/ Clerks of Parliaments (ASGAP) held on 3 August 2016;

COGNISANT of the challenges facing regional and national Parliaments in their efforts to contribute to a speedy ratification, domestication and implementation of AU treaties, particularly the New Protocol of the Pan-African Parliament;

MINDFUL of the advisory, administrative and oversight roles of Secretary Generals/Clerks in the implementation of decisions of Parliaments, including the required technical support for a speedy ratification, domestication and implementation of AU treaties, particularly the New Protocol of the Pan-African Parliament;

1. Reaffirms its commitment to the effective implementation of the resolutions from the August 2015 Annual Conference of Speakers of Parliaments in Africa and stress the importance of the role of Parliaments in the process of ratification of AU treaties, particularly the Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament (New PAP Protocol);
2. Supports the establishment of a follow up and report back mechanism for the effective implementation of the outcomes from the Annual Conferences of Speakers of Parliaments in Africa and the Consultative Meetings of Secretary-Generals of African Parliaments;
3. Supports the proposal of a mid-term review by the proposed Follow up Mechanism, including through an electronic network, in order to track progress towards effective implementation at the national level of the

resolutions adopted at the annual meetings of Clerks/Secretaries and Speakers of Parliaments in Africa;

4. Supports also the proposal of simplifying and harmonising rules, regulations and procedures related to the ratification and domestication of AU treaties, as well as the effective establishment and operationalisation of National inter-sectoral Committees on the Ratification of AU treaties as a means to accelerate accession to AU treaties;
5. Welcomes the proposals for regular transmission by the Pan-African Parliament of AU and PAP decisions and other relevant documents to national Parliaments and production a Periodic Report on the state of ratification of AU Treaties, particularly the new PAP Protocol as a means to provide Parliaments with the necessary and relevant information for any parliamentary action or advocacy to be undertaken at the national level;
6. Recommends the identification of visionary and influential personalities in all African regions to be appointed to champion the cause of accelerating the ratification of AU treaties, in particular the new PAP Protocol;
7. Recommends also the implementation by the PAP of capacity-building programmes for national focal points and PAP Desks to strengthen their role in respect of the visibility of PAP and the process of ratification of the new PAP Protocol;
8. Encourages the Pan-African Parliament to implement more programmes and activities that are relevant and beneficial to the AU Member States and their Parliaments and, where possible, involve Civil Society in order to galvanise wider support for the speedy ratification of the new PAP Protocol;
9. Expresses its sincere gratitude and congratulations to the Pan-African Parliament, in particularly its President, Hon. Roger Nkodo Dang, the Bureau and the Secretariat, for the successful holding of the 8th Annual Conference of Speakers of African Parliaments.

ADOPTED IN MIDRAND, 5 AUGUST 2016.

7.3. Final Communiqué from Ninth Annual Conference of Speakers of African Parliaments, Theme: Harnessing the demographic dividend through investments in the youth: role of National and Regional Parliaments

Convened by the Pan-African Parliament on 10 and 11 August 2017, in Midrand, Johannesburg, *pursuant* to article 18 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament, which provides that the Parliament shall work in close cooperation with

regional and national parliaments or other legislative organs to discuss issues of common interest,

REFERRING to Assembly Decision /AU/Dec.601(XXVI) of the 28th Ordinary Session of the Assembly of Heads of State and Government of the African Union held in January 2017, which adopted as theme for the year, “**Harnessing the demographic dividend through investments in the youth**”,

RECALLING that the 2017 Ninth Conference of Speakers of African Parliaments, also adopted the theme of the 28th Ordinary Session of the Assembly of the African Union: “**Harnessing the demographic dividend through investments in the youth: role of National and Regional Parliaments**”

COGNIZANT of the need and opportunities for harnessing the demographic dividend, through investments in the youth, a vital resource that ought to be harnessed to meet Africa’s current and future challenges, by fully and actively involving them in all spheres of life - political, economic and social,

DEEPLY CONCERNED by the current situation, where young Africans are compelled to cope with socioeconomic inequalities, lack of access to education, child marriage, female genital mutilation and other harmful traditional practices, unemployment and dearth of investments,

NOTING WITH REGRET that young people languish in poverty, famine and illiteracy; are quite often drafted to serve in armed groups, militias or terrorist movements; and engage in clandestine immigration,

NOTING the long process of signing, ratifying and submitting African Union legal instruments, such as the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament (Malabo Protocol) and other African Union Instruments pertaining to the youth, which can play a key role in youth empowerment,

NOTING, with satisfaction, however, the countries that have ratified and submitted the ratification instruments of the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament (Malabo Protocol), in line with the list outlined in the African Union document attached as an annex to this final communique,

REITERATING the firm commitment of the Speakers of National Parliaments to the signing and ratification of the Malabo Protocol and aware of the challenges they face in their efforts to mobilize the organs of their Executive to facilitate procedures for the signature and ratification of the said Protocol,

THE CONFERENCE OF SPEAKERS OF NATIONAL PARLIAMENTS HEREBY:

1. Undertakes to share best practices and experiences on a regular basis, and develop common strategies for accelerating the signing and ratification and implementation of African Union instruments, especially the Malabo Protocol and the African Youth Charter;
2. Undertakes to analyse data on the youth, during execution of their budget oversight duties, relying on the four pillars that guarantee

- demographic dividends, namely employment and entrepreneurship, education and skills development overnance and youth empowerment;
3. Undertakes to strengthen the internal mechanisms that promote the budgeting of national resources earmarked for youth programmes;
 4. Undertakes to devise common strategies that promote youth empowerment and ratification of African Union instruments, especially the African Youth Charter;
 5. Undertakes to enact youth-sensitive laws, encourage governments to implement them, and create institutions that actively promote investment in human resources, with special focus on vulnerable young people, in a bid to transform the demographic dividend into a catalyst of peace, stability and sustainable development in Africa;
 6. Requests the African Union Commission to distribute among national parliaments, through the Pan-African Parliament, legal instruments and decisions of the African Union on the youth, to give them a good grasp of the demographic dividend and its implications.
 7. Commits to develop and implement strategies aimed at reducing youth unemployment by at least 25% by 2024, in keeping with the Ten-Year Implementation Plan of Agenda 2063, implemented by the United Nations Population Fund;
 8. Commends African Union Member States which have completed the ratification process of the new Pan-African Parliament Protocol; encourages those that have signed it to complete the ratification process; and urges those that have not yet done so to sign and ratify the new Protocol as soon as possible to ensure that it enters into force;
 9. Undertakes to hold a discussion in their national parliaments on ratification of the Malabo Protocol and to urge the executive branch of government, especially ministers in charge of international relations, to brief them on the measures taken by their respective governments to sign and ratify the Malabo Protocol;
 10. Undertakes to encourage the competent authorities in Member States to take the necessary steps to expedite the signing and ratification of the Malabo Protocol by 31 December 2017;
 11. Advocates for the establishment of focal points, or upgrade of offices monitoring the ratification of treaties and legal instruments of the African Union within the ministries responsible for international relations in Member States;
 12. Undertakes to include the presentation and discussion of Pan-African Parliament reports in their legislative calendar;
 13. Requests the Pan-African Parliament to submit to the next Conference, the draft internal rules governing procedures of the Annual Conference of Speakers;
 14. Welcomes and endorses the recommendations, following amendments, of the meeting of the Association of Secretaries-General of African Parliaments (ASGAP) held on 9 August 2017;
 15. Undertakes to implement the recommendations adopted by the annual meeting of the clerks and those adopted by the Conference of Speakers of African Parliaments, and to report on their outcomes at the next Conference;

16. Expresses its profound gratitude to the Republic of South Africa and the Pan-African Parliament for the warm welcome to the parliamentary delegations and the success of the just-ended conference.

Adopted on 11 August 2017.

8. Recommendations from the Association of Secretaries-General of African Parliaments

8.1. Recommendations from the 2015 Consultative Dialogue of the Secretaries-General of African Parliaments under the theme: “2015 the year of Women’s Empowerment and Development towards Africa’s Agenda 2063”

The 2015 Annual Clerks/Secretaries General Consultative Dialogue was held in Midrand - South Africa on 5th August 2015 under the overall theme “**2015 The Year of Women’s Empowerment and Development towards Africa’s Agenda 2063**” which forms part of the African Aspiration for the 2063 vision.

DEEPLY CONCERNED by the slow pace of ratification and domestication and implementation of African Union Legal instruments especially the PAP 2014 Protocol;

TAKING NOTE of the advantages which the Clerks and their administrative set ups have over all others, which accrue from their key status and mandate as the principal advisors to the decision making organs of Parliaments in all realms of the operations of Parliaments;

NOTING THAT the Clerks not only give advice on procedural, managerial, and administrative matters, but also oversee the implementation of the decisions made on the basis of their advice;

PURSUANT to Article 19(1) of the protocol which stipulates the PAP may in accordance with its Rules of Procedure, convene annual consultative meeting for a with Parliaments of Regional Economic Communities and the National Parliaments or other deliberative body to discuss matters of common interest;

RECOGNISING that there could not have been any other organ of Parliament, best placed to provide the support needed to secure the signature, ratification and implementation of the 2014 Protocol, than the Parliamentary administration;

THE CLERKS HEREBY RECOMMEND;

1. To accelerate the establishment of a desk /section dedicated to liaising with and being the repository of information on the work and activities of PAP vis-a-vie the National Parliament;
2. To ensure that the National Parliaments organize a “Pan-African Parliament day” in order to discuss, promote and create awareness on all PAP/AU matters related to the development of the African Continent;
3. The need to put in place programmes to establish focal points at National Parliaments which will have extra responsibility to ensure that Parliaments are updated by decisions made at PAP and AU and vice versa;
4. To nurture occasions which create awareness on all activities in PAP which will make National Parliaments appreciate the activities and programmes of PAP;
5. To ensure adherence to provisions of the 2014 Protocol, in compliance with the Constitutive Act and other Statutes of the AU;
6. To ensure that appropriate measures are put in place to monitor the participation of Parliaments in the work and activities of the PAP.
7. To urge PAP to amend its rules of procedure to allow rotational sittings in national Parliaments in order to increase PAP’s continental visibility and taking it nearer to the people.
8. To ensure that by August 2016, the establishment of focal desks and offices should be in place and fully functional.
9. The need to work with civil society and all Parliaments’ stakeholders to ensure that there is openness in Parliament.

Adopted at Midrand - South Africa on 5 August 2015.

8.2. Resolution from the First Annual Meeting of the Association of Secretary-Generals of African Parliaments (ASGAP), MIDRAND, 3rd August 2016

The Members of the Association of Secretary Generals/Clerks of Parliaments(ASGAP) meeting at the First Annual Meeting of ASGAP held on the 3rd day of August 2016 at the Pan-African Parliament, Midrand, South Africa, under the theme “From Adoption to Ratification of the African Union Treaties, in particular the New Protocol of the Pan-African Parliament: Gains For Africa”;

CONSIDERING Article 18 of the Protocol, which provides for the PAP to work in close cooperation with regional and national Parliaments, inter alia, convening annual consultative fora with the Parliaments of the Regional Economic Communities and Nations and other deliberative organs to discuss issues of common interest;

CONSIDERING the Constitution of ASGAP, which establishes the Association of Secretary-Generals/Clerks of Parliaments as an appropriate body with the mandate to ensure the fulfilment of the objective of facilitating effective and close cooperation between the Pan-African Parliament and the Parliaments of Regional Economic Communities, national Parliaments and other deliberative organs;

NOTING WITH CONCERN the partial implementation by National Parliaments of the Recommendation of the Annual Clerks/Secretary Generals Consultative Dialogue and the Communiqué from Annual Conference of Speakers of Parliaments in Africa, both from August 2015;

AWARE of the need to encourage national Parliaments to increase their efforts to accelerate the process of ratification, domestication and implementation of AU treaties, particularly the New Protocol of the Pan-African Parliament;

COGNISANT of the challenges facing regional and national Parliaments in their efforts to contribute to a speedy ratification, domestication and implementation of AU treaties, particularly the New Protocol of the Pan-African Parliament;

MINDFUL of the advisory, administrative and oversight roles of Secretary Generals/Clerks in the implementation of decisions of Parliaments, including the required technical support for a speedy ratification, domestication and implementation of AU treaties, particularly the New Protocol of the Pan-African Parliament;

IN ACCORDANCE with the Constitution of the ASGAP;

HEREBY RECOMMENDS:

1. The affirmation of commitments by Secretary-Generals and Speakers of regional and national Parliaments for the effective implementation of the Recommendations from the August 2015 Annual Clerks/Secretaries General Consultative Dialogue and the Communiqué from the August 2015 Annual Conference of Speakers of Parliaments in Africa respectively;
2. The establishment of a follow up and report back mechanism for the effective implementation of outcome documents from the Annual Clerks/Secretaries Meetings and the Conferences of Speakers of Parliaments in Africa;
3. The holding of a mid-term review by the proposed Follow up Mechanism, including through an electronic network, in order to track progress towards effective implementation at the national level of the decisions adopted at the annual meetings of Clerks/Secretaries and Speakers of Parliaments in Africa;
4. The simplification and harmonisation of rules, regulations and procedures related to the ratification and domestication of AU treaties;
5. The implementation by the PAP of capacity-building activities for national focal points and PAP Desks to strengthen their role in respect

of the visibility of PAP and the ratification of the New Protocol of the Pan-African Parliament;

6. The Production by the PAP of a Periodic Report on the state of ratification of AU Treaties, particularly the New Protocol of the Pan-African Parliament, in order to provide Parliaments with the necessary and relevant information for any action or advocacy to be undertaken at the national level;
7. The regular transmission of AU and PAP decisions and other relevant documents to national Parliaments by the Pan-African Parliament;
8. The effective establishment and functioning of National inter-sectoral Committees on the Ratification of AU treaties.

Adopted in Midrand, 3 August 2016.

8.3. Recommendation from the Second Annual Meeting of the Association of Secretaries-General of African Parliaments held under the theme: “Harnessing the demographic dividend through investments in the youth: The Role of National and Regional Parliaments in Africa”

The Members of the Association of Secretaries General/Clerks of Parliaments (ASGAP), at their Second Annual Meeting held on the 9th day of August 2017, at the Pan-African Parliament, in Midrand, South Africa, under the theme “Harnessing the Demographic Dividend through Investments in the Youth: Role of National and Regional Parliaments in Africa”;

CONSIDERING Article 18 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament (PAP Protocol) provides for the PAP to work in close cooperation with regional and national Parliaments, inter alia, convening annual consultative fora with the Parliaments of the Regional Economic Communities and other deliberative organs to discuss issues of common interest;

CONSIDERING also Rule 4 (1)(a) of the PAP Rules of Procedure empowering the PAP to facilitate the implementation of the policies, objectives and programmes of the African Union and oversee their effective implementation by the various organs of the African Union;

CONSIDERING further the Constitution of ASGAP which establishes the Association of Secretaries-General/Clerks of Parliaments as an appropriate body to facilitate effective and close cooperation between the Pan-African Parliament and the Parliaments of Regional Economic Communities, National Parliaments and other deliberative bodies;

TAKING COGNISANCE of the necessity and opportunities of harnessing the demographic dividend through investments in the Youth, which constitutes the Continent's most valuable resource, who can be used to surmount Africa's current and future challenges through the active and full participation of the youth in all spheres of political, economic and social life;

DEEPLY CONCERNED by the current situation of young people in Africa, left in the lurch due to socioeconomic inequalities, lack of access to education, child marriage, female genital mutilation and other harmful traditional practices, employment and investment plunging young people into poverty, famine, illiteracy, poor access to health services and information, human trafficking and clandestine migration, political manipulation, urban crime, violence, recruitment into armed group, militias or terrorist movements, prostitution which facilitates the expansion of sexually transmitted diseases and the pandemic of HIV/AIDS;

NOTING with concern the slow pace of the process of ratification, domestication and implementation of African Union legal instruments, which can be instrumental in advancing youth empowerment, especially the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament (New PAP Protocol) and other AU instruments relevant to youth;

RECALLING Decision Assembly/AU/Dec.601(XXVI) of the Assembly of the Heads of State and Government of the African Union, which adopted "Harnessing the Demographic Dividends through Investment in the Youth: Role of National and Regional Parliaments in Africa" as the theme of Year 2017;

COGNISANT of the key roles that Clerks of Parliaments play in the process of ratification, domestication and implementation of legal instruments, particularly their status and mandate as the principal advisors to the decision-making organs of Parliaments;

ACKNOWLEDGING the challenges facing regional and national Parliaments in their efforts to contribute to a speedy ratification, domestication and implementation of AU treaties, particularly the New PAP Protocol;

MINDFUL of the advisory, administrative and monitoring roles of Secretaries General/Clerks in the implementation of decisions of Parliaments, including the required technical support for a speedy ratification, domestication and implementation of AU treaties;

NOW HEREBY AGREE AND RECOMMEND TO:

1. Regularly track progress on implementation of recommendations and resolutions from Speakers' Conferences and Clerks' Meetings, including mid-term review meetings and regular interactions between the PAP and National and Regional Parliaments;
2. Call upon national Parliaments to regularly share best practices and successes and devise joint strategies toward the acceleration of the ratification, acceptance and implementation of AU instruments, particularly the PAP Protocol and the African Youth Charter;

3. Call upon the Conference of Speakers of Parliaments to congratulate the AU Member States that have completed the ratification process of the new Protocol of the Pan-African Parliament, and encourage those that have signed the Protocol to complete the process of its ratification, and to call upon the remaining countries to sign and ratify as expeditiously as possible the new Protocol of the Pan-African Parliament so as to enable it enter into force;
4. Ensure that National Parliaments integrate Youth-mainstreaming and analysis in the exercise of their legislative, budgetary and oversight powers, particularly by using the four pillars for harnessing the demographic dividends and devising joint strategies in respect of the role of Parliaments in youth empowerment and ratification of AU instruments, particularly the PAP Protocol and the African Youth Charter;
5. Call on National and Regional Parliaments to ensure more proactive parliamentary action and control in monitoring and oversight of Government programmes and policies on youth empowerment in accordance with the AU legal and policy frameworks, particularly those related to the 2017 theme;
6. Support National and Regional Parliaments to adopt Youth sensitive laws and ensure that Governments implement and establish institutions that are instrumental in enabling massive investment in human resources, especially vulnerable young people in order to make the demographic dividend a driver of peace, stability and sustainable development in Africa;
7. Call on the PAP and National Parliaments to facilitate and support youth programmes by working with youth volunteers and to urge African philanthropists and private sector to support transformative youth development initiatives aimed at building entrepreneurial skills and capacities of African youth and for promoting Africa youth volunteer and Junior Professional Programmes to enhance capacity and grant exposure to young Africans in regional and international organizations;
8. Call upon National Parliaments to strengthen their internal administrative and Parliamentary mechanisms for youth mainstreaming and budgeting;
9. Call upon the PAP to facilitate capacity-building programmes and dissemination of AU instruments, decisions, data and statistics on youth issues to enable National and Regional Parliaments to have greater understanding of the concept and implications of demographic dividend across Africa;
10. Call upon National and Regional Parliaments to encourage their Governments to promote sensitisation, civic education and vocational training opportunities for skills acquisition for young people to enhance their employability (including self-employment), productivity and competitiveness, including through integration of AU instruments relevant to Youth empowerment in education systems curricula, and to invest in sectors with high job-multiplier effects;
11. Call upon the National Parliaments to facilitate the development and implementation of strategies aimed at reducing the proportion of youth unemployment by at least a quarter by 2024, in accordance with Agenda 2063 First Ten Year Implementation Plan;
12. Call upon the PAP and National Parliaments to adopt budgets and support resource mobilization initiatives that increase investment

- in education, skills development, health, employment and entrepreneurship, governance, human rights and accountability as well as to mobilize development partners to contribute to the continental Youth Development Fund and similar initiatives established by African States to promote youth development and empowerment;
13. Call upon the PAP to urge on AU Members States and Organs to promote youth participation in peace and security programmes as equal partners by including youth representatives within the Continent in peace, security and conflict resolution meetings and using existing mechanisms such as the African Young Peace Builders Network which fights against extremism;

Adopted in Midrand, South Africa, 9 August 2017.

9. Annexes

9.1. Core Institutional Instruments of the Pan-African Parliament and their Ratification Status

9.1.1. Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament, Sirte, Libya, 2 March 2001

PREAMBLE

The Member States of the Organization of African Unity State Parties to the Treaty Establishing the African Economic Community:

BEARING IN MIND the Sirte Declaration adopted at the Fourth Extraordinary Session of the Assembly of Heads of State and Government held in the Great Socialist People's Libyan Arab Jamahiriya on 9.9.99 establishing the African Union and calling for the speedy establishment of the institutions provided for in the Treaty establishing the African Economic Community signed in Abuja, Nigeria, on 3 June, 1991 and the establishment of the Pan-African Parliament by the year 2000;

NOTING, in particular, the adoption by the Assembly of Heads of State and Government meeting in its 36th Ordinary Session in Lome, Togo, from 10 to 12 July, 2000, of the Constitutive Act of the African Union, thereby giving concrete expression to the common vision of a united, integrated and strong Africa;

FURTHER NOTING that the establishment of the Pan-Parliament is informed by a vision to provide a common platform for African peoples and their grass-

roots organizations to be more involved in discussions and decision-making on the problems and challenges facing the Continent.

CONSCIOUS of the imperative and urgent need to further consolidate the aspiration of the African peoples for greater unity, solidarity and cohesion in a larger community transcending cultural, ideological, ethnic, religious and national differences;

CONSIDERING the principles and objectives stated in the Charter of the Organization of African Unity;

FURTHER CONSIDERING that Articles 7 and 14 of the Treaty establishing the African Economic Community provide for a Pan-African Parliament of the Community, whose composition, functions, powers and organization shall be defined in a related Protocol;

RECALLING the Cairo Agenda for Action which was endorsed by the Thirty-first Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, from 26 to 28 June 1995 (AHG/Res. 236 (XXXI)), and which recommended the speeding up of the rationalization of the institutional framework in order to achieve economic integration at the regional level;

RECALLING FURTHER the Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World, which was adopted by the Twenty-sixth Ordinary Session of the Assembly in Addis Ababa, Ethiopia, on 11 July 1990;

CONSIDERING that by the Algiers Declaration (AHG/Decl.1 (XXXV) of 14 July 1999 the Assembly reaffirmed its faith in the African Economic Community;

DETERMINED to promote democratic principles and popular participation, to consolidate democratic institutions and culture and to ensure good governance;

FURTHER DETERMINED to promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments;

CONSCIOUS of the obligations and legal implications for Member States of the need to establish the Pan-African Parliament;

FIRMLY CONVINCED that the establishment of the Pan-African Parliament will ensure effectively the full participation of the African peoples in the economic development and integration of the continent;

HEREBY AGREE AS FOLLOWS:

Article 1: Definitions

In this Protocol, the following expressions shall have the meanings assigned to them hereunder:

"Assembly" means the Assembly of Heads of State and Government of the Community;

“Bureau” means the officers of the Pan-African Parliament as provided for in Article 12(5) of this Protocol;

“Community” means the African Economic Community;

“Council” means the Council of Ministers of the Community;

“Court of Justice” means the Court of the Community;

“General Secretariat” means the General Secretariat of the Community;

“Member of Pan-African Parliament” or “Pan-African Parliamentarian” means a representative elected or designated in accordance with Article 5 of this Protocol;

“Member State” or “Member States”, unless the context otherwise prescribes, means Member State or Member States of the Community;

“OAU” means the Organization of African Unity;

“President” means the Member of the Pan-African Parliament elected to conduct the business of Parliament in accordance with Article 12 (2) of this Protocol;

“Region of Africa” shall have the meaning assigned to it in Article 1 of the Treaty establishing the African Economic Community;

“Secretary General” means the Secretary General of the Community;

“Treaty” means the Treaty establishing the African Economic Community.

Article 2: Establishment of the Pan-African Parliament

1. Member States hereby establish a Pan-African Parliament the composition, functions, powers and organization of which shall be governed by the present Protocol.
2. The Pan-African Parliamentarians shall represent all the peoples of Africa.
3. The ultimate aim of the Pan-African Parliament shall be to evolve into an institution with full legislative powers, whose members are elected by universal adult suffrage. However, until such time as the Member States decide otherwise by an amendment to this Protocol:
4. The Pan-African Parliament shall have consultative and advisory powers only; and
5. The Members of the Pan-African Parliament shall be appointed as provided for in Article 4 of this Protocol.

Article 3: Objectives

The objectives of the Pan-African Parliament shall be to:

1. facilitate the effective implementation of the policies and objectives of the OAU/AEC and, ultimately, of the African Union;
2. promote the principles of human rights and democracy in Africa;
3. encourage good governance, transparency and accountability in Member States;
4. familiarize the peoples of Africa with the objectives and policies aimed at integrating the African Continent within the framework of the establishment of the African Union;
5. promote peace, security and stability;
6. contribute to a more prosperous future for the peoples of Africa by promoting collective self-reliance and economic recovery;
7. facilitate cooperation and development in Africa;
8. strengthen Continental solidarity and build a sense of common destiny among the peoples of Africa;

9. facilitate cooperation among Regional Economic Communities and their Parliamentary fora.

Article 4: Composition

1. Member States shall be represented in the Pan-African Parliament by an equal number of Parliamentarians;
2. Each Member State shall be represented in the Pan-African Parliament by five (5) members, at least one of whom must be a woman;
3. The representation of each Member State must reflect the diversity of political opinions in each National Parliament or other deliberative organ.

Article 5: Election, Tenure and Vacancies

1. The Pan-African Parliamentarians shall be elected or designated by the respective National Parliaments or any other deliberative organs of the Member States, from among their members.
2. The Assembly shall determine the beginning of the first term of office of the Pan-African Parliament at its session immediately following the entry into force of this Protocol.
3. The term of a Member of the Pan-African Parliament shall run concurrently with his or her term in the National Parliament or other deliberative organ.
4. The seat of a Member of the Pan-African Parliament shall become vacant if he or she:
 - (a) dies;
 - (b) resigns in writing to the President;
 - (c) is unable to perform his or her functions for reasons of physical or mental incapacity;
 - (d) is removed on grounds of misconduct;
 - (e) ceases to be a Member of the National Parliament or other deliberative organ;
 - (f) is recalled by the National Parliament or other deliberative organ;
 - or
 - (g) ceases to be a Pan-African Parliamentarian in terms of Article 19 of this Protocol.

Article 6: Vote

The Pan-African Parliamentarians shall vote in their personal and independent capacity.

Article 7: Incompatibility

Membership of the Pan-African Parliament shall not be compatible with the exercise of executive or judicial functions in a Member State.

Article 8: Privileges and Immunities of Pan-African Parliamentarians

1. The Pan-African Parliamentarians, while exercising their functions, shall enjoy in the territory of each Member State the immunities and privileges extended to representatives of Member States under the General Convention on the Privileges and Immunities of the OAU and the Vienna Convention on Diplomatic Relations.

2. Without prejudice to Paragraph (1) of this Article, the Pan-African Parliament shall have the power to waive the immunity of a member in accordance with its Rules of Procedure.

Article 9: Parliamentary Immunities

1. The Pan-African Parliamentarians shall enjoy parliamentary immunity in each Member State. Accordingly, a member of the Pan-African Parliament shall not be liable to civil or criminal proceedings, arrest, imprisonment or damages for what is said or done by him or her within or outside the Pan-African Parliament in his or her capacity as a member of Parliament in the discharge of his or her duties.
2. Without prejudice to Paragraph (1) of this Article, the Pan-African Parliament shall have the power to waive the immunity of a member in accordance with its Rules of Procedure.

Article 10: Allowance

The Pan-African Parliamentarians shall be paid an allowance to meet expenses in the discharge of their duties.

Article 11: Functions and Powers

1. The Pan-African Parliament shall be vested with legislative powers to be defined by the Assembly. However, during the first term of its existence, the Pan-African Parliament shall exercise advisory and consultative powers only. In this regard, it may:
2. Examine, discuss or express an opinion on any matter, either on its own initiative or at the request of the Assembly or other policy organs and make any recommendations it may deem fit relating to, inter alia, matters pertaining to respect of human rights, the consolidation of democratic institutions and the culture of democracy, as well as the promotion of good governance and the rule of law.
3. Discuss its budget and the budget of the Community and make recommendations thereon prior to its approval by the Assembly.
4. Work towards the harmonization or co-ordination of the laws of Member States.
5. Make recommendations aimed at contributing to the attainment of the objectives of the OAU/AEC and draw attention to the challenges facing the integration process in Africa as well as the strategies for dealing with them.
6. Request officials of the OAU/AEC to attend its sessions, produce documents or assist in the discharge of its duties.
7. Promote the programmes and objectives of the OAU/AEC, in the constituencies of the Member States.
8. Promote the coordination and harmonization of policies, measures, programmes and activities of the Regional Economic Communities and the parliamentary fora of Africa.
9. Adopt its Rules of Procedure, elect its own President and propose to the Council and the Assembly the size and nature of the support staff of the Pan-African Parliament.
10. Perform such other functions as it deems appropriate to achieve the objectives set out in Article 3 of this Protocol.

Article 12: Rules of Procedure and Organization of the Pan-African Parliament

1. The Pan-African Parliament shall adopt its own Rules of Procedure on the basis of a two-thirds majority of all its members.
2. The Pan-African Parliament shall elect, at its first sitting following its election, by secret ballot, from among its members and in accordance with its Rules of Procedure, a President and four (4) Vice Presidents representing the Regions of Africa as determined by the OAU. The election shall, in each case, be by simple majority of the members present and voting.
3. The terms of office of the President and the Vice-Presidents shall run with the National Parliament or the deliberative organ which elects or designates them.
4. The Vice-Presidents shall be ranked in the order of first, second, third and fourth initially, in accordance with the result of the vote and subsequently by rotation.
5. The President and the Vice-Presidents shall be the Officers of the Pan-African Parliament. The officers, under the control and direction of the President and subject to such directives as may be issued by the Pan-African Parliament, shall be responsible for the management and administration of the affairs and facilities of the Pan-African Parliament and its organs. In the discharge of their duties, the Officers shall be assisted by the Clerk and the two Deputy Clerks.
6. The Pan-African Parliament shall appoint a Clerk, two Deputy Clerks and such other staff and functionaries as it may deem necessary for the proper discharge of its functions and may by regulations provide for their terms and conditions of office in accordance with the relevant OAU practice as appropriate.
7. The President shall preside over all Parliamentary proceedings except those held in committee and, in his or her absence, the Vice-Presidents shall act in rotation, in accordance with the Rules of Procedure which shall also deal with the powers of the person presiding over Parliamentary proceedings.
8. The Office of the President or Vice-President shall become vacant if he or she:
 - (a) dies;
 - (b) resigns in writing;
 - (c) is unable to perform his or her functions for reasons of physical or mental incapacity;
 - (d) is removed on grounds of misconduct;
 - (e) ceases to be a Member of the National Parliament or other deliberative organ;
 - (f) is recalled by the National Parliament or other deliberative organ; or
 - (g) ceases to be a Pan-African Parliamentarian in terms of Article 19 of this Protocol.
9. Removal on the grounds stipulated in 8 (c) or (d) above shall be on a motion to be decided on by secret ballot and supported at the end of debate by two-thirds majority of all the Pan-African Parliamentarians. In the case of removal under the ground stipulated in 8 (c), the motion shall, in addition, be supported by a medical report.

10. A vacancy in the Office of the President or Vice-President shall be filled at the sitting of the Pan-African Parliament immediately following its occurrence.
11. The quorum for a meeting of the Pan-African Parliament shall be constituted by a simple majority.
12. Each Pan-African Parliamentarian shall have one vote. Decisions shall be made by consensus or, failing which, by a two-thirds majority of all the Members present and voting. However, procedural matters, including the question of whether a matter is one of the procedure or not, shall be decided by a simple majority of those present and voting, unless otherwise stipulated in the Rules of Procedure. In the event of an equal number of votes, the person presiding shall have a casting vote.
13. The Pan-African Parliament may establish such committees, as it deems fit, for the proper discharge of its functions and in accordance with its Rules of Procedure.
14. Until the Pan-African Parliament appoints its staff, the General Secretariat of the OAU shall act as its Secretariat.

Article 13: Oath of Office

At its first sitting, after the election and before proceeding with any other matter, the Pan-African Parliamentarians shall take an oath or make a solemn declaration which shall be set out as an Addendum to this Protocol.

Article 14: Sessions

1. The inaugural session shall be presided over by the Chairperson of the OAU/AEC until the election of the President of the Pan-African Parliament who shall thereafter preside.
2. The Pan-African Parliament shall meet in ordinary session at least twice a year, within a period to be determined in the Rules of Procedure. Each ordinary session may last up to one month.
3. Two-thirds of the Pan-African Parliamentarians, the Assembly or the Council, through the Chairperson of the OAU, may, by written notification addressed to the President, request an Extraordinary session. The request shall provide a motivation for and details of the matters to be discussed at the proposed Extraordinary session. The President shall convene such a session which shall discuss only the matters stipulated in the request. The session shall end upon exhaustion of the agenda.
4. The proceedings of the Pan-African Parliament shall be open to the public, unless otherwise directed by the Bureau.

Article 15: Budget

1. The annual budget of the Pan-African Parliament shall constitute an integral part of the regular budget of the OAU/AEC.
2. The budget shall be drawn up by the Pan-African Parliament in accordance with the Financial Rules and Regulations of the OAU/AEC and shall be approved by the Assembly until such time as the Pan-African Parliament shall start to exercise legislative powers.

Article 16: Seat of the Pan-African Parliament

The seat of the Pan-African Parliament shall be determined by the Assembly and shall be located in the territory of a State Party to this Protocol. However,

the Pan-African Parliament may convene in the territory of any Member State at the invitation of that Member State.

Article 17: Working Languages

The working languages of the Pan-African Parliament shall be, if possible, African languages, Arabic, English, French and Portuguese.

Article 18

1. The Relationship between the Pan-African Parliament and the Parliaments of Regional Economic Communities and National Parliaments or Other Deliberative Organs.
2. The Pan-African Parliament shall work in close co-operation with the Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative organs of Member States. To this effect, the Pan-African Parliament may, in accordance with its Rules of Procedure, convene annual consultative fora with the Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative organs to discuss matters of common interest.

Article 19: Withdrawal

The Pan-African Parliamentarians from a Member State which withdraws from the Community shall automatically cease to be Pan-African Parliamentarian.

Article 20: Interpretation

The Court of Justice shall be seized with all matters of interpretation emanating from this Protocol. Pending its establishment, such matters shall be submitted to the Assembly which shall decide by a two-thirds majority.

Article 21: Signature and Ratification

1. This Protocol shall be signed and ratified by the Member States in accordance with their respective Constitutional procedures.
2. The instruments of ratification or accession shall be deposited with the Secretary General of the OAU.

Article 22: Entry into Force

This Protocol shall enter into force thirty (30) days after the deposit of the instruments of ratification by a simple majority of the Member States.

Article 23: Accession

1. Any Member State may notify the Secretary General of its intention to accede to this Protocol after its entry into force. The Secretary General shall, upon receipt of such notification, transmit copies thereof to all Member States.
2. For any Member State acceding to this Protocol, the Protocol shall come into force on the date of the deposit of its instrument of accession.

Article 24: Amendment or Revision of the Protocol

1. This Protocol may be amended or revised by the decision of a two-thirds majority of the Assembly.
2. Any Member State party to this Protocol or the Pan-African Parliament may propose, in writing to the Secretary General, any amendment or revision of the Protocol.

3. The Secretary General shall notify the proposal to all Member States at least thirty (30) days before the meeting of the Assembly, which is to consider the proposal.
4. The Secretary General shall request the opinion of the Pan-African Parliament on the proposal and shall transmit the opinion, if any, to the Assembly, which may adopt the proposal, taking into account the opinion of the Pan-African Parliament.
5. The amendment or revision shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Secretary General by two-thirds of Member States.

Article 25: Review of the Protocol

1. Five years after the entry into force of this Protocol, a Conference of the States Parties to this Protocol shall be held to review the operation and effectiveness of this Protocol, with a view to ensuring that the objectives and purposes of this Protocol, as well as the vision underlying the Protocol, are being realised and that the Protocol meets with the evolving needs of the African Continent.
2. At intervals of ten years thereafter, further Review Conferences of States Parties to this Protocol may be convened with the same objective as stated in Paragraph 1 above. Such Conferences may be convened at an interval of less than ten years, if so decided by the Pan-African Parliament.

ADOPTED BY THE TWENTY-THIRD ORDINARY SESSION OF THE ASSEMBLY OF HEADS OF STATE AND GOVERNMENT, HELD IN SIRTE, LYBIA, 2 MARCH 2001.

9.1.2. Chart of Ratifications of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament as at 10 May 2018

LIST OF COUNTRIES WHICH HAVE SIGNED, RATIFIED/ACCEDED TO THE PROTOCOL TO THE TREATY ESTABLISHING THE AFRICAN ECONOMIC COMMUNITY RELATING TO THE PAN-AFRICAN PARLIAMENT

No	COUNTRY/PAYS	DATE OF/DE SIGNATURE	DATE OF/DE RATIFICATION/ ACCESSION	DATE DEPOSITED/ DATE DE DEPOT
1	Algeria	15/05/2001	22/04/2003	03/06/2003
2	Angola	26/06/2003	29/10/2003	28/11/2003
3	Benin	13/11/2001	11/11/2003	27/11/2003
4	Botswana	10/07/2001	10/07/2001	11/07/2001
5	Burkina Faso	10/07/2001	23/06/2003	25/07/2003

6	Burundi	29/11/2002	04/11/2003	18/12/2003
7	Cameroon	10/07/2001	04/11/2003	17/12/2003
8	Central African Rep.	04/02/2003	12/03/2004	17/03/2004
9	Cape Verde	11/07/2001	17/02/2004	16/03/2004
10	Chad	03/02/2003	07/01/2004	20/02/2004
11	Côte d'Ivoire	27/02/2004	-	-
12	Comoros	26/02/2004	13/03/2004	16/03/2004
13	Congo	04/03/2003	23/02/2004	27/02/2004
14	Djibouti	20/02/2004	10/03/2004	11/03/2004
15	Democratic Rep. of Congo	05/12/2003	-	-
16	Egypt	11/08/2003	08/10/2003	24/10/2003
17	Equatorial Guinea	-	03/02/2004	16/02/2004
18	Eritrea	-	-	-
19	Ethiopia	28/04/2003	29/05/2003	17/06/2003
20	Gabon	22/06/2001	29/12/2003	27/01/2004
21	Gambia	17/06/2003	04/07/2003	10/07/2003
22	Ghana	20/09/2002	15/09/2003	04/02/2004
23	Guinea-Bissau	29/01/2016	09/06/2009	19/06/2009
24	Guinea	07/07/2003	-	-
25	Kenya	07/07/2003	19/12/2003	22/12/2003
26	Libya	15/06/2001	10/08/2002	06/11/2002
27	Lesotho	11/07/2001	16/04/2003	02/05/2003
28	Liberia	10/12/2001	17/09/2007	15/07/2008
29	Madagascar	07/07/2003	09/02/2004	19/02/2004
30	Mali	07/05/2001	26/05/2001	30/05/2001
31	Malawi	10/07/2001	03/07/2002	16/07/2002
32	Morocco	-	14/04/2017	13/11/2017
33	Mozambique	09/07/2002	20/05/2003	02/06/2003
34	Mauritania	06/02/2004	22/12/2003	06/02/2004
35	Mauritius	-	09/02/2004	12/02/2004
36	Namibia	07/05/2001	13/08/2002	20/09/2002
37	Nigeria	08/06/2001	23/12/2003	21/01/2004
38	Niger	07/07/2003	07/08/2003	27/08/2003
39	Rwanda	15/06/2001	22/08/2001	25/07/2002
40	South Africa	14/03/2002	03/07/2002	03/07/2002
41	Sahrawi Arab Democratic Republic	01/06/2001	04/06/2001	12/06/2001
42	Senegal	22/06/2001	14/10/2003	14/11/2003

43	Seychelles	09/07/2003	24/03/2003	21/04/2003
44	Sierra Leone	31/05/2001	16/06/2003	05/07/2003
45	Somalia	23/02/2006	-	-
46	South Sudan	24/01/2013	26/01/2014	25/03/2015
47	Sao Tome & Principe	01/02/2010	-	-
48	Sudan	29/11/2002	16/10/2002	29/11/2002
49	Swaziland	07/12/2004	11/03/2004	16/03/2004
50	Tanzania	07/12/2004	04/07/2002	16/08/2002
51	Togo	18/09/2001	03/01/2003	27/02/2003
52	Tunisia	21/01/2004	01/03/2004	04/03/2004
53	Uganda	10/07/2001	09/07/2003	22/07/2003
54	Zambia	11/11/2002	21/11/2003	27/11/2003
55	Zimbabwe	04/02/2003	07/07/2003	10/07/2003
	Total countries: 55	of signature: 51	of ratification: 49	of deposit: 49

Note

Adopted in Sirte, Libya on 2 March 2001.

Entered into force on 14 December 2003

9.1.3. Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament, Malabo, Equatorial Guinea, 27 June 2014

PREAMBLE

The Member States of the African Union, States Parties to the Constitutive Act of the African Union:

Bearing in mind the Sirte Declaration adopted at the Fourth Extraordinary Session of the Assembly of Heads of State and Government held in Sirte, Libya on 9.9.99 establishing the African Union and calling for the speedy establishment of the institutions provided for in the Treaty Establishing the African Economic Community signed in Abuja, Nigeria, on 3 June 1991, and the establishment of the Pan-African Parliament by the year 2000;

Noting, in particular, the adoption by the Assembly of Heads of State and Government meeting at its 36th Ordinary Session in Lome, Togo, from 10 to 12 July 2000, of the Constitutive Act of the African Union, thereby giving concrete expression to the common vision of a united, integrated and strong Africa;

Considering the principles and objectives stated in the Constitutive Act of the African Union;

Further considering that Articles 5 and 17 of the Constitutive Act of the African Union provide for a Pan-African Parliament as an organ of the African Union, whose composition, functions, powers and organization are to be

defined in a Protocol;

Further noting that the establishment of the Pan-African Parliament is informed by a vision to provide a common platform for African peoples in the continent and the diaspora and their grassroots organizations to be more involved in discussions and decision-making on the problems and challenges facing the continent;

Conscious of the imperative and urgent need to further consolidate the aspiration of the African peoples for greater unity, solidarity and cohesion in a larger community transcending cultural, ideological, ethnic, religious and national differences;

Recalling the Cairo Agenda for Action which was endorsed by the Thirty-first Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, from 26 to 28 June 1995 (AHG/Res. 236 (XXXI)), and which recommended the speeding up of the rationalization of the institutional framework in order to achieve economic integration at the regional level;

Further Recalling the Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World, which was adopted by the Twenty-sixth Ordinary Session of the Assembly in Addis Ababa, Ethiopia, on 11 July 1990;

Considering that by the Algiers Declaration (AHG/Decl. 1 (XXXV)) of 14 July 1999, the Assembly reaffirmed its faith in the African Economic Community;

Determined to promote democratic principles and popular participation, to consolidate democratic institutions and culture and to ensure good governance;

Further determined to promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments;

Conscious of the obligations and legal implications for Member States of the need to establish the Pan-African Parliament;

Taking into account the decision of the Assembly adopted at its Twelfth Ordinary Session held in Addis Ababa, Ethiopia in February 2009 [Assembly/AU/Dec. 223 (XII)] requesting the Commission to initiate a review process of the Protocol in consultation with the Permanent Representatives Committee taking into account the views of the Pan-African Parliament;

Noting that Articles 25 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament provided for a review of the operation and effectiveness of the Protocol and the system of representation in the Pan-African Parliament after five years and also for further Conferences of the Members at intervals of ten (10) years or such shorter time as may be decided by the Pan-African Parliament;

Firmly convinced that the strengthening of the Pan-African Parliament will ensure effectively the full participation of the African peoples in the economic development and integration of the continent;

HEREBY AGREE AS FOLLOWS:

Article 1: Definitions

In this Protocol,

"AU" means the African Union;

"African Diaspora" means peoples of African origin living outside the Continent irrespective of their citizenship and nationality and who are willing to contribute to the development of the Continent and the building of the African Union;

"Assembly" means the Assembly of Heads of States and Government of the African Union;

“Bureau” means the Bureau of the Pan-African Parliament and it is composed by the President and Vice-Presidents of the Pan-African Parliament;

“Chairperson of the Commission” refers to the Chairperson of the African Union Commission;

“Secretary-General” means the Secretary-General of the Pan-African Parliament;

“Commission” means the African Union Commission;

“Community” means the African Economic Community;

“Council” means the Executive Council of Ministers of the African Union;

“Court” means the African Court of Justice and Human and Peoples’ Rights of the African Union;

“Deputy Secretary-General” means the Deputy Secretary-General of the Pan-African Parliament;

“Inaugural Session” means the first meeting of the Pan-African Parliament after the election of the Members;

“Member of Pan-African Parliament” or “Pan-African Parliamentarian” or “Member” means a person elected to the Pan-African Parliament in accordance with Article 5 of this Protocol;

“Member State” means a Member State of the African Union;

“OAU” means the Organization of African Unity;

“Other deliberative body” means the institution in a Member State which performs the legislative functions of the State;

“Parliament” means the Pan-African Parliament;

“Plenary” means a meeting of the whole or full Parliament;

“President” unless otherwise specified means the Member of the Pan-African Parliament elected to preside over the business of Parliament in accordance with Article 13 of this Protocol;

“Protocol” means the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament;

“Region of Africa” shall have the meaning assigned to it in the relevant decisions of the Assembly;

“State Party” means a Member State who has ratified or acceded to this Protocol.

“Treaty” means the Treaty Establishing the African Economic Community.

Article 2: The Pan-African Parliament

1. The Pan-African Parliament established by the Protocol to the Treaty establishing the African Economic Community Relating to the Establishment of the Pan-African Parliament is hereby continued in existence and shall have the functions and powers provided for in the present Protocol.
2. The organs of the Pan-African Parliament shall be the Plenary, the Bureau, the Secretariat, Committees and regional groups.
3. The Pan-African Parliamentarians shall represent all the peoples of Africa and the interests of the African diaspora.

Article 3: Objectives of the Pan-African Parliament

The objectives of the Pan-African Parliament shall be to:

- (a) give a voice to the African peoples and the Diaspora;
- (b) facilitate the effective implementation of the policies and objectives of the AU;
- (c) promote the principles of human and peoples’ rights and democracy in Africa;

- (d) encourage good governance, respect for the rule of law, transparency and accountability in Member States;
- (e) familiarize the peoples of Africa and the African Diaspora with the objectives and policies aimed at integrating the African Continent within the framework of the African Union;
- (f) promote peace, security and stability;
- (g) contribute to a more prosperous future for the peoples of Africa by promoting collective self-reliance and economic recovery;
- (h) facilitate cooperation and development in Africa;
- (i) strengthen continental solidarity, co-operation and development and build a sense of common destiny;
- (j) facilitate cooperation among Regional Economic Communities in Africa and their Parliamentary fora;
- (k) to encourage National and Regional Parliaments to ratify and integrate treaties adopted by the AU into their legal systems’;
- (l) co-operate with National and Regional Parliaments and similar bodies within and outside Africa as well as civil societies, community based organizations and grassroots organizations;
- (m) invite and encourage the full participation of African Diaspora as an important part of the African peoples in the building of the African Union in accordance with modalities approved by the Assembly.

Article 4: Membership

1. Until the Assembly decides otherwise, each State Party shall be represented in the Pan-African Parliament by an equal number of parliamentarians.
2. The membership of the Pan-African Parliament shall comprise five (5) members elected by each State Party.
3. At least two (2) of the elected members, shall be women. A Delegation which does not satisfy this requirement shall not have the right to be accredited for representation in the Parliament.

Article 5: Elections

- 1.(a) The National Parliament or other deliberative body shall elect from outside its membership, five (5) members of the Pan-African Parliament.
- (b) The representation of each State Party must reflect the diversity of political opinions in each National Parliament or other deliberative body taking into account the number of members from each political party represented in the national Parliament.
- (c) The elections of Members of the Pan-African Parliament by the National Parliaments or other deliberative body shall be conducted as far as possible in the same month throughout the Member States as maybe decided by the Assembly.
- (d) The election of the President of the Pan-African Parliament shall be presided over by the Chairperson of the Assembly
- 2.(a) Qualifications for election to the Pan-African Parliament shall be the same as for a National Parliament or other deliberative body.
- (b) Notwithstanding paragraph 2(a) of this Article, membership of the Pan-African Parliament shall not be compatible with the exercise of executive or judicial functions in a State Party or a permanent office in the AU, a Regional Economic Community or other international organization.

3. Until a code is developed for election to the Pan-African Parliament by direct universal suffrage, the procedure for election to the Pan-African Parliament shall be determined by the National Parliament or other deliberative body of each Member State.
- 4.(a) The institution of a Member State which determines disputes about elections to the National Assembly or other deliberative body shall be responsible for determining any question that may arise as to whether a person has been duly elected a Member of the Pan-African Parliament or whether a vacancy has occurred in the representation at the Pan-African Parliament of a Member State.
- (b) Where the institution decides that a vacancy has occurred a bye-election shall be conducted to elect another person to fill the vacancy.
5. The Speaker/President of the National Parliament or other deliberative body shall notify the President of the Pan-African Parliament of every election under paragraph one (1) of this Article and every determination under paragraph four (4) of this Article.
6. For the avoidance of doubt, a Member of a National Parliament or other deliberative body is eligible to contest an election to the Pan-African Parliament. However, if elected, he or she shall resign from the National Parliament or other deliberative body.

Article 6: Tenure of Office of a Member and Vacancies

1. The term of a Member of the Pan-African Parliament shall be five (5) years. He or she shall be eligible for re-election for one (1) further term only.
2. The term of a Member of the Pan-African Parliament shall commence from the date on which he or she is sworn into office and shall end on the last day of the term of the Parliament.
3. The seat of a Member of the Pan-African Parliament shall become vacant if the holder:
 - (a) dies;
 - (b) ceases to satisfy the eligibility criteria stipulated in this Protocol for Members of the Pan-African Parliament;
 - (c) is unable to perform his or her functions because of physical or mental incapacity;
 - (d) resigns in writing to the President;
 - (e) is removed on grounds of misconduct by the Pan-African Parliament in accordance with its Rules of Procedure;
 - (f) is absent from the Pan-African Parliament meetings for such period and in such circumstances as are prescribed by the Rules of Procedure of the Pan-African Parliament;
 - (g) is convicted by a court of competent jurisdiction of an offence involving fraud, dishonesty or moral integrity and sentenced to a term of imprisonment exceeding six (6) months
 - (h) Represents a State Party which is suspended from participating in the activities of the AU;
 - (i) When his or her term expires.
4. Removal on the grounds stipulated in paragraph 6(c) or 6(e) above shall be by a resolution on a motion to be decided on by secret ballot and supported at the end of a debate by two-thirds majority of all the Members of the Pan-African Parliament. In the case of a removal on the grounds stipulated in paragraph 6(c), the motion shall, in addition, be

supported by a medical report in accordance with rules provided for in the Rules of Procedure.

5. Where a vacancy occurs in the office of a member of the Pan-African Parliament a bye-election shall be conducted to fill his or her place subject to Article 4(3). The person elected shall serve for the remainder of the term of the member and shall be eligible for re-election for a full term.

Article 7: Voting in the Pan-African Parliament

The Pan-African Parliamentarian shall vote in person and in his or her personal and independent capacity except when he or she is on an official mission of the Parliament in which case he or she may vote through a proxy. A Parliamentarian cannot act as a proxy for more than one (1) Member at a time.

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 propose draft model laws;
 - (b) The Pan-African Parliament may on its own make proposals on the subjects/areas on which it may 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 functions, 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 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.

3. Without prejudice to the preceding paragraphs and in so far as it is not in conflict with the mandate of any other organ of the AU, the powers and functions of the Parliament may also be exercised through:
 - (a) Fact-finding or inquiry missions;
 - (b) Observer missions;
- 4.(a) The Pan-African Parliament shall have the power in accordance with the Financial Rules and Regulations of the African Union, to engage in fund raising activities.
 - (b) The Pan-African Parliament shall not have the power to raise a loan.
5. For the avoidance of doubt, paragraph 2 shall not apply to the Assembly, Council or Court.

Article 9: Privileges and Immunities of the Pan-African Parliamentarians

1. The Pan-African Parliamentarians, while exercising their functions, shall enjoy in the territory of each Member State the immunities and privileges extended to representatives of Member States under the General Convention on the Privileges and Immunities of the OAU and the Vienna Convention on Diplomatic Relations.
2. The Pan-African Parliamentarians shall enjoy parliamentary immunity in each Member State. Accordingly, a member of the Pan-African Parliament shall not be liable to civil or criminal proceedings, arrest, imprisonment or damages for what is said or done by him or her, within or outside the Pan-African Parliament in his or her capacity as a Pan-African Parliamentarian in the discharge of his or her duties.
3. Without prejudice to paragraph 2 of this Article, the Pan-African Parliament shall have the power to waive the immunity of a member in accordance with its Rules of Procedure.

Article 10: Allowances

1. The Pan-African Parliamentarians shall be paid allowances by their respective State Parties.
2. The allowances for the President, Vice Presidents and other officials of Committees shall be the responsibility of the respective States Parties.

Article 11: Rules of Procedure

1. The Parliament may adopt and amend its own Rules of Procedure including the procedures for giving effect to its mandate under Article 8 of this Protocol, by a two-thirds majority of all its members.
2. In developing its Rules of Procedure, the Parliament shall ensure consistency of these Rules with AU rules and regulations.

Article 12: The Bureau of the Pan-African Parliament

1. There shall be a Bureau of the Pan-African Parliament which shall be elected on a rotational basis among the five (5) regions of the AU.
2. The Pan-African Parliament shall elect, at its first sitting, by secret ballot, from among its members and in accordance with its Rules of Procedure, a President and four (4) Vice-Presidents representing the five (5) regions of the AU. The election shall, in each case, be by simple majority of the members present and voting. At least two (2) of the Bureau Members shall be women.

3. The Bureau shall, in line with the relevant AU rules and regulations, be responsible for the development of policies for the management and administration of the affairs and property of the Pan-African Parliament, which shall be submitted to the Plenary for approval.
4. The functions of the President and the Vice-Presidents shall be defined in the Rules of Procedure.
5. The term of office of the President and the Vice-Presidents of the Bureau shall be two (2) and a half years renewable once.
6. The President shall preside over all parliamentary proceedings except those held in committees and, in his or her absence, the Vice-Presidents shall act in rotation, in accordance with the Rules of Procedure.
7. The Vice-Presidents shall be ranked in the order of First, Second, Third and Fourth Vice-President, in accordance with the result of the vote. In the absence of the President, each Vice President shall stand in for the President in rotation.
8. The offices of the President and Vice-President shall become vacant if the holder:
 - (a) dies;
 - (b) resigns in writing to the Bureau;
 - (c) is unable to perform his or her functions for reasons of physical or mental incapacity;
 - (d) is removed on grounds of misconduct;
 - (e) loses his/her membership of the Pan-African Parliament or when his or her term of office expires.
9. Removal on the grounds stipulated in paragraph 8 (c) or 8 (d) above shall be by a resolution on a motion to be decided on by secret ballot and supported at the end of debate by two-thirds majority of all the Members of the Pan-African Parliament. In the case of removal on the grounds stipulated in 8(c), the motion shall, in addition, be supported by a medical report.
10. In case of a vacancy in the Bureau, a Member of the Pan-African Parliament shall be elected in his/her place to complete his/her term, through an election at the sitting of the Pan-African Parliament immediately following its occurrence.
11. The President may, with the approval of the Bureau, invite any person to a session of the Pan-African Parliament, if in the opinion of the Bureau the business to be transacted at that session renders the presence of that person desirable.

Article 13: The Secretary-General of the Pan-African Parliament

1. The Pan-African Parliament shall, on the recommendation of the Bureau, appoint a Secretary General and two Deputy Secretaries General in accordance with the AU Staff Rules and Regulations.
2. The Secretary General shall appoint, after consultation with the Bureau, such other staff as may be necessary for the proper functioning of the Pan-African Parliament, in accordance with the AU Staff Rules and Regulations.
3. The Secretary General and a Deputy Secretary General shall be a person of proven experience or expertise in parliamentary practice, management and financial administration, and a demonstrated interest and understanding of the process of integration in Africa.
4. The Secretary General shall be the head of the Secretariat, and shall be responsible for the day to day management and administration of

the affairs and property of the Pan-African Parliament. He/ she shall be accountable to the Parliament through the Bureau.

5. The Secretary General shall be the Accounting Officer of the Parliament.
6. The Secretary General shall, as soon as practicable, cause to be transmitted to the Secretaries General/Clerks of the National Parliaments or other deliberative body and the Parliaments of the Regional Economic Communities copies of the records of all the relevant debates at the sessions and committee hearings of the Pan-African Parliament for information.
7. The Deputy Secretaries General shall assist the Secretary General in the discharge of his/her duties.
8. The Secretary General shall ensure that proper books of account are kept for the Pan-African Parliament; the Secretary General shall submit annually a report on the utilization of the funds available to the Pan-African Parliament including its budgetary allocation through the Bureau to the Council in accordance with the AU Financial Rules and Regulations.
9. The Secretary General and the Deputy Secretaries General shall before assuming office take an Oath or make a Solemn Declaration before the Pan-African Parliament.

Article 14: Oath of Office

At its sitting following the election and before transacting any other business, the Parliamentarians shall take an Oath or make a Solemn Declaration. The text of the Oath or Declaration shall be set out as an addendum to the Rules of Procedure.

Article 15: Sessions and Quorum

1. The inaugural session of the Pan-African Parliament shall be convened by the Secretary General;
2. The Pan-African Parliament shall meet in ordinary session at least twice a year, within a period to be determined in the Rules of Procedure. Each ordinary session may last up to one (1) month.
3. The Bureau, the Assembly, the Council or at least two-thirds of the Pan-African Parliamentarians may, by written notification addressed to the President, request an extraordinary session, subject to the following:
 - (a) The request shall provide the reasons for and details of the matters to be discussed at the proposed extraordinary session.
 - (b) The President shall convene such a session within such time as provided for in the Rules of Procedure.
 - (c) The session shall discuss only those matters stipulated in the request.
 - (d) The session shall end upon exhaustion of the agenda.
 - (e) In any case, the duration of an extraordinary session shall not exceed ten (10) days.
4. The proceedings of the Pan-African Parliament shall be open to the public, unless otherwise directed by the Bureau.
5.
 - (a) The quorum for a meeting of the Pan-African Parliament shall be determined by the Rules of Procedure.
 - (b) The Rules of Procedure may differentiate between the quorum necessary for the conducting ordinary business by the Pan-African Parliament and the quorum needed for making valid decisions.

Article 16: Budget of the Pan-African Parliament

1. The annual budget of the Pan-African Parliament shall constitute an integral part of the regular budget of the AU.
2. The budget shall be drawn up by the Pan-African Parliament and submitted to the relevant AU policy organs for approval, in accordance with the AU Financial Rules and Regulations.
3. The financial year of the Pan-African Parliament shall be the same as that of the AU.

Article 17: Seat of the Pan-African Parliament

1. The seat of the Pan-African Parliament shall be located in the Republic of South Africa.
2. The Pan-African Parliament may convene in the territory of any Member State at the invitation of that Member State.

Article 18: Official and Working Languages

The official and working languages of the Pan-African Parliament shall be those of the AU.

Article 19: Relations between the Pan-African Parliament, the Parliaments of Regional Economic Communities and National Parliaments or other Deliberative Bodies

1. The Pan-African Parliament shall work in close co-operation with the Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative body. To this effect, the Pan-African Parliament may, in accordance with its Rules of Procedure, convene annual consultative fora with the Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative body to discuss matters of common interest.
2. The Pan-African Parliament shall periodically submit a report in writing on its work to the National Parliaments or other deliberative bodies for information. Copies of such reports shall also be submitted to the Ministers with responsibility for foreign affairs, African Union affairs and/ or regional integration.

Article 20: Relations between the Pan-African Parliament and other organs of the AU

1. The Chairperson of the Assembly shall deliver a speech on the state of the AU at each inaugural Session of a new term of the Pan-African Parliament.
2. The Chairperson of the Commission shall, at least once during the term of each Parliament, present the Activity Report of the Commission to the Pan-African Parliament.
3. The other organs of the AU, except the Assembly, the Council and the Court, shall forward their activity reports annually to the Pan-African Parliament by the third month of each succeeding year.
4. The Pan-African Parliament shall forward its annual Activity Report to the different organs of the AU, at the latest, by the third month of each succeeding year.

Article 21: Interpretation

The Court shall have jurisdiction on all questions of interpretation of this Protocol.

Article 22: Signature and Ratification

1. This Protocol shall be signed and ratified by Member States in accordance with their respective constitutional procedures.
2. The instruments of ratification or accession shall be deposited with the Chairperson of the Commission.

Article 23: Entry into Force

This Protocol shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairperson of the Commission by a simple majority of the Member States.

Article 24: Accession

1. A Member State shall accede to this Protocol, after its entry into force, by depositing its instrument of accession with the Chairperson of the Commission. The Chairperson of the Commission shall, upon receipt of such instrument of accession, notify all Member States.
2. For any Member State acceding to this Protocol, the Protocol shall come into force on the date of the deposit of its instrument of accession.

Article 25: Amendment or Revision of the Protocol

1. This Protocol may be amended or revised by a decision of a two-thirds majority of the Assembly.
2. A Member State party to this Protocol or the Pan-African Parliament may propose, in writing to the Chairperson of the Commission any amendment or revision of the Protocol.
3. The Chairperson of the Commission shall notify the proposal to all Member States at least thirty (30) days before the meeting of the Assembly, which is to consider the proposal.
4. Save where the proposal originates from the Pan-African Parliament, the Chairperson of the Commission shall request the opinion of the Pan-African Parliament on the proposal and shall transmit the opinion, if any, to the Assembly, which may approve the proposal, taking into account the opinion of the Pan-African Parliament.
5. The amendment or revision shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairperson by a simple majority of Member States.

Article 26: Review of the Protocol

Conferences to review the operation and effectiveness of the Protocol, the legislative mandate and the system of representation to the Pan-African Parliament, may be organized by the States Parties at intervals of ten (10) years, or within such shorter time as the Pan-African Parliament may decide with a view to ensuring that the objectives and purposes of this Protocol, as well as the vision underlying the Protocol, are being realized and that the Protocol meets with the evolving needs of African States.

Article 27: Transitional Provision

1. The present Protocol shall upon entry into force replace the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament.
2. The term of office of Member of the Parliament shall terminate within a period not exceeding one year of the entry into force of this Protocol.

**ADOPTED BY THE TWENTY-THIRD ORDINARY SESSION OF THE ASSEMBLY,
HELD IN MALABO, EQUATORIAL GUINEA, 27TH JUNE 2014.**

9.1.4. Chart of Ratifications of the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament as at 10 May 2018

**LIST OF COUNTRIES WHICH HAVE SIGNED, RATIFIED/ACCEDED TO THE
PROTOCOL TO THE CONSTITUTIVE ACT OF THE AFRICAN UNION RELATING
TO THE PAN-AFRICAN PARLIAMENT**

**LISTE DES PAYS QUI ONT SIGNE, RATIFIE/ADHERE PROTOCOLE A
L'ACTE CONSTITUTIF DE L'UNION AFRICAINE RELATIF AU PARLEMENT
PANAFRICAIN**

No	COUNTRY/PAYS	DATE OF/DE SIGNATURE	DATE OF/DE RATIFICATION/ ACCESSION	DATE DEPOSITED/ DATE DE DEPOT
1	Algeria	30/01/2016	-	-
2	Angola	-	-	-
3	Benin	28/01/2015	-	-
4	Botswana	-	-	-
5	Burkina Faso	-	-	-
6	Burundi	-	-	-
7	Cameroon	04/10/2016	-	-
8	Central African Rep.	09/02/2018	-	-
9	Cape Verde	-	-	-
10	Chad	14/06/2015	-	-
11	Côte d'Ivoire	-	-	-
12	Comoros	29/01/2018	-	-
13	Congo	12/06/2015	-	-
14	Djibouti	21/04/2017	-	-

15	Democratic Rep. of Congo	-	-	-
16	Egypt	-	-	-
17	Equatorial Guinea	-	-	-
18	Eritrea	-	-	-
19	Ethiopia	-	-	-
20	Gabon	-	-	-
21	Gambia	-	27/06/2016	16/08/2016
22	Ghana	28/01/2016	-	-
23	Guinea-Bissau	31/01/2015	-	-
24	Guinea	-	-	-
25	Kenya	-	-	-
26	Libya	-	-	-
27	Lesotho	-	-	-
28	Liberia	-	-	-
29	Madagascar	14/07/2016	-	-
30	Mali	14/01/2015	24/04/2015	27/05/2015
31	Malawi	-	-	-
32	Morocco	-	-	-
33	Mozambique	-	-	-
34	Mauritania	26/02/2015	-	-
35	Mauritius	-	-	-
36	Namibia	-	-	-
37	Nigeria			
38	Niger			
39	Rwanda			
40	South Africa			
41	Sahrawi Arab Democratic Republic	03/08/2016	17/08/2016	26/08/2016
42	Senegal			
43	Seychelles			
44	Sierra Leone	29/01/2016	29/04/2016	14/07/2016
45	Somalia			
46	South Sudan			
47	Sao Tome & Principe	29/01/2016		
48	Sudan	26/01/2018		
49	Swaziland			
50	Tanzania			

51	Togo	04/06/2016	04/08/2016	31/08/2016
52	Tunisia			
53	Uganda			
54	Zambia			
55	Zimbabwe			
	Total countries: 55	of signature: 18	of ratification: 5	of deposit: 5

Note

Adopted in Malabo, Equatorial Guinea on 27 June 2014.

Shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairperson of the Commission by a simple majority of the Member States

9.1.5. Rules of Procedure of the Pan-African Parliament of 21 September 2004 as amended on 10 October 2011

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RULES OF PROCEDURE

General Provisions:

The Pan-African Parliament, being an organ of the African Union established under Article 2 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament in accordance with Article 17 of the Constitutive Act of the African Union;

Having regard to the Constitutive Act of the African Union, and in particular Article 17, and;

Having regard to the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, and in particular Article 12;

HAS ADOPTED THESE RULES OF PROCEDURE:

PART I - PRELIMINARY

Rule 1 Interpretation

1. In these Rules of procedure, the following expressions shall have the meanings assigned to them hereunder:

“Ad Hoc Committee” means a committee of Parliament formed on resolution whose term expires on reporting in accordance with Rule 22, Sub-Rule 4 of these Rules of Procedure;

“AEC” means the African Economic Community established by the Treaty Establishing the African Economic Community adopted in Abuja, Nigeria, on 3rd June 1991;

“Assembly” means the Assembly of Heads of State and Government of the African Union;

“Bill” means the draft of an Act of Parliament and includes bills initiated by private Members and the Executive Council;

“Bureau” means the Officers of Pan-African Parliament prescribed under Article 16 of the Protocol;

“Chair” means the official seat in the Chamber reserved for the use of the President or a Vice-President presiding over Parliament;

“Chairperson of the Permanent Committee” means the person elected to preside over the proceedings of a Permanent Committee and includes the Vice-Chairperson;

“Clerk” means the person appointed as Clerk to Parliament under Rule 20 (3) of these Rules of Procedure and the reference to “deputy clerk” shall have a corresponding meaning;

“Commission” means the secretariat of the African Union);

“Committee” means a committee established by Parliament as prescribed under Rule 22 of these Rules of Procedure;

“Committee of the whole House” means committee composed of the whole body of Members of Parliament;

“Competent Authority” means the Ministry of Foreign Affairs;

“Constitutive Act” means the Constitutive Act of the African Union, adopted by the Assembly of the Heads of State and Government of the African Union during the 36th Ordinary Session in Lomé, Togo on July 11, 2000 and subsequent Protocols amending it;

“Court” means the Court of Justice of the Union as established under Article 18 of the Constitutive Act;

“Deputy Clerk” shall have a corresponding meaning to “Clerk”;

“Executive Council” means the Executive Council of Ministers of the Union and “Council” has a corresponding meaning;

“Gallery” means gallery in the Chamber of Parliament;

“House” means the Pan-African Parliament of the Union in session;

“Journal” means the official record of the business of Parliament in accordance with Part XVI;

- “Leave of the House” means the permission or presumed agreement given by the House;
- “Member” means a person elected or designated by a National Parliament or other deliberative organ as a Member of Parliament under Article 5 of the Protocol;
- “Member of the public” means a person other than a Member of Parliament or staff of the secretariat;
- “Member State” means a Member State of the African Union;
- “Motion” means a proposal verbal or written, made by a Member, Permanent Committee or an organ of the African Union that Parliament or a Permanent Committee do something, order something to be done or express an opinion concerning some matter;
- “National Parliament” means the legislative body of a Member State;
- “OAU” means the Organisation of African Unity;
- “Paper” means any document in any form that may be laid on the table of Parliament;
- “Parliament” means the Pan-African Parliament of the African Union;
- “Petition” means a written prayer, plea or request presented to Parliament;
- “Precincts of the House or Parliament” means the chamber of Parliament, every part of the buildings in which are situated such chambers, the offices of Parliament, the galleries, and places provided for the use or accommodation of Members, staff, members of the public and representatives of the media and any forecourt, yard, garden, enclosure or open space, appurtenant thereto and used or provided for the purpose of Parliament;
- “President” means the Member of Parliament elected as President under Rule 16;
- “Presiding Officer” means, the President and/or Vice-President, elected to preside over the proceedings;
- “Privilege” means the exemptions to the usual application of laws to enable Members and Parliament to execute their mandate without undue hindrance, and includes powers and immunities prescribed under Rule 10 of these Rules of Procedure;
- “Protocol” means the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament;
- “Question” means a proposal presented to Parliament or a Permanent Committee by the President, Vice-Presidents or Chairperson of a Permanent Committee, for consideration and decision or disposal in some manner or question asked in accordance with Rules 67 and 68 of these Rules of Procedure;
- “Recess” means a period during which the House stands adjourned to any other day other than the next normal sitting day;
- “Region of Africa” shall have the meaning assigned to it in Article 1 of the Treaty Establishing the African Economic Community;
- “Serjeant-at-Arms” means the member of the Secretariat charged with the administration of order in the precincts of Parliament as directed by the Presiding Officer;
- “Simple majority” means fifty percent plus one and absolute majority has a corresponding meaning;
- “Sitting” means the period during which Parliament is sitting and includes committee meetings;
- “Substantive motion” means an independent motion of which notice is duly given but which is neither incidental nor relating to a proceeding or order of the day already before the House;
- “Table” means the Clerk’s table;

“Tabling” means the laying of an official document on the Table for discussion and “laying before Parliament” shall be construed accordingly;
 “Union” means the African Union established by the Constitutive Act.

Rule 2 Seat of Parliament

The seat of Parliament shall be located in the Republic of South Africa.

Rule 3 Organs of Parliament

The organs of Parliament shall be the Bureau and the Permanent Committees of Parliament.

PART II - FUNCTIONS AND POWERS OF PARLIAMENT

Rule 4 Functions of Parliament

1. In its consultative and advisory role and in accordance with the provision of Articles 3, 11 and 18 of the Protocol, Parliament shall:
 - (a) Facilitate the implementation of the policies, objectives and programmes of the Union and oversee their effective implementation by the various organs of the Union;
 - (b) Promote human and peoples’ rights, consolidate democratic institutions and the democratic culture, good governance, transparency and the rule of law by all Organs of the Union, Regional Economic Communities and Member States;
 - (c) Participate in creating awareness among the peoples of Africa on:
 - (i) the objectives, policies, aims and programmes of the African Union;
 - (ii) the strengthening of continental solidarity, cooperation and development;
 - (iii) the promotion of peace, security and stability on the African Continent, and;
 - (iv) the necessity for the pursuit of a common economic recovery strategy;
 - (d) Contribute to the harmonization and coordination of the legislative texts of Member States in accordance with Article 11 (3) of the Protocol;
 - (e) Promote the coordination of the policies, measures, programmes and activities of Regional Economic Communities and their respective Legislative Bodies;
 - (f) Draft, examine and adopt its budget, its Rules of Procedure, elect its members of the Bureau, employ and manage its staff, in conformity with Article 11 (2) and (8) of the Protocol;
 - (g) Examine and debate the Budget of the African Union and make recommendations thereon prior to its approval by the Assembly;
 - (h) Exercise legislative and other functions as shall be defined by the Assembly in conformity with Article 11 of the Protocol;
 - (i) Perform all other functions as are incidental to or likely to enhance the carrying out of the above functions.

Rule 5 Powers of Parliament

In discharge of its functions provided in Rule 4, Parliament shall have powers to:

- (a) Oversee the development and implementation of policies and

- programmes of the Union;
- (b) Organise debate on the objectives, policies, aims, programmes and activities of Regional Economic Communities, on all matters relating to the proper functioning of organs and the life of the African Union.
- (c) Examine, discuss or express an opinion or give advice on its own initiative or at the request of any of the Organs of the African Union, a Regional Economic Community or the Legislative Body of any Member State;
- (d) Make recommendations and take resolutions on any matters relating to the African Union and its organs, Regional Economic Communities and their respective organs, Member States and their organs and institutions;
- (e) Issue invitations to the representatives of the Organs of the African Union, Regional Economic Communities and their organs, Member States and their organs and institutions to furnish explanations in plenary on issues affecting or likely to affect the life of the African Union;
- (f) Exercise all other powers as are incidental or auxiliary to the discharge of its functions.

PART III- MEMBERS OF PARLIAMENT

Rule 6 Verification

1. After the election or designation of a person to be a Member of Parliament by a Member State, the National Parliaments or any other deliberative organ of the Member State shall notify the Clerk of Parliament of the new Members elected.
2. The Clerk of the Pan-African Parliament shall invite in writing the National Parliament or any other deliberative organ that has elected or designated the person to be a Member of Parliament to provide the secretariat with information about the person relevant for the verification of membership by the Clerk.
3. Where there is any doubt regarding the credentials of the elected or designated Member, the Clerk shall refer the information obtained under this Sub-Rule (2) to the Permanent Committee on Privileges and Discipline Committee for verification in accordance with the provisions of Article 4 of the Protocol.
4. Where the information availed for verification of a person under Sub-Rule (2) is not compatible with membership of Parliament, the person elected or designated by the Member State shall not be sworn in as a Member of Parliament and the President shall inform the relevant National Parliament or any other deliberative organ accordingly.
5. Where the National Parliament or any other deliberative organ of a Member State notifies the Clerk that the status of the elected or designated Member has become incompatible with membership of Parliament, the Clerk shall notify the Bureau and the President shall declare before the House that the membership of the person has been terminated.
6. Where the President makes a declaration under this Sub-Rule (5), the Clerk shall inform the relevant National Parliament or deliberative

organ of the Member State in writing that the person is no longer a Member of Parliament.

Rule 7 Status, Tenure and Mandate of Members

1. The Pan-African parliamentarians shall be elected or designated by their respective National Parliaments or any other deliberative organ of Member States, from among their members.
2. The term of a Member of the Pan-African Parliament shall begin once he or she has taken the oath of office or made a solemn declaration during a Plenary session of the PAP.
3. Members of the Pan-African Parliament shall vote in their personal and independent capacity, and shall not be bound by any instructions or orders from any authority.

Rule 8 Vacation of seat

1. The seat of a Member shall become vacant if he or she:
 - (a) dies;
 - (b) resigns in writing to the President;
 - (c) is unable to perform his or her functions for reasons of physical or mental incapacity;
 - (d) is dismissed on grounds of misconduct;
 - (e) ceases to be a Member of the National Parliament or other deliberative organ;
 - (f) is recalled by the National Parliament or other deliberative organ when the Member of Parliament loses his or her seat at the National Parliament; or
 - (g) ceases to be a Member due to the withdrawal from the Union of the Member State which elected or designated the Member.
2. The removal of a Member on the grounds under Sub-Rule (1)(c) or (d) shall be on a motion to be decided by secret ballot and supported by a two-thirds majority of Members present and voting.
3. In the case of removal under Sub-Rule (1)(c), the motion shall, in addition, be supported by a medical report.
4. A Member appointed to carry out executive or judicial functions in a Member State shall, before assuming office resign as a Member.
5. Where a vacancy is created under Sub-Rule (1) or (4), the President shall, upon the advice of the Secretariat, declare the vacancy before the House and where the vacancy is in relation to the President, the First Vice-President shall declare the vacancy.
6. Where a vacancy has been declared under the above-mentioned sub-Rule (5), the Clerk shall notify the Member State or, in the case of a vacancy created under this Sub-Rule 1 (g), the concerned Member State.
7. Where a Member State is notified of a vacancy under this Sub-Rule (5), the Member State shall be required to elect or designate a person as a Member of Parliament and notify the Clerk of the Pan-African Parliament in accordance with Sub-Rule (1) of Rule 6.
8. Until such time that a vacancy in the Office of the President is filled, the Vice-Presidents shall act as President according to the order of their ranking.
9. A vacancy in the office of the President or Vice-President shall be filled at the sitting of Parliament immediately following its occurrence.

Rule 9 Oath or solemn declaration upon coming into office

1. At the first sitting, after the election and before proceeding with any other matter, Pan-African Parliamentarians shall take an oath or make a solemn declaration, the text of which shall be set out as an Addendum to these Rules of Procedure.
2. In case of re-election or re-designation, the Pan-African Parliamentarian shall begin a new term of office. He or she shall be sworn in again in accordance with the provisions of the preceding Sub-rule.

Rule 10 Privileges and immunities

1. A Member shall, while exercising his or her functions, enjoy in the territory of each Member State, the immunities and privileges extended to representatives of Member States under the General Convention on the Privileges and Immunities of the OAU and the Vienna Convention on Diplomatic Relations.
2. A Member shall be entitled to a distinctive badge to be put during official missions, public ceremonies and on any occasion, they attend to show their identity;
3. A Member shall also be issued with a car pass for identity and easy access to Parliamentary precinct;
4. The badge and the car pass are to be designed by the Pan-African Parliament;
5. A Member, during his or her mandate as a Member of Parliament shall be entitled to a diplomatic passport issued by the AU.
6. Members shall be paid an allowance to meet expenses in the discharge of their duties, in accordance with Article (10) of the Protocol.
7. A Member shall not be liable to civil or criminal proceedings, arrest, imprisonment or damages for what is said or done by him or her within or outside Parliament in the discharge of his or her duties as a Member.
8. Members shall be entitled to have access to any files or records received and held by Parliament or a committee, other than personal files and accounts which only the Member concerned shall be allowed to inspect.
9. Where a Member's privileges and immunities are unduly interfered with, the President shall take the initiative to intervene.
10. The President shall communicate his or her initiative under this Sub-Rule (8) to the Permanent Committee on Rules, Privileges and Discipline and inform Parliament accordingly.

Rule 11 Waiver of immunity

1. Without prejudice to this Rule 10 Sub-Rules (1) and (7), Parliament shall have the power to waive the immunity of a Member in accordance with the Rules of Procedure.
2. The waiver of the immunity of a Member under Rule 10, shall only be on the ground of committing a criminal offence.
3. Any request addressed to the President by the competent authority of a Member State that the immunity of a Member be waived shall be announced in Parliament and referred to the Permanent Committee on Rules, Privileges and Discipline.
4. Any request addressed to the President by a Member or a former Member to defend privileges and immunities shall be announced in Parliament and referred to the Permanent Committee on Rules, Privileges and Discipline.

5. Any inquiry as to the scope of Members' privileges and immunities made by a competent authority shall be dealt with according to the prescribed rules on waiver under these Rules.

Rule 12 Proceedings on waiver of immunity

1. The Permanent Committee on Rules, Privileges and Discipline shall consider requests for the waiver of immunity or requests for the defence of immunity and privileges, without delay and in the sequence in which they were submitted.
2. The Permanent Committee on Rules, Privileges and Discipline shall - recommend the approval or rejection of the request for the waiver of immunity.
3. The Permanent Committee on Rules, Privileges and Discipline may ask the authority concerned to provide any information or explanation which the Committee deems necessary for it to form an opinion on whether immunity should be waived or retained.
4. The Member concerned shall be given an opportunity to be heard and may present any documents or other written evidence in support of his or her defence.
5. In the proceedings in respect of waiver, a Member may be represented by another Member of Parliament or a legal representative of his or her choice at his or her own expense.
6. Where the request seeks the waiver of immunity on several counts, each count shall be the subject of a separate decision.
7. The Permanent Committee on Rules, Privileges and Discipline shall treat matters concerning waiver with utmost confidentiality.
8. The Permanent Committee on Rules, Privileges and Discipline may propose to Parliament that the waiver of immunity should apply solely to prosecution proceedings and that, until a final sentence is passed, the Member should be immune from any form of detention or remand or any other measure which prevents him or her from performing his or her duties.
9. The Permanent Committee on Rules, Privileges and Discipline may offer a reasoned opinion about the competence of the authority in question and the admissibility of the request, but shall not, under any circumstances, pronounce itself on the guilt or otherwise of the Member nor on whether or not the opinions or acts attributed to him or her justify prosecution, even if, in considering the request, it acquires detailed knowledge of the facts of the case.
10. The report of the Permanent Committee on Rules, Privileges and Discipline shall be the first business on the agenda of the sitting following the day on which it was tabled and no amendment to the proposals for a decision may be tabled.
11. Debate on the report of the Permanent Committee on Rules, Privileges and Immunity shall be confined to the reasons for and against each proposal to waive or uphold immunity or a privilege.
12. The Member whose privileges or immunities are the subject of the case shall not speak in the debate.
13. The proposals for a decision contained in the report shall be put to the vote immediately following the debate.
14. An individual vote shall be taken on each proposal contained in the report and where any proposal is rejected, the contrary decision shall be deemed adopted.

15. The President shall immediately communicate Parliament's decision to the Member concerned and to the competent authority of the Member State concerned, with a request that the President should be informed of any further developments in the matter.
16. The President shall transmit to Parliament any information received under Sub-rule (6) in the way he or she considers most appropriate and if necessary, after consulting the Permanent Committee on Rules, Privileges and Discipline

Rule 13 Code of Conduct

In all matters Members shall be guided in their behaviour by the Code of Conduct to be drafted by the Permanent Committee on Rules, Privileges and Discipline.

PART IV - COMPOSITION OF THE BUREAU OF PARLIAMENT

Rule 14 The Bureau of Parliament

The Bureau of Parliament shall be composed of a President and four Vice-Presidents.

Rule 15 Nominations

1. For the nomination of the President, a region may present one candidate and for the nomination of the Vice-Presidents, each region shall present two candidates, ensuring equal representation of men and women.
2. The Clerk shall call for submission of candidatures at least seven (7) days before the election; this deadline may be reduced to three (3) days in the case of an emergency declared by the Plenary of the PAP.
3. The candidatures for election to the office of the President or Vice-Presidents shall be submitted to the Clerk on the nomination form prescribed in Appendix A not later than six hours before the time fixed for elections.
4. The Clerk shall prepare the ballot papers and display the list of nominations at least three hours before the time fixed for elections.
5. A candidate may withdraw his or her candidature at any time before the elections and the Clerk shall, upon receipt of a written notification, announce the withdrawal.

Rule 16 Election of the members of the Bureau

1. Elections of members of the Bureau shall be conducted in accordance with the provisions of Article 12(2) of the Protocol and the present Rules of Procedure.
2. At a general election of members of the Bureau, the President shall be elected first.
3. An Ad hoc Committee of five (5) members constituted by an elected representative from each Regional Caucus shall organise and preside over the election of the President of the PAP.
4. The election of the Vice-Presidents shall be presided over by the President.
5. The election of the President and the Vice-Presidents shall be carried out at the first sitting of Parliament following its inauguration or at the sitting immediately following a vacancy.

6. The elections shall be by secret ballot and a simple majority of Members present and voting.
7. Where no candidate obtains the required majority or in the event of a tie, a second ballot shall be conducted but shall be restricted to the two candidates who obtained the highest or equal number of votes at the previous ballot.
8. At all times, the President and the Vice-Presidents shall represent all the regions of Africa and there shall not be more than one member of the Bureau from the same region.
9. In a general election where all the candidates elected as Vice Presidents are of the same gender, the candidate of the opposite gender with the highest number of votes shall replace the winner from that region.
10. The term of office of the Bureau of the Pan-African Parliament shall be three (3) years.
11. In the event of a vacancy of an office during the term of office of a member of an organ of the PAP, the member elected in replacement shall complete the term of his or her predecessor. It may be renewed once.

Rule 17 Functions of the Bureau

The Bureau shall:

- (a) be responsible for the management and administration of the affairs and facilities of Parliament and its organs;
- (b) be responsible for regulating the procedures relating to the financial, organisational and administrative needs in accordance with Financial Rules of the AU and matters concerning Members and the internal organisation of Parliament and its organs;
- (c) determine the draft agenda and the programmes of the sessions of Parliament;
- (d) determine the establishment, plan and structure of the Secretariat and lay down regulations for the staff, including their terms and conditions of service; and
- (e) propose to Parliament for adoption the establishment and job descriptions of its support staff;
- (f) propose, to the Pan-African Parliament, the appointment of the Clerk and Deputy Clerks to Parliament;
- (g) be responsible for the preparation of the draft budget and its presentation to the responsible Committee;
- (h) be responsible for coordinating and harmonising the functions of Permanent Committees;
- (i) be responsible for any other matters in accordance with the directives issued by Parliament; and
- (j) carry out any other functions as may be prescribed by Parliament or incidental to these functions;

Rule 18 Functions of the President

1. The President shall:
 - (a) preside over all proceedings of Parliament, except those held in Permanent Committees;
 - (b) preside over all the meetings of the Bureau;
 - (c) open, suspend or close the sittings of Parliament, after consultation with the other members of the Bureau;
 - (d) rule on the admissibility of draft resolutions and amendments

- thereto in consultation with the Bureau;
 - (e) follow up the implementation of the decisions of the Bureau and Parliament;
 - (f) represent Parliament in its relations with outside institutions;
 - (g) attend and report to the Assembly on the work of Parliament;
 - (h) perform any other functions incidental to these functions.
2. The President may delegate his or her functions to a Vice-President.

Rule 19 Functions of the Vice-Presidents

1. The Vice-Presidents, in the order of their ranking and by rotation, shall act as President in the absence of the President or when the President is unable to discharge his or her duties.
2. The Vice-Presidents shall carry out the duties prescribed by the Bureau under the direction and control of the President and subject to such directives as may be issued by Parliament.

Rule 20 Secretariat

1. In the performance of its functions, Parliament shall be assisted by the Secretariat.
2. The Secretariat shall be composed of:
 - (a) the Clerk;
 - (b) two Deputy Clerks; and
 - (c) other staff and functionaries, in accordance with Article 12 (6) of the Protocol.
3. The Clerk, Deputy Clerks and other staff and functionaries deemed necessary for the proper discharge of the functions of Parliament shall be appointed by Parliament, upon the recommendation of the Bureau.
4. The Clerk and Deputy Clerks shall give a solemn undertaking before the Bureau to perform their duties conscientiously and with absolute impartiality.
5. All staff of Parliament shall give a solemn undertaking before the Clerk for due execution of their duties.
6. The terms and conditions of service and the privileges and immunities enjoyed by the Clerk, Deputy Clerks and other staff shall be determined by the Bureau on behalf of Parliament.

Rule 21 Functions of the Clerk

The Clerk shall:

- (a) head the Secretariat;
- (b) organise the elections of the President and Vice-Presidents;
- (c) take minutes of all the proceedings of Parliament and the Permanent Committees;
- (d) authenticate the votes and proceedings of each sitting by signature;
- (e) is responsible to Parliament for accounting issues;
- (f) supervise the staff of the Secretariat; and
- (g) manage the day to day administrative affairs of Parliament.

PART V - PARLIAMENTARY COMMITTEES

Rule 22 Establishment of Committees

1. Parliament shall establish the following Permanent Committees for the proper discharge of its functions in accordance with these Rules of Procedure:
 - (a) The Committee on Rural Economy, Agriculture, Natural Resources and Environment;
 - (b) The Committee on Monetary and Financial Affairs;
 - (c) The Committee on Trade, Customs and Immigration Matters;
 - (d) The Committee on Cooperation, International Relations and Conflict Resolutions;
 - (e) The Committee on Transport, Industry, Communications, Energy, Science and Technology;
 - (f) The Committee on Health, Labour and Social Affairs;
 - (g) The Committee on Education, Culture, Tourism and Human Resources;
 - (h) The Committee on Gender, Family, Youth and People with Disability;
 - (i) The Committee on Justice and Human Rights;
 - (j) The Committee on Rules, Privileges and Discipline;
2. Parliament shall, whenever it deems appropriate, restructure these Committees or establish other Committees in accordance with these Rules.
3. Parliament may appoint Ad Hoc Committees whenever it deems necessary, for a particular function.
4. A Committee established under Sub-Rule (3) shall:
 - (a) have its terms of reference specified by Parliament;
 - (b) be for a definite period; and
 - (c) dissolve on reporting to the House.
5. A Committee of Parliament shall consist of not more than thirty Members, with each region designating at least three Members, taking into account gender balance.
6. Each Committee shall elect a Chairperson, a Deputy Chairperson and a Rapporteur from amongst its members. The Bureau of the PAP, in consultation with the Bureaux of Regional Caucuses, shall ensure during the overall renewal of the Bureaux of Committees that there is equal regional representation of office bearers within the Bureaux.
7. The quorum of each Committee shall be an absolute majority of its Members but shall only be required for purposes of voting.
8. The decisions of the Committee shall be by consensus or failing which by a two-thirds majority of all Members present and voting.
9. Voting in the Committee shall be by show of hands unless one third of the Members request a vote by secret ballot.
10. Where there is an equality of votes, the President shall exercise a casting vote in addition to his or her original vote.
11. At any one time a Member shall only serve on one Committee.

Rule 23 Procedure of Committees

1. These Rules shall apply to the extent that they are applicable in proceedings of Committees.
2. The approved minutes of a Committee shall be signed by the President or the Member acting on his or her behalf and by the Rapporteur and shall be kept by the Rapporteur.

3. A Committee shall have power to receive evidence, call witnesses and require the production of papers and documents.
4. A report of the Committee on any matter shall be presented to Parliament by the President of the Committee or the Member acting on his or her behalf.
5. The President of a Committee shall maintain order in the Committee and deciding any question of order or disorder in a Committee shall be dealt with under Part IX of these Rules.

Rule 24 Modalities of operation of Committees

1. A Committee may establish one or more Sub-Permanent Committees from among its members.
2. The procedure of Sub-Committees shall be the same as for Committees.
3. A Committee may invite any Organ of the Union to take part in its proceedings.
4. A Committee may invite a person who is not a Member to attend and speak at its proceedings.
5. A Member may attend a meeting of a Committee to which he or she does not belong as an observer but may not take the floor or vote.
6. Unless otherwise directed by the Bureau, the proceedings of the Committee shall be held in public.

Rule 25 General functions of Committees

1. The President shall, on the advice of the Bureau, determine the general business to be handled by the Committees.
2. The Committees shall handle business that is ordinarily handled by the corresponding Specialised Technical Committee responsible to the Executive Council in accordance with Article 14 of the Constitutive Act.
3. Parliament shall from time to time allocate any other matter to a Committee it deems appropriate.

Rule 26 Specific functions of Committees

1. The Committee on Rural Economy, Agriculture, Natural Resources and Environment shall, amongst others:
 - (a) consider the development of common regional and continental policies in the agricultural sector;
 - (b) assist the Parliament to oversee and assist with the harmonisation of policies for rural and agricultural development; and
 - (c) promote the development policy and the implementation of programmes of the Union relating to natural resources and environment.
2. The Committee on Monetary and Financial Affairs shall, amongst others:
 - (a) examine the draft estimates of the Parliamentary budget and submit to Parliament;
 - (b) discuss the budget of the Union and make appropriate recommendations;
 - (c) examine and report to Parliament on the problems involved in the implementation of the annual budget; and
 - (d) assist Parliament to execute its role of establishing sound economic, monetary and investment policies.
3. The Committee on Trade, Customs and Immigration Matters shall, amongst others:

- (a) consider matters relating to development of sound policy for cross-border, regional and continental concerns within the areas of trade, customs and immigration;
 - (b) assist the Parliament to oversee relevant organs or institutions and policies of the Union; and
 - (c) assist the Parliament to oversee external trade.
4. The Committee on Cooperation, International Relations and Conflict Resolutions shall, amongst others:
 - (a) consider issues relating to the development of an efficient policy in matters of cooperation and international relations of the Parliament and the Union;
 - (b) consider the conventions and protocols linking the Parliament with regional and international institutions and report to the Parliament;
 - (c) carry out examinations on the revision of Protocols and Treaties of the Union;
 - (d) assist the Parliament in its efforts of conflict prevention and resolution.
5. The Committee on Transport, Industry, Communications, Energy, Science and Technology shall, amongst others:
 - (a) consider issues relating to the development of transport and communications infrastructure;
 - (b) assist Parliament to oversee the development and implementation of policies of the Union relating to transport, communication, science and technology and industry;
 - (c) consider issues relating to the use of science and technology for the development of the Continent;
 - (d) assist Parliament to supervise the development policies and the Union implementation programmes for matters of industry, science, technology and energy.
6. The Committee on Health, Labour and Social Affairs shall, amongst others:
 - (a) consider strategies and programmes for the improvement of the lives of African peoples;
 - (b) consider issues relating to regional and international cooperation in strategic planning and implementation of social development and health policies and programmes.
7. The Committee on Education, Culture, Tourism and Human Resources shall, amongst others:
 - (a) consider issues relating to the development of human resources in Member States;
 - (b) assist Parliament to promote policy development and implementation of programmes of the Union relating to access to education, promotion and preservation of culture and tourism and human resource development.
8. The Committee on Gender, Family, Youth and People with Disability shall, amongst others:
 - (a) consider issues relating to the promotion of gender equality;
 - (b) assist Parliament to oversee the development of policies and activities of the Union relating to family, youth and people with disabilities.
9. The Committee on Justice and Human Rights shall, amongst others -
 - (a) assist Parliament in its role of harmonising and coordinating the laws of Member States;

- (b) promote respect for and develop sound principles of freedom, civil liberties, justice, human and peoples' rights and fundamental rights within the Union.
- 10. The Committee on Rules, Privileges and Discipline shall, amongst others
 - (a) assist the Bureau in interpretation and application of these Rules of Procedure;
 - (b) consider requests for waiver of immunity and discipline submitted under these Rules;
 - (c) consider proposals for the amendment of the Rules of Procedure; and
 - (d) consider cases of indiscipline referred to it.

Rule 27 Time and Place of Committee meetings

1. Committees shall normally conduct their business during the Parliamentary session;
2. Notwithstanding Sub-Rule (1) a Committee may conduct its business outside the Parliamentary session should the need arise;
3. Sittings of Committees shall be held at the seat of Parliament or outside the seat of Parliament.

PART VI - MEETINGS, SITTINGS AND ADJOURNMENT OF THE HOUSE

Rule 28 Ordinary Sessions

1. Parliament shall hold, at least, two ordinary sessions within a period of twelve months.
2. A session of Parliament may last up to one month.

Rule 29 Extraordinary Sessions

Two-thirds of the Pan-African Parliamentarians, the Assembly or the Council, through the Chairperson of the African Union, may, by written notification addressed to the President, request an Extraordinary Session. The request shall provide a motivation for and details of the matters to be discussed at the proposed Extraordinary session. The President shall convene such a session that shall discuss only the matters stipulated in the request. The session shall end upon exhaustion of the agenda.

Rule 30 Suspension and recall of House

1. The President, in consultation with the other members of the Bureau, may at any time suspend a sitting or adjourn the House, provided that the President shall inform the House of the reasons for such suspension or adjournment.
2. The President shall be responsible, after consultation with the other members of the Bureau, for fixing the time when a sitting of the House should be adjourned sine die.
3. The President may call a sitting of the House before the date or time to which it stands adjourned or at any time after the House has been adjourned sine die.

Rule 31 Notice of meetings

1. Members shall receive at least twenty-one days' notice of an ordinary session and at least fourteen days' notice of an Extraordinary session.
2. The notice to a Member shall be sent to the Speaker and the Clerk of the National Parliament or to the administrative head of the deliberative organ which elected or designated the Member, who shall notify the Member accordingly.
3. A copy of the notice shall also be sent directly to the Member.

Rule 32 Time of meetings

During session, until otherwise decided by the Bureau, sittings will be:

- (a) on Monday to Thursday, from 09h00 to 18h00, with a two-hour lunch break; and
- (b) on Fridays from 09h00 to 12h00.

Rule 33 Public Holidays

The House shall not sit on the gazetted national holidays of the Member State where the House is sitting or on the holidays of the African Union.

Rule 34 Venue of sittings

Parliament shall hold its sittings and those of its Committees at its Seat or at such other venue as may be determined by the Bureau upon the invitation of a Member State.

Rule 35 Meetings to be open

1. The proceedings of the Pan-African Parliament shall be open to the public, unless otherwise directed by the Bureau.
2. Notwithstanding the provisions of Sub-rule (1) proceedings of Parliament may be held in closed sessions on the recommendation of the Bureau:
 - (a) when a Permanent Committee adopts its agenda, it may, with leave of the Bureau, indicate which items are open to the public and which will be held in closed sessions; and
 - (b) the verbatim report of sittings held in closed sessions shall not be made public.
3. The proceedings of the Permanent Committee on Rules, Privileges and Discipline on matters relating to waiver of immunity and discipline shall always be held in closed sessions.

PART VII - ORDER OF BUSINESS

Rule 36 Order of business for each session

1. At least five days prior to the commencement of each session, the Bureau shall draft the order of business taking into account the agreed annual programme of Parliament.
2. The Bureau shall consult the Presiding Officers of Permanent Committees and may consult any Organ of the Union in finalising the order of business.
3. The final draft order of business shall be distributed to the Council of Ministers, the Commission and Members of Parliament at least forty-eight hours before the beginning of the session.

Rule 37 Sequence of proceedings and Order Paper

1. The proceedings of the House shall, where applicable, be conducted in the following sequence:
 - (a) opportunity for silent prayer or meditation;
 - (b) communication from the chair;
 - (c) administration of oath;
 - (d) election of President and/or Vice-Presidents;
 - (e) petitions;
 - (f) papers;
 - (g) notices of motion;
 - (h) questions of which notice has been given; and
 - (i) business of the day.
2. The Clerk shall prepare the Order Paper setting out the sequence of proceedings and order of business and shall circulate it at least four hours before the commencement of the session.
3. By leave of the President the order of business set out in the Order Paper may be altered during a sitting.
4. The Presiding Officer shall direct the Clerk to read the order paper of the day without question put.

PART VIII - GENERAL RULES FOR THE CONDUCT OF SITTINGS AND DEBATES

Rule 38 Access to chamber and galleries

1. A person shall not enter the Chamber unless he or she is:
 - (a) a Member of Parliament;
 - (b) a member of the Assembly upon the invitation of the President;
 - (c) a member of the Council upon the invitation of the President;
 - (d) a member of the Commission upon the invitation of the President;
 - (e) the Clerk of Parliament;
 - (f) an official of the secretariat whose duties require his or her presence in the chamber;
 - (g) experts and officials of the Union on the invitation of Parliament;
 - (h) a Head of State or other special guest upon invitation of the President.
2. A person shall not be admitted to the galleries of Parliament without an admission card duly issued by the Clerk.
3. A person admitted to the galleries of Parliament shall not disrupt nor cause the disruption of the proceedings of Parliament in any way.
4. Any person failing to abide by the provisions of Sub-rule (3) shall immediately be removed by the Serjeant-at-Arms.

Rule 39 Languages

1. The working languages of Parliament shall be the working languages of the Union.
2. Simultaneous interpretation shall be provided into the working languages at proceedings of Parliament and the Permanent Committees.
3. The Clerk shall ensure that all official documents of the Parliament and the Permanent Committees are translated into the working languages.

Rule 40 Conduct of Members in the House

1. During a sitting:

- (a) all Members shall enter or leave the House with decorum;
 - (b) all Members shall take their seats as determined by the Bureau;
 - (c) a Member shall not move around unnecessarily;
 - (d) while a Member is speaking, all other Members shall be silent and shall not make unnecessary interruptions;
 - (e) when a Member has finished his or her intervention, he or she shall resume his or her seat;
 - (f) a Member may not bring into the House anything other than papers, books or other documents directly connected with the business of the House;
 - (g) a Member shall not bring into the House any arms or weapon, tape recorder, transistor radio, or other electronic device; and
 - (h) all mobile telephones shall be switched off.
2. All Members shall dress in a dignified manner as accepted by their National Parliament or deliberative organ.

Rule 41 List of Members wishing to speak in a debate

The names of Members who wish to speak shall be entered on the list of speakers in the order in which their requests are received.

Rule 42 Calling Members to speak in the House

1. A Member shall, where possible, indicate his or her intention to speak by show of hand or by standing up.
2. A Member shall speak only when called upon to do so by the Presiding Officer.
3. A Member shall whenever possible, speak from his or her place while standing up and shall address the presiding officer.
4. Priority shall be given to a President of a Permanent Committee, upon request to take the floor on behalf of his or her Permanent Committee to deliver a report or to provide additional information or elucidation in a debate on a report of his or her Permanent Committee.

Rule 43 Time limitations for contributions during debate

1. The Presiding Officer may impose a limit on the time allocated to Members' contributions in the House.
2. A Member shall speak only once on a matter before the House.
3. Notwithstanding the provisions of Sub-Rule (1):
 - (a) a Member who has spoken to a question may be heard again to offer explanation of some material part of his or her speech which has been misunderstood, but he or she shall not introduce a new matter; and
 - (b) a reply shall be allowed to a Member who has moved a substantive motion but not a Member who has moved an amendment.

Rule 44 Contents of speeches

1. Reference shall not be made to any matter on which judicial decision is pending in the International Court of Justice and in the Court of Justice of the African Union or the African Court on Human and Peoples' Rights in such a way as may, in the opinion of the Presiding Officer, prejudice the interest of any party to the action.

2. A Member shall not use offensive, abusive, insulting, blasphemous or unbecoming words or impute improper motives or make personal allusions to any Member or other persons.
3. A Member who wishes to speak on any matter in which he or she has a personal interest shall first declare that interest.
4. A Member shall be responsible for the accuracy of any facts which he or she alleges to be true and may be required to substantiate any such facts or to withdraw his or her allegations with an appropriate apology upon the direction of the Presiding Officer.

Rule 45 Interruption of debate

1. During the debate a Member holding the floor may be interrupted:
 - (a) by the Presiding Officer;
 - (b) with the permission of the Presiding Officer on:
 - (i) a point of order
 - (ii) point of information or elucidation or clarification;
 - (iii) or procedure.
2. Where a Member rises on a point of procedure or order, the Member holding the floor shall immediately resume his or her seat.
3. Where a point of procedure or order has been raised, no other Member shall rise until the Presiding Officer has decided upon the matter.
4. Where a Member interrupts debate on a point of procedure the Member shall state the rule of procedure he or she deems to have been breached by the Member holding the floor before subjecting the Member to the ruling of the Presiding Officer.
5. A Member may rise on a point of information or elucidation or clarification based on a matter raised by a Member holding the floor but may only proceed with the point if the Member holding the floor is willing to give way and resume his or her seat and if the Member wishing to interrupt is called upon to do so by the Presiding Officer.
6. Where a decision has been made on the point of procedure or order, the Member who was speaking shall be entitled to proceed with his or her speech.
7. When giving leave to interrupt debate, the Presiding Officer shall follow the following order of precedence-
 - (a) points of procedure;
 - (b) points of order;
 - (c) points of information, or elucidation, or clarification.

Rule 46 Scope of debate

1. Debate upon any motion or amendment to a motion shall be relevant to the matter being debated.
2. In any debate on an amendment to a motion, the Presiding Officer may, in his or her discretion, direct that the debate on the amendment shall include debate on the matter of the motion where, in his or her opinion, the matter of the amendment is not conveniently separable from the matter of the motion.
3. When the Presiding Officer gives a direction under Sub-Rule (2), any Member who has already spoken to the motion may, in speaking to the amendment, speak only to a new matter raised by the amendment.
4. When an amendment to a motion proposes to omit words and insert or add other words, debate upon the question to omit words may include

both the words to be omitted and those proposed to be inserted or added.

5. On an amendment proposing only to omit words, debate shall be confined to the words to be omitted.
6. The Presiding Officer shall not take part in any debate before the House, but may give guidance to the House on any matter before it.

Rule 47 Motion for closure of debate

1. After a question has been proposed in Parliament and debated, a Member may move that “the question be put” and, unless it appears to the Presiding Officer that the motion is an abuse of the rules of Parliament or an infringement of the rights of any Member, the question “that the question be put” shall be put immediately and decided without amendment and debate.
2. Where the question of closure is agreed by a simple majority of Members present and voting, the question on the motion which was being discussed when the closure motion was moved shall be put forthwith without further discussion.

Rule 48 Speaking after question is put to vote

A Member shall not speak on any question after it has been put by the Presiding Officer and decided.

PART IX - ORDER IN THE CHAMBER

Rule 49 Address by the Chair

When the Presiding Officer addresses the House, any Member holding the floor and standing shall immediately resume his or her seat and the Presiding Officer shall be heard in silence.

Rule 50 Conduct of Debates

The Presiding Officer shall be responsible for conducting debates and his or her decisions upon any point shall not be open to appeal.

Rule 51 Order in the House and Committees

1. The Presiding Officer shall be responsible for the observance of the Rules of Procedure or order in the House or the Permanent Committee.
2. The Presiding Officer, after calling the attention of the House or the Permanent Committee to the conduct of a Member who persists in irrelevance or tedious repetition, either of his or her own arguments, or of the arguments made by other Members in the debate, may direct the Member to discontinue his or her speech.
3. The Presiding Officer shall order any Member whose conduct is grossly disorderly to withdraw immediately from the House or Permanent Committee for the remainder of that day’s sitting; and the Clerk or the Serjeant-at-Arms shall act on such orders as he or she may receive from the Presiding Officer to ensure compliance with this rule.
4. Action taken against a Member in terms of Sub-Rule (3), in the case of Permanent Committee proceedings shall be announced in the House at the first sitting following such action.

Rule 52 Sanction of Members

1. If the Presiding Officer considers that the conduct of a Member cannot be adequately dealt with under Sub-Rule (3) of Rule 45, he or she may name the Member.
2. Where a Member has been named:
 - (a) in the case of the proceedings of the House, the President shall suspend the Member named from the House; or
 - (b) in the case of a Permanent Committee, the Presiding Officer shall, with the consent of the Permanent Committee, suspend the Member named from its sitting and report at the next sitting of the House.
3. Where a Member is suspended, his or her suspension:
 - (a) on the first occasion shall be for the next three sittings excluding the sitting in which he or she was suspended;
 - (b) on the second occasion in a session, shall be for the next seven sittings excluding the sitting in which he or she was suspended; and
 - (c) on the third and any subsequent occasion during the same session, shall be for the next twenty-eight sittings of the House excluding the sitting in which the Member was suspended.
4. Notwithstanding the number of days a Member has been suspended under Sub-Rule (3), the suspension shall cease at the end of the session in which he or she was suspended unless the House otherwise orders.
5. Where a Member who has been suspended from the House defies the order of the President, the Serjeant-at-Arms shall ask him to leave the House. The President may order that the Member be removed by force.
6. The President may cancel the suspension of the Member upon acceptance of a written apology from the Member.

Rule 53 Withdrawal of suspended Member from precincts

A Member who is ordered to withdraw under Sub-Rule (3) of Rule 51 or who is suspended from the House by virtue of Sub-Rule (2) of Rule 52 shall leave the precincts of the House, except the parliamentary residence, until the end of the suspension period.

Rule 54 Power of the President to adjourn House or suspend sitting

In the case of grave disorder arising in the House, the President may adjourn the House without question put, or suspend the sitting until a time to be determined by the President.

PART X - QUORUM AND VOTING

Rule 55 Quorum of meeting of Parliament

The quorum for a meeting of Parliament shall be constituted by a simple majority of all the Members.

Rule 56 Voting

Voting in the House shall be governed by the following principles:

- (a) each Member shall have one vote;
- (b) decisions of the House shall be made by consensus;
- (c) where there is no consensus, decisions of the House shall be made by a two-thirds majority of Members present and voting;

- (d) where a matter is procedural, including the question of whether a matter is one of procedure or not, the decision shall be made by a simple majority of Members present and voting; and
- (e) where there is an equal number of votes the Presiding Officer shall have a casting vote.

Rule 57 Right to vote

1. The right to vote is a personal right and no Member shall be obliged to vote.
2. A Member other than the Presiding Officer shall be entitled to vote on any question.

Rule 58 Declaration of personal interest

1. A Member who is a party to, or is a partner in a firm, which is a party to any contract with the Union, shall, in any proceedings in the House or Permanent Committee relating to the contract, declare his or her interest or that of the firm and shall not vote on any question relating to that contract.
2. Where a Member fails to declare his or her interest under Sub- Rule (1), another Member may raise the matter in the House or Permanent Committee and the Presiding Officer shall, after satisfying him- or herself of the veracity of the matter, order that such a Member shall not vote on the contract and shall refer the conduct of that Member to the Permanent Committee on Rules, Privileges and Discipline.
3. The Permanent Committee may, after investigation, recommend to the House such action against the Member, as it may consider appropriate.

Rule 59 Manner of voting on a specific question

1. Parliament shall apply the following methods when voting is required:
 - (a) by show of hands; or
 - (b) by electronic voting; or
 - (c) by secret ballot.
2. Members who are incapacitated by some physical infirmity or disability from recording their votes, shall, upon reporting their incapacity or disability to the Presiding Officer, be counted and recorded accordingly.
3. All questions on procedural matters, including the question of whether the matter is one of procedure or not, shall be determined by show of hands.
4. Where the manner of voting has been by show of hands and:
 - (a) the Presiding Officer considers that there is reasonable doubt as to the outcome of the vote on the question; or
 - (b) at least one fifth of the Members claim that the vote was inaccurate and the Presiding Officer confirms that the number of Members making the claim is as required, the Presiding Officer shall order a fresh vote to be taken using the electronic voting system.
5. Questions or resolutions other than procedural questions shall, be determined using the electronic voting system, whenever possible.
6. The result of any vote shall be recorded by both the number and the name in alphabetical order in the Votes and Proceedings of the sitting.
7. Where a decision is determined by secret ballot, only the numerical result of the vote shall be recorded in the votes and proceedings of the sitting.

8. If a Member asserts that he or she voted in error or that his or her vote was recorded incorrectly, he or she may request to correct his or her vote or have his or her vote correctly recorded immediately before the Presiding Officer has announced the results of the vote.

PART XI - MOTIONS

Rule 60 Written notice of motions

A Member shall give written notice to the President and the Clerk at least three days prior to the sitting at which he or she intends to move the motion.

Rule 61 Oral notice of motions

1. Notwithstanding the provisions of Rule 60, a Member may, with leave of the Presiding Officer, give oral notice of a motion during a sitting but the motion shall not be placed on the Order Paper until three days have elapsed since the notice was given, unless the President is of the opinion that it is in the public interest that it should be placed on the Order Paper prior to the expiration of three days, in which case the President may direct that it be placed on the Order Paper at such time as he or she thinks convenient.
2. Any oral notice of motion shall be reduced to writing and handed to the Clerk for circulation to Members.

Rule 62 Amendment of notices of motion

The Presiding Officer may permit the Member to move in amended form, without notice, a motion of which notice has been given if in the opinion of the Presiding Officer the amendment does not materially alter any principle embodied in the original motion.

Rule 63 Seconding of motions

1. A motion or an amendment to the motion shall not be debated in the House unless it has been seconded.
2. Motions in committees need not be seconded.

Rule 64 Amendment to motions

1. When any motion is under consideration by the House or by a Permanent Committee, an amendment may be proposed to the motion if it is relevant to the motion.
2. Any amendment may be proposed to the amendment if it is relevant to that amendment.
3. The Presiding Officer shall require any amendment moved and seconded in the House to be put in writing by the mover and delivered to the Clerk.
4. No amendment shall be permitted if, in the opinion of the Presiding Officer, it substantially alters the principle of the question proposed.
5. Any amendment to the motion which a Member wishes to propose under this Rule may be moved and seconded at any time during the debate of the motion.
6. When the amendment has been disposed of, the Presiding Officer shall again propose the question upon the motion as amended, as the case may require, and after any further debate which may arise on it, shall put the question for decision.

7. Any amendment to an amendment which a Member wishes to propose shall be moved and seconded at any time after the question upon the original amendment has been proposed by the Presiding Officer, and before it has been put by the Presiding Officer at the conclusion of the debate on the original amendment.
8. Upon any amendment to delete any of the words of a motion, the question to be posed by the Presiding Officer shall be "That the following words ... be deleted from the motion."
9. Upon any amendment to insert words, or add words at the end of a motion, the question to be posed by the Presiding Officer shall be "That the following words ... be inserted."
10. Upon an amendment to delete words and insert or add other words instead, a question shall first be posed "That the following words be deleted from the motion", and if the question is agreed to, the question then be posed "That the following words, be there inserted."
11. If the first question under Sub-Rule (10) is negated, no further amendment may be proposed to the words which were to be deleted.
12. When every amendment to an amendment has been disposed of, the Presiding Officer shall either again propose the question upon the original amendment or shall propose the question upon the original amendment as amended, as the case may require.

Rule 65 Withdrawal of motions

1. A motion or an amendment to the motion may be withdrawn at the request of the mover, by leave of the House or Permanent Committee, before the question is put on the motion or amendment.
2. A motion or an amendment withdrawn under this Rule may be proposed again, if, in case of a motion, notice is given as required by these Rules.
3. If the question has been posed on an amendment to a motion, the original motion may not be withdrawn until the amendment to the motion has been disposed of.

Rule 66 Manner of debating motions

1. When a motion has been moved and seconded in the House the Presiding Officer shall pose the question on the motion in the same terms as the motion, and debate may then take place upon that motion and may continue for a period not exceeding one hour.
2. The Presiding Officer may at the beginning of any debate specify the period that each Member contributing to a debate may be given.
3. The Presiding Officer may call upon the mover to reply at the end of the period allocated for debate and immediately after the reply has been given, shall put the question to the House.

PART XII - QUESTIONS

Rule 67 Questions on the Union

1. Questions relating to matters of the Union may be put to the Executive Council, the Commission or any other organ of the African Union.
2. Questions shall be referred to the Executive Council, the Commission or any other organ of the Union through the President at least thirty days before the sitting on whose Order Paper they are to appear.

3. A question shall be of an interrogative character and its purpose shall be limited to seeking information or pressing for action.
4. A question shall not be made the pretext for a debate.

Rule 68 Notices of question

1. Members shall give notices of questions, in writing, stating whether a question is for oral or written reply, to the Clerk who shall forward them to the President.
2. If the President is of the opinion that any question of which a Member has given notice is one which infringes any of the provisions of the Constitutive Act, the Protocol or these Rules, he or she may direct that:
 - (a) it be not asked unless altered as he or she may direct; or
 - (b) the Member concerned be informed that the question is inadmissible.

Rule 69 Time limit for answering questions

1. Priority questions or questions whose answers may be provided without detailed research shall be answered within fifteen days.
2. Non-priority questions or questions which require researched replies shall be answered within twenty-five days.
3. If a question cannot be answered within the time limit set, it shall be put on the Order Paper for the following sitting at the request of the Member.

Rule 70 Content of questions

1. A question shall not be in effect a speech or limited to giving information or framed so as to suggest its own answer or to convey a particular point of view.
2. The facts on which a question is based may be set out briefly, provided the Member makes himself or herself responsible for their accuracy, but extracts from newspapers or quotations from speeches shall not be admissible.
3. A question shall not contain any argument, inference, opinion, imputation or controversial, ironical, or offensive expression or epithet.
4. A question shall not repeat in substance any question already answered either as a question or in the course of a debate in the current session.
5. Not more than one subject shall be referred to in any one question, and a question shall not be of excessive length.
6. A question shall be clear and intelligible, shall not name anyone, and shall not make a charge which the Member proposing it is not prepared to substantiate.
7. A question shall not raise a question of policy too large to be dealt with within the limits of an answer to a question.
8. A question, the answer to which is readily available in ordinary works of reference or official publications, shall not be asked.
9. A question shall not refer discourteously to any Member State, nor to its ruler or government or its representative in the Union.
10. A question shall not refer to proceedings of an Ad Hoc Committee before it has reported to Parliament.

Rule 71 Answers to questions

1. The Chairperson of the Executive Council or in his or her absence any other member of the Council or the Commission shall answer all questions put to the Union.
2. The answer to any question requiring written answer shall not be put on the Order Paper but shall be handed to the Clerk to be distributed to the Member who asked the question and published in the official Journals of Parliament.

PART XIII - PETITIONS

Rule 72 Petitions

1. Any citizen of a Member State and any natural or legal person residing or having its registered office in a Member State shall have the right to address, individually or in association with other citizens or persons, a petition to Parliament on a matter which comes within the fields of activity of the Union and which affects him or her or it directly.
2. Petitions to Parliament shall show the name, nationality and permanent address of each petitioner.
3. Petitions must be written in one of the official languages of the Union.
4. Petitions shall be entered in a register in the order in which they are received if they comply with the conditions laid down in Sub-Rule (2) and those that do not shall be filed and the petitioner shall be informed of the reasons therefore.
5. Unless the person submitting the petition asks for it to be treated in confidence, it shall be entered in a public register.
6. Petitions entered in the register shall be forwarded by the President of the Parliament to the Permanent Committee responsible, which shall first ascertain whether the petitions registered fall within the sphere of activities of the Union.
7. Petitions declared inadmissible by the Bureau shall, after being filed, be referred back to the petitioner with reasons for their inadmissibility.
8. The Permanent Committee shall report to the House on the petition with appropriate recommendations for adoption by the House.
9. The President shall inform the petitioner of the decisions taken and the reasons therefore.

PART XIV - STATEMENTS AND RELATIONS WITH OTHER ORGANS

Rule 73 Statements by the Assembly, Executive Council and the Commission

1. The chairpersons of the Assembly, the Executive Council or the Commission may at any time request the permission of the President to make a statement.
2. The President shall decide when a statement under Sub-Rule (1) may be made and whether it is to be followed by a full debate by Members or questions from Members.
3. All decisions of the Assembly and the Executive Council and programmes of organs of the African Union shall be submitted to Parliament.

Rule 74 Statements explaining decisions of the Assembly

1. (1) After consulting the Bureau, the President may invite the Chairperson of the Assembly, the Chairperson of the Executive Council or the Chairperson of the Commission to make a statement to Parliament after each meeting of the Assembly or of the Council, explaining the main decisions taken.
2. The statement shall be followed by a debate by Members.

Rule 75 Annual reports and other reports of organs of the Union

1. Annual reports and other reports of Organs of the Union shall be submitted to Parliament in order to enable Parliament make contributions in terms of Article 3 of the Protocol.
2. Annual reports and other reports of Organs of the Union shall be referred to the appropriate Permanent Committees which will deliberate upon them and submit reports with recommendations to Parliament.
3. The reports submitted to Parliament shall be debated by Parliament which will pass resolutions on them for consideration by the Executive Council.

Rule 76 Relationship between Parliament and the Assembly

The President shall present to the Assembly the resolutions and reports of Parliament.

PART XV - RELATIONS WITH REGIONAL AND NATIONAL PARLIAMENTS

Rule 77 Exchange of information, contacts and reciprocal facilities

1. Parliament shall work in close cooperation with the Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative organs of Member States.
2. Parliament may convene consultative fora with the National Parliaments or other deliberative organs of the Member States and Parliaments of the Regional Economic Communities to discuss matters of common interest.
3. Parliament shall keep the National Parliaments or other deliberative organs of the Member States regularly informed of its activities by forwarding to each:
 - (a) its annual parliamentary programme;
 - (b) the records of all relevant debates; and
 - (c) the reports of Permanent Committees and other relevant documents.
4. Parliament may confer, upon request, special observer status on Parliaments outside Africa, other Organs of the African Union or international agencies whose objectives and principles are consistent with those of the Union.

PART XVI - JOURNALS AND RECORDS OF PARLIAMENT

Rule 78 Journals of the House

All proceedings of Parliament shall be recorded by the Clerk as votes and proceedings and shall constitute the Journals of Parliament.

Rule 79 Journals of Committees

All proceedings of Committees shall be recorded by the Clerk as minutes and together with the correspondence and documents received or presented, shall constitute the Journals of Committees.

Rule 80 Custody of Journals

1. The Journals and Records of Parliament including all documents, papers and accounts presented to or belonging to Parliament, shall be in the custody of the Clerk and systematically archived.
2. Such journals and records or copies thereof shall not be removed from the precincts of Parliament without leave of the Clerk.

Rule 81 Official verbatim report of proceedings

1. There shall be published an official verbatim report of proceedings of Parliament and its committees.
2. Every member shall have an opportunity to correct the draft verbatim report of his or her contribution but not so as to alter the substance of what he or she actually said, and the President shall, in case of doubt, determine whether the correction would amount to an alteration.

PART XVII - BUDGET

Rule 82 Drafting and procedure of the Budget

(a) Budget of the Parliament

1. The Bureau shall at least three months before the start of the financial year of the Union draw up the preliminary draft estimates constituting the budget, on the basis of a report prepared by the Clerk.
2. The President shall forward the preliminary draft estimates to the Permanent Committee on Monetary and Financial Affairs, which shall examine the draft estimates and report to Parliament.
3. The Permanent Committee on Monetary and Financial Affairs shall consider the annual budget of Parliament and report to Parliament.
4. The budget shall be drawn in accordance with the Financial Rules and Regulations of the AU.
5. The President shall present the budget adopted by Parliament to the Assembly for approval.
6. The provisions of Sub-Rules (1) to (5) shall apply to supplementary estimates.
7. Each year Parliament shall consider, before the presentation of the budget for the following financial year, the problems involved in the implementation of the current budget, on the basis of a motion for a resolution tabled by the Permanent Committee on Monetary and Financial Affairs.

(b) Budget of the Union

Parliament shall discuss the budget of the Union and make recommendations through the Permanent Committee on Monetary and Financial Affairs to the Assembly.

PART XVIII - CAUCUSES

Rule 83 Establishment and composition of regional caucuses

1. Each region shall form a regional caucus consisting of all the Members from that region.
2. Each regional caucus shall elect a President, a Vice-President and a rapporteur from amongst its Members.

Rule 84 Functions of regional caucuses

1. A regional caucus -
 - (a) selects names from amongst its members for -
 - (i) nomination for election of President or Vice-Presidents
 - (ii) membership of Permanent Committees
 - (iii) participation in other parliamentary bodies or proceedings
 - (b) Performs any other function as assigned to it by the Bureau or the Permanent Committee on Rules, Privileges and Discipline or by resolution of Parliament.
2. The President of a regional caucus provides the Bureau or other appropriate authority with the lists of names and other information as decided by the caucus for the purposes contemplated in Sub-Rule (1).

Rule 85 Other caucuses

Members may form caucuses around issues of common interest as and when they deem it necessary.

PART XIX - PROVISIONS COMMON TO THE BUREAUX OF ORGANS OF THE PAP

Rule 86

1. The tenure of a member of the Pan-African Parliament shall be that of his or her National Parliament or any deliberative organ that elects or designates him or her.
2. The term of office of the Bureau of the PAP and the Bureaux of the other organs shall be three (3) years.

Rule 87 Public access to documents

1. A citizen of a Member State and any natural or legal person residing or having its registered office in a Member State has a right of access to documents of Parliament subject to the principles, conditions and limits laid down by these Rules.
2. Documents drawn up by individual Members are Parliamentary documents for the purposes of access to documents if they are tabled under these Rules.
3. The Bureau shall stipulate the rules on how a document becomes a "Parliamentary document".
4. Parliament shall establish a register of Parliamentary documents showing the categories of documents, which are accessible or not accessible, as the Bureau shall determine.

Rule 88 Attendance of Members at sitting

An attendance register shall be laid open for signature by Members at each sitting of Parliament or a Permanent Committee.

Rule 89 Leave of absence

1. A Member shall not absent himself or herself from more than ten consecutive sittings of the House during any period when the House is continuously sitting, except with written communication of the President or written notice to the Clerk.
2. The written notice required under Sub-Rule (1) shall provide reasons for absence from sittings of Parliament.
3. The President shall inform the Speaker or political head of the National Parliament or other deliberative organ which elected or designated the Member of unauthorised absence.

Rule 90 Annual Parliamentary programme

The Bureau shall, in consultation with the Presidents of Permanent Committees, draw the framework of the Annual Parliamentary Programme and may, in so doing, consult the Executive Council and the Commission.

Rule 91 Accounts and audit

1. The accounts of Parliament shall be maintained in United States Dollars or any other currency approved by the Assembly.
2. The Clerk shall ensure that proper books of accounts and assets register are maintained.
3. The books of accounts of Parliament and such other statements and documents relating thereto shall be audited at the end of each financial year by an auditor appointed by the Bureau.
4. The auditor's report shall be laid before Parliament by the Bureau, and referred to the Permanent Committee on Monetary and Financial Affairs.

Rule 92 Application of Rules

1. Should doubt arise over the application or interpretation of these Rules by the Presiding Officer, he or she may, without prejudice to any previous decisions, refer the matter to the Permanent Committee on Rules, Privileges and Discipline.
2. The Permanent Committee on Rules, Privileges and Discipline shall decide whether it is necessary to propose an amendment to the Rules of Procedure in accordance with Rule 92.
3. Where an interpretation of the Rules is clear, the Permanent Committee on Rules, Privileges and Discipline shall forward its decision to the President who shall inform Parliament at its next sitting.
4. Should at least one fifth of all the Members present contest the interpretation submitted under Sub-Rule (3), the matter shall be put to the vote in Parliament and shall be decided by a simple majority of the votes cast.
5. In the event of rejection under Sub-Rule (4), the matter shall be referred back to the Permanent Committee on Rules, Privileges and Discipline for re-interpretation or to propose an amendment.

Rule 93 Amendments of Rules

1. Any Member may propose amendments to these Rules including the appendices by forwarding such proposal to the Bureau, which shall consider and refer it to the Permanent Committee on Rules, Privileges and Discipline, for report to Parliament.
2. Amendments to these Rules shall be adopted only if they secure the votes of a two-thirds majority of all the Members.
3. Unless otherwise specified, when the vote is taken, amendments to these Rules and to the appendices shall enter into force on the first day of the Session following their adoption.

Rule 94 Entry into force of Rules

These Rules shall enter into force upon adoption by the House.

9.2. Overview of the Organs and Structures of the PAP

In accordance with the provisions of its Rules of Procedure, the Parliament has set up various organs and structures provided for by the latter.

9.2.1. The Plenary

The Plenary is the supreme and main organ of the Parliament, composed of all Members of Parliaments. The Parliament is made up of Parliamentarians from the 52 AU Member States that have ratified the PAP Protocol, bringing the total number of Members of Parliament to 260.

The Parliament holds at least two ordinary sessions a year. During the Sessions, unless otherwise informed by the Bureau sittings are from 9.00 am to 6.00pm from Monday to Thursday, with a two-hour lunch break. On Fridays, the Plenary Sessions are held from 9.00am to noon. The House does not sit on official Public Holidays in South Africa or on African Union holidays.

The working languages of the Parliament are the working languages of the African Union, namely, Arabic, English, French and Portuguese. Simultaneous interpretation is carried out in two (2) other additional languages during the Parliament's plenary sessions, in Spanish and Kiswahili.

9.2.2. The Bureau

The provisions of Rules 14, 15 and 16 of the Rules of Procedure govern the constitution of the Bureau of the Parliament. It is composed of a President and four Vice-Presidents. The mandate of the Pan-African Parliament Bureau is for three (3) years. The President and Vice-Presidents represent, at all times, all the regions of Africa and there shall not be more than one member of the Bureau for the same region.

Currently, the PAP Bureau is made up as follows.

- (i) President: Hon. Roger Nkodo DANG (Cameroun) for the West African region;
- (ii) 1st Vice-President: Hon Eduardo Joaquim MULEMBWE (Mozambique),

- for the Southern African region;
- (iii) 2nd Vice-President: Ms Safia Elmi DJIBRIL
- (iv) 3rd Vice-President: Hon. Suilma Hay Emhamed ELKAID (Sahrawi Arab Democratic Republic) for the region of North Africa;
- (v) 4th Vice-President: Hon Bernadette LAHAL (Sierra Leone) for the region of West Africa.

9.2.3. The Permanent Committees

Article 22 of the Rules of Procedure provides for the following 10 Permanent Committees for the proper discharge of the duties of Parliament:

- (i) The Committee on Rural Economy, Agriculture, Natural Resources and Environment;
- (ii) The Committee on Monetary and Financial Affairs;
- (iii) The Committee on Trade, Customs and Immigration Matters;
- (iv) The Committee on Cooperation, International Relations and Conflict Resolutions;
- (v) The Committee on Transport, Industry, Communications, Energy, Science and Technology;
- (vi) The Committee on Health, Labour and Social Affairs;
- (vii) The Committee on Education, Culture, Tourism and Human Resources;
- (viii) The Committee on Gender, Family, Youth and People with Disability;
- (ix) The Committee on Justice and Human Rights;
- (x) The Committee on Rules, Privileges and Discipline;
- (xi) The Committee on Audits and Public Accounts.

Each Committee elects a President, a Vice-President and a rapporteur from amongst its Members. The list of Committee Presidents is annexed to the present document. Their compositions and functions are set out in the Rules of Procedure.

9.2.4. Regional Caucuses

The regional caucuses are established by Rule 83 of the Rules of Procedure. They consist of all the Members from that region. Their main function is to select names from among their members for:

- (i) nomination for election of the PAP President or Vice-Presidents;
- (ii) membership to Permanent Committees;
- (iii) participation in other parliamentary bodies or proceedings; and/or to
- (iv) perform any other function as assigned to it by the Bureau or the Permanent Committee on Rules, Privileges and Discipline or by resolution of Parliament.

Furthermore, the President of a regional Caucus provides the Bureau or other appropriate authority with the lists of names and other information as decided by the Caucus.

Each regional Caucus elects a President, a Vice-President and a Rapporteur from amongst its members. Currently the Presidents of the regional Caucuses are:

- (i) Hon. Elise Loum NDOADOUMNGUE (Chad) for the Central African region;

- (ii) Hon. Abdulaziz Abdulahi MOHAMED for the East African region;
- (iii) Hon. Mohamed Tayeb LASKARI (Algeria) for the North African region;
- (iv) Hon. Prof Geoffrey LUNGWANGWA (Zambia) (acting) for the Southern Africa region;
- (v) Hon. Fabakary Tombong JATTA (Gambia) for the West Africa region.

9.2.5. Pan-African Parliament Women's Caucus

In accordance with Rule 85 of the Rules of Procedure, a Pan-African Parliament Women's Caucus has been formed whose vision is:

An integrated Africa where all the women and all the men participate in the decisionmaking process, enjoy the use of all their rights and fully exercise them with a view to a sustainable political and socio-economic development.

The aim of the Pan-African Parliament Women's Caucus is to promote a wider participation of women on the political, economic, social and cultural scene, at the national as well as the continental level, to strengthen the place and the role of women in the member Parliaments and in international organisations, encourage experience-sharing and promote solidarity among women Members and especially contribute towards the protection of Human Rights, particularly those of the young girl, child and mother.

The Pan-African Women's Caucus deliberates on all issues of common interest to its members and enables women to contribute their point of view on all the subjects debated at the PAP. It brings together all the women Members of the PAP.

The Caucus holds its annual statutory meetings during the ordinary sessions of the Parliament and can convene extraordinary meetings if need be.

The President of the Pan-African Parliament Women's Caucus is Hon Aichata HAIDARA CISSE (Mali).

9.2.6. Youth Caucus

The Pan-African Youth Caucus was created by a Parliament resolution with the following objectives:

- strengthen and consolidate the efforts aimed at giving young Africans a sense of responsibility through their meaningful participation and an equitable partnership in driving Africa's developmental agenda;
- work with the Civil Society and other relevant stakeholders within the Member States to facilitate the ratification and implementation of the African Youth Charter;
- ensure the liaison with the Pan-African Parliament Committee on Youth Activities in working with parliaments of member countries;
- implement the youth development program in keeping with the African Youth Charter; and
- coordinate and collaborate with the PAP Committees on Youth to promote youth empowerment and improve their wellbeing in the fields of education and employment on the African continent.

The Caucus holds its statutory meetings during the ordinary sessions of the Parliament.

9.2.7. Secretariat

The General Secretariat of the PAP consists of officers recruited from all over Africa. They include the Clerk and two Deputy Clerks in charge of Legislative Business and Conferences as well as Finance Administration and Human Resources respectively.