

African Union, African Regional Bodies

Pan-African Parliament Hansard Report, Second Session of the Second Parliament

Legislation as at 12 April 2010

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Pan-African Parliament Hansard Report, Second Session of the Second Parliament

Lundi 12 avril 2010. COMMUNICATION DE LA PRÉSIDENCE LE PRÉSIDENT :

Je voudrais, avant de commencer, inviter nos invités de marque à venir occuper les sièges qui leur sont dédiés à l'avant. Il s'agit de :

- S.E Dr. Maxwell Mkwezalamba, Commissaire aux Affaires économiques de la Commission de l'Union africaine, représentant le Président de la Commission;
- S.E. Jean Mutsinzi, Président de la Cour africaine des Droits de l'Homme et des Peuples;
- S.E. l'Ambassadeur Mme Epiphane Kabushemeye Ntamwana du Conseil de Paix et de Sécurité;
- S.E. Akere Muna, Président du Conseil économique et social de l'Union africaine;
- S.E. Mahamane Ousmane, Président de l'ECOWAS;
- Hon. Mike Sebalu, représentant du Président de l'EALA;
- Dr Esaue Magweta Chiviya, représentant du Secrétaire général du Forum des Parlementaires de la SADEC;
- Le représentant du Secrétaire général de COMESA.

Excellences,

Distingués invités,

Honorables membres du Parlement panafricain,

Mesdames et Messieurs les Ambassadeurs et Hauts

Commissaires,

Mesdames et Messieurs,

Distingués invités,

Je commence mon propos par vous demander de bien vouloir vous lever pour observer une minute de silence à la mémoire de notre collègue l'honorable Moïse Sodahlon, député du Togo et membre du Parlement panafricain, décédé tragiquement à la fleur de l'âge, lors d'un accident de circulation dans son pays, au mois de février.

À cet effet, j'ai adressé un message de condoléances au Président de l'Assemblée nationale du Togo et à la famille durement éplorée au nom du Parlement panafricain.

Veuillez-vous lever, s'il vous plaît.

(Debouts, les parlementaires observent une minute de silence)

Je vous remercie. Asseyez-vous.

2.0 ALLOCUTION DU PRÉSIDENT DU PAP À L'OUVERTURE DE LA DEUXIÈME SESSION ORDINAIRE DE LA DEUXIÈME LÉGISLATURE

La cérémonie d'ouverture de la 2^{ème} session ordinaire de la 2^{ème} législature du Parlement panafricain nous donne l'occasion de souhaiter la bienvenue à nos illustres invités à qui j'adresse, au nom du Parlement panafricain et en mon nom propre, nos chaleureux remerciements ainsi qu'au Président du Parlement européen et au Président du Forum des parlementaires arabes et africains pour la population et le développement qui nous ont envoyés des messages de solidarité pour cette cérémonie.

Honorables membres,

Distingués invités,

L'année 2010 a commencé avec des événements qui ne peuvent nous laisser indifférents. Nous avons tous en mémoire le tremblement de terre qui a ébranlé le peuple frère d'Haïti, occasionnant ainsi des pertes en vies

humaines et matérielles très importantes. Cette tragédie a mobilisé, à juste titre, la communauté internationale toute entière, et, au devant de laquelle, le continent africain. Le Parlement panafricain n'est pas resté à l'écart; il a exprimé toute sa solidarité et toute sa compassion au Gouvernement et au peuple haïtiens.

Aussi, sur le coup d'État militaire intervenu au Niger, le 18 février 2010, le Parlement panafricain, répondant aux principes de l'Union africaine émis lors du dernier Sommet concernant les changements de régimes anticonstitutionnels, a vivement condamné ce coup d'État et a lancé un vibrant appel aux autorités pour faire preuve de responsabilité dans l'intérêt de leur pays, du peuple nigérien et de l'Afrique.

Dans le même ordre d'idées, dans le souci de la bonne gouvernance, nous suivons attentivement l'évolution de la situation politique en Guinée Conakry et en Guinée Bissau. La bonne tenue des dernières élections en Namibie et au Togo nous laisse espérer une révolution systématique de nos États vers des modèles démocratiques que nous souhaitons avoir.

Permettez-moi, au nom du Parlement panafricain, de féliciter les deux Présidents élus: Messieurs Hifikepunye POHAMBAMBA et Faure Gnassingbé EYADEMA.

Ces félicitations s'adressent également aux peuples frères de la Namibie et du Togo qui ont fait preuve de maturité politique.

Les enjeux liés aux élections nous font prendre conscience, en tant que parlementaires, de ratifier la Charte africaine de la démocratie, des élections et de la bonne gouvernance.

Nous devons également nous réjouir des efforts de paix entre deux pays frères; je veux citer le Tchad et le Soudan qui ont pris l'engagement de tourner définitivement et sincèrement la page sombre des années de guerre empreintes de sang et de destruction.

Le Parlement panafricain, qui s'est toujours préoccupé de cette situation dans ces deux États, soutient la volonté partagée d'une réconciliation mutuellement bénéfique pour l'Afrique et les Africains.

À cette parenthèse sur les événements de ce début d'année, il ne faut pas oublier la commémoration des 50 ans d'indépendance de 17 pays africains. L'importance de cet événement nous exhorte à la réflexion sur la contribution de notre institution à apporter aux côtés de nos pays, car 50 ans dans une vie, ce n'est pas petit.

Honorables membres,

Distingués invités,

L'ouverture de la session est pour nous l'occasion de parler des activités qui ont marqué l'institution durant la période d'intersession. En effet, beaucoup de décisions ont été prises. Nous avons l'audit du fonds spécial qui a connu une avancée notable. Le rapport nous sera transmis dans les tout prochains jours par une équipe d'auditeurs de l'Union africaine qui a séjourné au Parlement panafricain durant le mois de mars, pour faire la vérification des comptes pour la période 2004/2009.

À notre demande, du personnel d'appui est arrivé pour nous aider à trouver des solutions aux différents problèmes qui minent le fonctionnement normal du Parlement.

À ce jour, nous avons reçu la Directrice-adjointe des Ressources humaines de l'Union africaine qui nous aide, au mieux, à organiser nos services en la matière.

Notre institution sera étoffée également d'une personne ressource en matière juridique et d'une autre dans le domaine financier.

Sur décision des membres du Bureau, nous avons lancé un nouvel appel à candidatures, aux fins de recruter effectivement le Secrétaire général et le Secrétaire général adjoint chargé des Affaires législatives. Le processus de recrutement est terminé. Mardi, les nouveaux Secrétaires généraux vous seront présentés pour entériner leur nomination conformément au Règlement intérieur du Parlement panafricain.

D'autre part, je vous informe de la décision du responsable des services financiers du Parlement, pour des raisons personnelles, de démissionner de son poste. Comme il y a vacance de poste, dès aujourd'hui, nous lançons un appel à candidatures pour le recrutement de son remplaçant. Aussi, nous en profitons pour recruter un interprète français/anglais, en remplacement du membre du staff qui a quitté le Parlement panafricain, il y a quelques mois.

Au titre des missions du Parlement panafricain, les membres du Bureau et des membres des Commissions permanentes, notamment les présidents, ont pris part à plusieurs conférences et séminaires dont les détails sont compilés dans le rapport d'activités qui vous sera présenté demain.

Le Parlement a pris part au dernier sommet de l'Union africaine qui s'est tenu à Addis-Abéba du 25 janvier au 02 février 2010. Des décisions importantes ont été prises entre autres, la décision sur la signature et la ratification des traités de l'OUA et de l'UA et qui demande au Parlement panafricain et aux autres organes de l'UA d'aider au plaidoyer et à la sensibilisation des États membres, afin qu'ils accélèrent le processus de signature des ratifications et adhésions au traité de l'Union africaine.

La seconde décision, c'est la décision sur l'observation des élections qui demande à la Commission de coordonner l'organisation des missions conjointes d'observation d'élections avec le Parlement panafricain et les autres organes concernés.

Honorables membres,

Distingués invités,

Enfin, dans quelques jours, l'Afrique va vibrer au rythme de la coupe du monde de football 2010. Cet événement révèle une occasion particulière et unique pour l'Afrique, et c'est l'occasion pour nous, de vous demander de soutenir notre pays hôte, l'Afrique du Sud, et de soutenir toutes les équipes africaines engagées à la coupe du monde.

Sur ce, je déclare ouverte, la 2^{ème} session ordinaire de la 2^{ème} législature du Parlement panafricain.

Je vous remercie.

(Applaudissements nourris)

Nous allons maintenant passer à la prestation de serment des nouveaux membres du Parlement panafricain.

3. PRESTATION DE SERMENT

Les membres ci-après ont prêté serment et ont occupé leurs sièges respectifs dans l'hémicycle:

- Hon. Rashid Abdul Pelpuo (Ghana);
- Hon. Maria Aurora Sano (Guinea Bisau);
- Hon. Isaac Stephen Mabiletsa (Botswana);
- Hon. Botsalo Ntsuane (Botswana);
- Hon. Dikgang Philip Makgalemele (Botswana).

4. DÉCLARATIONS ET MESSAGES DE SOLIDARITÉ

4.1 Message du Président de la CEDEAO. E.M. MAHAMANE OUSMANE:

Honorable Président du Parlement panafricain,

Honorables membres du Parlement panafricain,

Chers collègues,

Distingués invités,

Mesdames, messieurs, en Vos Titres, Grades et Qualités,

C'est pour moi un insigne honneur, du haut de cette tribune, d'exprimer au Président du Parlement panafricain, au nom de l'ensemble des députés du parlement de la CEDEAO et au mien propre, mes sincères remerciements pour l'obligeante invitation à cette session inaugurale du Parlement continental, qu'il a bien voulu m'adresser.

Cette invitation, faut-il le préciser, qui n'est pas la première du genre, intervient, à peine cinq mois, après la table ronde consultative tenue, sur votre invitation, à Abuja, au siège de la CEDEAO, du 23 au 25 novembre 2009. Cette table ronde que nous avons eu l'honneur de coprésider avec vous, Monsieur le Président, réunissait, outre les députés membres de votre auguste institution et ceux du Parlement de la CEDEAO, les représentants

des Assemblées nationales et des Sénats de la région de l'Afrique de l'Ouest, autour des questions brûlantes de l'heure dont la sécurité, la paix, l'intégration régionale ainsi que les changements climatiques.

Je voudrais saisir cette occasion pour vous renouveler les remerciements du Parlement de la CEDEAO pour l'honneur que vous lui avez accordé en lui faisant abriter cette importante table ronde consultative.

J'en profite également pour vous assurer, ainsi que tous les participants à cette table, que les résultats de ces travaux seront imputés aux Commissions compétentes du Parlement de la CEDEAO, lors de sa prochaine session pour, non seulement en assurer une large diffusion, mais aussi, au besoin, s'en inspirer pour adopter les recommandations adéquates à l'endroit des décideurs, en particulier concernant les changements climatiques, la gouvernance démocratique et la sécurité.

Les défis que posent les changements climatiques et l'instabilité politique ont fondamentalement en commun, le fait qu'ils constituent des menaces pour la vie humaine. La solution aux changements climatiques et à l'insécurité, relève du respect du droit à la vie, à la protection et à la préservation de l'intégrité physique et morale de la personne humaine, telle que stipulée dans la Déclaration universelle des droits de l'homme proclamée et intégrée dans toutes les Constitutions africaines et dans les Conventions internationales.

Cette considération élémentaire est une raison suffisante pour nous motiver à continuer nos efforts pour la mise en œuvre de la Résolution et de la Déclaration de la Table ronde consultative de l'Afrique de l'Ouest sur les changements climatiques et le Protocole de Kyoto ainsi que sur les questions de paix et de démocratie qui y ont été abordées

Honorable Président,

Chers collègues parlementaires,

Est-il encore besoin de rappeler que nos deux institutions, parce qu'elles ont les mêmes vocations, restent intimement liées à maints égards et doivent donc travailler en étroite collaboration pour accomplir leur mandat statutaire au service des populations africaines.

En effet, les membres du Parlement panafricain, tout comme les membres du Parlement de la CEDEAO, nous sommes tous les mandataires des populations africaines. Et, à ce titre, nous sommes donc, tous, en charge de la noble mission, d'assurer la prise en compte de leurs aspirations légitimes à la paix et au bien-être, tous commis à la même tâche de faire réaliser le désir profond d'intégration effective des femmes, des hommes et des enfants de l'Afrique qui devra se traduire concrètement par la liberté de circulation, d'établissement et de résidence, d'entreprendre et d'investir où bon leur semble, de fréquenter les universités de leur choix ou tout simplement de jouir pleinement, sur tout l'espace continental, de la liberté d'aller et de venir, faire de l'Afrique ce qu'elle fût jadis, du temps de ses grands empires rayonnants et fascinants le monde entier; n'est-ce pas là, la mission sacrée à laquelle nous sommes tous dédiés?

La création d'institutions parlementaires, tant au niveau continental qu'à celui des communautés économiques régionales, est une initiative qui mérite d'être saluée, car elle témoigne de l'enracinement progressif de la démocratie en Afrique. Cette nouvelle orientation vise principalement à assurer la participation des populations dans la conduite du processus d'intégration africaine. Elle procède, faut-il le rappeler, de la volonté des Chefs d'État et de gouvernement de faire représenter les populations auprès d'eux, c'est-à-dire, auprès des instances exécutives de l'Union africaine et des ensembles sousrégionaux de l'ouest, de l'est et du centre pour garantir la prise en compte de leurs intérêts.

Honorable Président,

Chers collègues parlementaires,

C'est le lieu de rendre, encore une fois, hommage aux fondateurs de l'Organisation de l'Unité Africaine, puis de l'Union africaine, de la CEDEAO, de la SADC et des autres regroupements sous-régionaux pour leur clairvoyance, ainsi qu'aux théoriciens du panafricanisme dont le Dr Kwame N'Krumah, cet africain de l'ouest, dont les propos vibrent encore dans nos cœurs et nos esprits, quand il disait que l'Afrique doit s'unir ou périr.

(Applaudissements)

Aujourd'hui, plus que jamais, les représentants des peuples africains que nous sommes, devons nous sentir interpellés par les grands défis auxquels ceux-ci sont confrontés.

Au sein du continent, des guerres fratricides entre clans politiques, entre ethnies, entre nations, qui compromettent dangereusement les efforts déployés, pour hisser l'Afrique au rang de continent développé, offrant à ses enfants les meilleures conditions de vie.

Hors du continent, le sort réservé aux citoyens africains qui émigrent en Europe, aux États Unis, mais de plus en plus encore en Asie, le grand déséquilibre dans les rapports entre l'Afrique et le reste du monde, notamment avec les pays développés du sud, nous interpellent tous.

C'est pourquoi, les parlementaires que nous sommes, devons nous sentir davantage concernés par les questions liées à l'émigration et aux accords de partenariat entre les ensembles sous-régionaux africains et le reste du monde pour s'assurer, d'une part, du respect des droits humains en faveur de nos concitoyens en quête de mieux-être et, d'autre part, la préservation des intérêts du continent dans les échanges commerciaux.

L'on peut se réjouir qu'en Afrique de l'ouest, les hautes Autorités de la Communauté continuent de faire prévaloir la nécessité de privilégier l'appui au développement, aux économies de la sous-région, avant l'ouverture de ces marchés, réfutant ainsi un accord de libre-échange dans un contexte de partenariat inégal qui fera de nous davantage des consommateurs des produits européens qui tuera inéluctablement ce qui reste de nos industries. Que doivent faire les parlementaires africains pour soutenir de tels efforts des Chefs d'État et de gouvernement face à la persistance des pays du Nord, en particulier, de l'Europe, à ignorer les intérêts de nos populations dans des accords aussi stratégiques?

Honorable Président,

Chers collègues parlementaires,

Ceci pour dire qu'au-delà des rapports que nous faisons aux Parlements nationaux, au-delà des recommandations que nous faisons à l'endroit de la Commission de l'Union africaine et de la Commission de la CEDEAO, nous devons nous interroger sur les actions concrètes à mener, pour rendre irréversible la marche de notre continent vers la paix et le développement.

Plusieurs commentateurs, hommes politiques et experts ont fait leurs appréciations sur le bilan des indépendances de l'Afrique, à l'occasion du cinquantenaire des indépendances en cours, pour certains États et à venir, pour d'autres. Certains ont mis l'accent sur ce qui a marché, d'autres, plus sceptiques, ont mis l'accent sur ce qui a été raté.

Pour notre part, nous pensons qu'il faut davantage s'interroger sur le présent, sur ce que nous faisons ou que nous devons faire pour que les générations futures, qui fêteront le prochain cinquantenaire, puissent nous rendre hommage, comme nous le rendons aux Pères des indépendances et aux théoriciens du panafricanisme qui ont fait que nous sommes aujourd'hui, là, rassemblés au sein de l'Union africaine et des ensembles sous-régionaux africains dont la CEDEAO.

À notre avis, c'est davantage le travail des parlementaires de défendre vaillamment, contre vents et marées, les populations dont ils sont les mandataires contre les effets de la mauvaise gouvernance politique et économique que sont l'insécurité et la pauvreté, contre les conséquences des changements climatiques qui sont les résultats des politiques imprévoyantes des pays industrialisés.

Honorable Président,

Chers collègues parlementaires,

Cependant - vous en conviendrez avec moi -, pour jouer pleinement ce rôle, il faut accroître les marges de manœuvre des parlements sous-régionaux et, tout naturellement, du Parlement panafricain.

Nous espérons, et nous devons nous y atteler sérieusement, que les réflexions et études en cours pour le renforcement des pouvoirs de ces institutions parlementaires aboutiront à des conclusions et décisions permettant d'atteindre les objectifs fixés par les Chefs d'État et de gouvernement qui ont inspiré ces travaux.

Honorable Président,

Chers collègues parlementaires,

C'est le lieu de se réjouir du choix de l'Afrique du sud pour abriter la coupe du monde et d'exprimer le vœu ardent que ce choix soit comblé par la victoire d'une équipe africaine, au terme de cette compétition.

(Applaudissement)

L'Afrique du sud, cette terre africaine, longtemps meurtrie par tant d'années d'apartheid et qui, aujourd'hui, incarne l'image d'une Afrique debout, résolument engagée dans la construction de la paix et du développement, mérite le soutien de tout le continent.

C'est une occasion aussi de saluer, les efforts de la médiation sudafricaine, sous la conduite éclairée, hier du Président Thabo MBEKI et aujourd'hui du Président Jacob ZUMA, pour ramener la cohésion en République du Zimbabwe, en proie à l'instabilité politique et de lui exprimer le soutien de Parlement de la CEDEAO.

Honorable Président,

Chers collègues parlementaires,

Comme vous le savez, les autorités ouest africaines sont en passe de résoudre les crises graves intervenues en République de Guinée, au Niger, en Côte-d'Ivoire et en République de Guinée-Bissau.

Dans le cas de la Guinée, on peut se réjouir des efforts réalisés, pour la mise en œuvre effective par les Autorités de la CEDEAO des dispositions pertinentes du Protocole de la CEDEAO sur la Démocratie et la Bonne gouvernance et celles de la Charte africaine de la Démocratie, des Elections et de la Gouvernance, en particulier, celles de son article 25 al. 4 qui privent les auteurs de changements anticonstitutionnels de gouvernements de participer aux élections organisées pour la restitution de l'ordre démocratique.

Dans le cas du Niger, on peut également se féliciter de la décision de la junte militaire d'interdire les candidatures de certaines catégories d'agents de l'État dont les membres des forces de défense et de sécurité, conformément aux articles 14 al. 1 de la Charte et de l'article 1^{er} al. 1 du Protocole de la CEDAO.

Nous nous devons d'accompagner les efforts des Chefs d'État et de gouvernement. La diplomatie parlementaire doit être plus que jamais mise en branle pour réussir la marche vers la stabilité et la démocratie sur le continent. C'est là un cadre de collaboration extrêmement utile qu'il faudra explorer entre les parlements des différentes régions d'Afrique (de l'Est, de l'Ouest, du Centre), bien sûr, sous la bannière du Parlement panafricain.

Honorable Président,

Chers collègues parlementaires,

En vous renouvelant l'engagement ferme du Parlement de la Communauté économique des États d'Afrique de l'Ouest, pour une collaboration fructueuse avec le Parlement panafricain, les parlements sous-régionaux et les parlements nationaux, dans le cadre de la promotion d'une Afrique unie, prospère et démocratique, je vous remercie et souhaite plein succès aux travaux de cette session inaugurale.

Que Dieu vous bénisse!

(Applaudissements nourris)

LE PRÉSIDENT:

Merci beaucoup, Excellence Monsieur le Président de l'ECOWAS. Merci pour ce message.

Merci pour le soutien de l'ECOWAS. Merci également pour cette importante contribution.

Le Parlement panafricain, dernier né des organes de l'Union africaine, s'inspire des organes régionaux comme le vôtre, et c'est encore une illustration de votre importante contribution. Je vous remercie au nom du Parlement panafricain.

Je vais passer la parole à l'Honorable Mike SEBALU qui est bien connu des collègues du Parlement panafricain pour avoir été membre du PAP, représentant le Président de l'EALA.

(Applaudissements)

4.2 Message du représentant du Président de l'Assemblée Législative de l'Afrique de l'Est (EALA) HON. MIKE SEBALU:

Thank you very much, Mr. President. Like I have been introduced, I am Mike Kennedy Sebalu, a Member of the East African Legislative Assembly, where I chair the Committee on Regional Affairs Cooperation and Conflict

Resolution and I am here representing the Speaker of the East African Legislative Assembly. I also want to declare that I was part of the historic group that was formed on 18th March in Addis Ababa as the first ever Pan-African Parliament. So I am glad to be home.

Your Excellency, Right Honourable Dr. Moussa Idriss Ndele, the President of the Pan-African Parliament,

Your Excellencies the Vice Presidents representing the regions of Africa,

Representatives from the African Union Commission,

Heads of delegations of Regional Economic Communities,

Honourable Members of the Pan-African Parliament,

Distinguished invited guests,

Ladies and Gentlemen,

I bring you fraternal greetings from the Speaker and the Members of Parliament of the East African Legislative Assembly in particular and the East African Community in general. I wish to start by thanking your Excellency, Hon. Dr. Moussa Idriss Ndele, the President of the Pan-African Parliament, for the kind invitation that was extended to the Right Honourable Abdirahim Haithar Abdi, the Speaker of the East African Legislative Assembly to attend this opening session of the Second Ordinary Session of the Second Legislature of the Pan-African Parliament.

Coincidentally, today, in Kigali, Rwanda, the East African Legislative Assembly is also witnessing the opening of the Fourth Meeting of the Third Session of the Second Assembly officiated by His Excellency Paul Kagame, the President of the Republic of Rwanda. It is because of this very high level engagement on the part of the Speaker, that the Right Honourable Speaker of the East African Legislative Assembly was unable to grace this occasion with his physical presence. Nevertheless, he is with you in the true spirit of Pan-Africanism and African solidarity.

Due to the solidarity and cooperation that exists between the East African Legislative Assembly and the Pan-African Parliament, the Right Honourable Speaker of the East African Legislative Assembly found it worthy to delegate me, in my capacity as Chairman of Regional Affairs and Cooperation, to represent him in particular and the East African Legislative Assembly in general.

Mr. President and Honourable Members of PAP, allow me at this point to congratulate you Mr. President and your Vice Presidents upon being elected to steer the activities of such an important and critical organ of the African Union; namely the Second Pan-African Parliament. Congratulations Mr President.

In the same spirit, Mr. President, allow me to thank the pioneering team under the presidency of her Excellency Gertrude Mongella for having laid a strong foundation for the Pan African Parliament. Special thanks go to the members of the first Pan-African Parliament who are still serving in the Second Parliament for keeping the candle burning. Thank you very much and congratulations distinguished members who have kept the candle burning.

Mr. President and Honourable Members,

Special thanks also go to the government and the people of the Republic of South Africa for not only hosting the Pan-African Parliament, but also fulfilling the host nation obligations. The facilities that have been made available for the Pan-African Parliament have created the enabling environment that is making the Pan-African Parliament deliver its mandate and obligations to the people of Africa.

Mr. President allow also me to seize this opportunity to congratulate the Republic of South Africa who are hoisting the African flag as the host nation of the first ever world cup to be organized on the African continent. I call upon all African sports loving people to take advantage of this rare occasion and be part of this big global event.

Furthermore, I wish also to congratulate those members who have just assumed their new roles of representing the people of their countries in the Pan-African Parliament, and especially those that have just been sworn in this morning. Congratulations and I wish you the best of luck as you serve the African peoples.

Mr. President and Honourable Members,

On an occasion like this one, it is perfectly in order to appreciate where PAP is at this point in time and where it should be in terms of its continental legislative role. We also need to take time and reflect on where it has come from and the challenges it has met along the way. Too many landmarks in the history of this institution can give us a good point of reference and reflection.

The first point of reflection is in the inauguration of the Pan-African Parliament in Addis Ababa 2004 and how the different stakeholders viewed the creation of this very important Pan-African institution.

It was on a Thursday, 18th March 2004 His Excellency Joaquim Chissano, then, Chairman of the African Union, swore in 202 legislators from forty-one countries that then constituted the first ever Pan-African Parliament. As I stated earlier, Mr. President, for selfish reasons, I wish to declare my interest as having been one of those members that were sworn in on that day. In his inaugural speech, His Excellency Chissano had this to say, "There is a great hope and expectation Zpinned on the establishment of the Pan-African Parliament. The whole world shall be watching to see what added value this organ is going to contribute to our plan of building a strong and prosperous African Union."

On her part, Her Excellency Gertrude Mongella, who had just been sworn in as the first president of the Pan-African Parliament, referred to the inauguration of the Pan-African Parliament as a sign of democratic maturity for Africa.

Former Malian President, His Excellency Alpha Oumar Konare, the then Chairperson of the then Commission of the African Union had this to say and he saw the Pan-African Parliament as having a vital role to play in protecting human rights, consolidating democratic institutions and popularizing and promoting good governance.

Even the media had their own reflections and thoughts about this great institution. And from the media side, South Africa's Business Daily Newspaper commented and I quote, "that the Parliament offers hope for a new error of transparency and accountability in African politics. For the first time, opposition will be given official space in continental politics with the opportunity to create alliances to exert pressure on autocratic governments."

The NGO world or the civil society also had their own perceptions of what they thought this institution to be. From the NGO world, I would like to quote Mr Irungu Houghton of Oxfam Nairobi. He described the Parliament's establishment as significant. The challenge, according to him, was to enable it to pass laws, monitor compliance of African states to agreed standards and intervene decisively to protect human rights in member states. He went further to state that the credibility of parliamentarians would rest on the issues they expose, the causes they champion and the changes they bring to the lives of the ordinary people across Africa, that is from the civil society perspective.

From the aforesaid, it is obvious that the different sections of the African society had very high expectations of the Pan-African Parliament.

Besides, there was a general view and convergence of mind on the timeliness of the Pan-African Parliament then, the necessity of having such a democratic institution in place, the desirability of bringing into force the peoples voices and the relevance of the Pan-African Parliament as a continental voice of the African peoples.

The question we need to ask ourselves today is whether a Pan-African Parliament without legislative powers can meet the expectations of the African people. It is, indeed, a fundamental question that we need to reflect on, debate, think about and build consensus and synergy to ensure that this Parliament is transformed from just an advisory and consultative parliament to a fully fledged representative Parliament with full legislative powers. *(Applause)*

It should be noted, Mr. President, and appreciated that the protocol establishing the Parliament provided for it as a common platform for African people and their grassroot organizations to be more involved in discussions and decision-making on the problems and challenges facing the African continent. In other words, there was a paradigm shift in the integration process from leader led to people centered. And that was a very good development.

Bringing the people to get involved in the day to day running of the African continent is something that is good to write home about. What was surprising, though, is that at this point of paradigm shift, Parliament was not empowered fully in legislative terms to be able to give legal effect to those commitments. As stated in the protocol, during the first five years, the Parliament was to be an advisory and consultative body, but the ultimate call is to accord it for legislative powers with its members directly elected.

The objectives of the Pan-African Parliament, as spelt out in Article 3 of the Protocol, are well intentioned and may serve a useful purpose to the African continent if only the Parliament were to be given corresponding powers and functions that emphasise legislation which is the core function of any parliament. These objectives include the following:

- i. Facilitate the effective implementation of policies of objectives of the African Union;
- ii. Promote principles of human rights and democracy in Africa;
- iii. Encourage good governance, transparency and accountability in member states;
- iv. Promote peace security and stability;
- v. Contribute to more prosperous future for the people of Africa; and
- vi. facilitate cooperation and development in Africa.

Those are indeed very well intentioned, very well thought out objectives, but whose sum total can be very useful and important in enhancing the welfare of African people if the Parliament has powers to enforce them and oversee them with authority.

There is also the strengthening of continental solidarity and building a sense of common destiny among the people of Africa and facilitating cooperation among regional economic communities and their parliaments.

Mr. President,

It is, therefore, gratifying to note that though, and I want to emphasise that though the Pan-African Parliament has only been an advisory and consultative body, a number of achievements have been registered in its representation and oversight role. I think that is something to write home about because Parliament nevertheless has exerted its authority and has been able to register a good number of achievements worthy writing home about these include, and are not limited to the following:

The creation of the Trust Fund and its being operationalized is something that is worthy recognizing. Parliament has done very well in terms of networking and creating corroborations with the regional economic communities. I have attended a number of meetings where the Pan-African Parliament has coordinated and made collaborations with regional economic communities and from the East African Community perspective we indeed salute parliament for these initiatives because it is at this level of collaboration that a strong foundation is going to be built for the eventual integration of the continent of Africa.

Many good will and fact finding missions have been conducted in troubled areas in different parts of Africa and Parliament must be saluted for those initiatives and endeavours. In addition, election observer missions have been undertaken by the Pan-African Parliament. So, despite the fact that this Parliament is yet to assume legislative roles, it has been able to impact of the livelihood of African through those different interventions and initiatives undertaken by the Parliament.

Mr. President and Honourable Members,

Allow me to address myself to the second landmark that I consider important in the life of the Pan-African Parliament and that is the transition from the first to the second legislature of the Pan African Parliament. It is something that needs to be acknowledged. The fact that Parliament has moved to another level in terms of membership, leadership and building a culture of sustainability and continuity, I think is a landmark that we really need to look at and, Mr. President and your Vice Presidents, I would like to salute you for having assumed the mantle of leadership in this transition.

On 28th October, 2009 while opening the First Session of the second legislature of Pan African Parliament, the South African President, His Excellency Jacob Zuma made a very serious call for the Pan-African Parliament

be given full legislative powers and its members to be elected by universal adult suffrage. That was a strong statement from a head of state and more importantly the Head of State who is hosting the Pan-African Parliament. I think we need to salute him for that bold move and initiative and to encourage other Heads of State to borrow his very good example.

Mr. President,

His Excellency Jacob Zuma made the same call while addressing the Uganda Parliament during his recent state visit to Uganda. He called upon the Ugandan authorities, the government and the parliament to support the Pan-African Parliament and more specifically to encourage that Pan-African Parliament be given full legislative powers. So, this is a level of consistency and commitment that needs to be noted. This, in my view, is a demonstrated act of goodwill that PAP or the Pan-African Parliament can buy into with a view to generating consensus amongst the Heads of State of the African Union on the powers of the Pan-African Parliament to legislate.

I think we need to start networking in our individual countries and regional blocks to ensure that the debate is on the table so that the Pan-African Parliament is given full legislative powers. So it is incumbent upon you, as members of the Pan-African Parliament, to lobby your parliaments to pass resolutions within parliaments calling upon Heads of State to consider the issue of full legislative powers. It is only then, that you will assume your rightful role as a functional Parliament with full legislative powers.

Besides, the protocol did envisage that after the first five years, a review conference would be initiated by the Pan-African Parliament to reconsider the powers of Parliament with regard to legislation.

The time is, therefore, most opportune for the Second Legislature of the Pan-African Parliament to undertake to manage the transformation of the Pan-African Parliament from an advisory and consultative body to a fully fledged legislative parliament whose performance is judged by the quality and quantity of laws enacted for the benefit of the African peoples. That is how we are going to judge you.

What is the quality of the laws you have made? What is the quantity of laws you have made? What effect have they had on the welfare of the people of Africa among others? However, that is pre-core because the core business of parliament is making laws and we want to see you do that so that the African people benefit from this representative body.

In that endeavour, Mr. President, I wish to assure you of the support and cooperation of the East African Legislative Assembly which is already enjoying that status. We are a legislative body and we make laws and the laws we make in the East African Legislative Assembly take precedence over similar laws in the national parliaments in their area of jurisdiction. And we would like you to join us in that category of serious law makers as a regional parliament
(Applause)

At this point, Mr. President, the East African Legislative Assembly wishes to encourage all regional legislative bodies such as ECOWAS and SADC to assume or to advocate for assuming legislative roles. This idea of having parliamentary forums is not going to help Africa because someone has the right to take or reject your advice or to consult you or not to consult you. You can neither force your advice on someone nor compel them to consult you. But when you are a law maker, you make the law and someone will have to play by the rules of the game.

So it's high time we created a threeter legislative authority on the continent. We should have the national, sub-regional and continental level of legislative authority each with their different competencies as per their specific mandates, so that if an issue is of a national character, we have a law at the national level, if it is of sub-regional character, then we have a sub-regional law, and if it is of a continental nature, then we have a continental piece of legislation to give legal effect to the aspirations of the people. It is only at this point in time and only when we have achieved that, that Parliaments will be relevant democratic institutions on the African continent. That is one of the biggest messages that I bring you this morning, so that we deliver democracy to the people through the creation of very strong representative bodies.

Mr. President,

As I said the East African Legislative Assembly is full-time. We are elected to represent the people of East Africa in the Parliament of East Africa and that is our core business. We have a work method of taking Parliament to the people. Our sessions do rotate in all the capitals. The last session was in Kampala, this session is in Kigali, the

next session in May will be Nairobi and the following session in September in Bujumbura. So we take Parliament to the people.

I would encourage the Pan-African Parliament to consider taking Parliament to the people as and when time allows. There are so many African states, so it may not be easy, but at least take this Parliament to the regional economic communities so that it is relevant, appreciated and known by the ordinary African citizens.

(Applause)

Another challenge, I would like to give you is that, in these five years when you are in charge of the Pan-African Parliament, endeavour to ensure that a legal framework is put in place to harmonize the Pan-African Parliament's mandate and terms because, as I speak, the Pan-African Parliament is the Parliament in the world with the highest turnover. Every other session is a swearing-in-ceremony. I consider it as a transit launch with constant arrivals and departures. With that kind of set up the institutional memory is highly affected and sustainability is very difficult. I would like to encourage that the Pan-African Parliament gets a clearly established term, a membership that can move from one session to another, creates a stronger institutional memory so that the capacity of this parliament is guaranteed. Otherwise, we have witnessed the swearing of new members and in another session we will have another set being sworn in. This is a high turnover. The mortality rate of the Pan-African Parliament is very high and we should check it.

Mr. President and Honourable Members,

The East African Legislative Assembly is the legislative arm of the East African Community, which is a regional inter-governmental organization of the republics of Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania with its headquarters in Arusha, Tanzania.

The treaty for the establishment of the East African Community was signed on 30th November, 1999 and entered into force on 7th July, 2000 following its ratification of the regional three partner states, Kenya, Uganda and Tanzania.

The Republic of Rwanda and Burundi acceded to the EAC treaty on 19th June, 2007 and became full members of the community with effect from 1st July, 2007 and are represented in the East African Legislative Assembly.

The East African Legislative Assembly has been in existence for nearly eight years now. The first Assembly was inaugurated in 2001 with its five year tenure ending on 29th November, 2006. The Second Assembly was inaugurated on 5th June, 2007. Its current membership stands at fifty-two members. This consists of nine elected members from each of the five partner states, seven ex-officio members and the ex-officio members include five ministers responsible for the East African Community Affairs. We do have ministers who are responsible for the East African Community Affairs and they are members of Parliament, so we interact with them on a regular basis as we engage in the process of making laws. We also have a secretary general as an ex-officio member as well as the council to the Community.

The Second Assembly has witnessed a remarkable period of growth bringing in new developments geared towards the realization of the objectives and ideals of the United East Africa. These ideals can only be achieved through legal regimes and this makes the scope of the East African Legislative Assembly mandate more focused to legislation, representation of East Africans, supervision and oversight of the activities of the executive organs of the East African Community, deliberations of all issues pertaining to the implementation of the treaty for the establishment of the East African Community, approval of the budget of the community and promoting the liaison with the national assembly's or partner states on all matters pertaining to the Community. We approve the budget of the Community as a Parliament and bring the relevant authorities to account. So, it is parliament that approves the budget. Those are the kind of powers that we enjoy.

Mr President, and Honourable Members,

On the legislative front, it is the responsibility of the East African Legislative Assembly to enact laws and to pass the East African budget for the proper functioning of the community and for the widening and deepening of the East African integration agenda. So far, both the first and second Assembly enacted the following pieces of legislation:

- The Laws of the Community Act, 2004;

- The East African Community Emblems, Act 2004;
- The Acts of East African Community Act, 2004;
- The East African Legislative Assembly's Powers and Privileges Act, 2004;
- The East African Community Appropriation Act, 2002-2008;
- The East African community Customs Management Act, 2004;
- The East African Community Standardization Quality Assurance Metrology and Testing Act, 2006;
- The East African Competition Act, 2005;
- The Lake Victoria Transport Management Act, 2007;
- The Summit Delegation of Powers Functions Act, 2007;
- The East African Community Joint Trade Negotiations Act 2008.

Members of The East African Community do negotiate together as by-law passed by parliament so that when we go out to meet other members of the world EU and other, we negotiate as a group so that we have stronger bargaining position and we can exert our authority in terms of putting our demands together, collectively so that you are not divided at national levels.

We also have the following Acts:

- Inter University Council of East Africa Act, 2008;
- EAC Emblems Act, 2008;
- East African Customs Amendment Act, 2008; and
- Civil Aviation Safety and Security Agency Act, 2009.

The powers to legislate are not only on matters that are brought to Parliament by the Executive. Our rules of procedure do provide for private members bills. So there are those matters that may need legislation where the executive are not forthcoming and if in the wisdom of Parliament those matters are worthy having legislation, then we do have powers to initiate Private Members Bills from the backbench to enforce law in terms of creating law for the good management of the East African Community. So those are the kinds of interventions we do make using our requisite to make laws.

Our wish as the East African Legislative Assembly, therefore, is to see a Pan-African Parliament transformed from a consultative and advisory one to a fully legislative parliament sooner rather than later. That is our message.

(Applause)

Mr. President and Honourable Members,

It should be noted that if integration is to succeed, then we should see parliaments as representative institutions playing a more visible role in this process. As peoples' representatives, we need to ensure that integration processes is understood, appreciated, owned and driven by the people who are the eventual beneficiaries. Furthermore, we need to provide leadership in explaining and sensitizing our people about the need as well as the benefits of integration.

For us, as Africans, integration is not a luxury, but a necessity because it is an issue of our survival today, tomorrow and the other day. It should be appreciated that in this highly globalised world, the future belongs to the organized, something that we must take seriously as Africans.

Mr. President and Honourable Members,

We are here as the East African Legislative Assembly, therefore, to learn from those successes and failures on the integration project agenda. It is now an opportune time for Africans to use African initiatives to come up with African solutions to African problems.

The African's continent challenge currently is to create a prosperous, competitive, secure, stable and politically united Africa. And the use of regional economic Communities as building blocks for the ultimate creation of a stable United African Union is more desirable than ever before. It is in view of this that the East African Community aims to achieve its integration agenda through a people centered, private sector led and market driven approach.

The East African Community Treaty provides for four main phases of integration process; Customs Union which is already operational as an entry point, followed by the Common Market that was signed and it is going to be enforced in June so that there is free movement of people, free movement of capital, right of residence, right of establishment, all those rights and freedoms are going to be enjoyed by the East African people in the East African Community.

At the moment, we are at the level of negotiating a Monetary Union so that we create a single monetary union applicable within the entire East African Community. Finally, we have defined our final objective as having a political federation so that we create one single political authority of the East African Community which can then organically integrate with other regional communities to form the African United and Integrated Africa.

Mr. President,

The treaty was signed and took into consideration that the regional economic communities are the building blocks of a United Africa. The first role of the East African Legislative Assembly, therefore, is to ensure that the necessary legal and institutional framework are in place for each of the four phases in order to give the integration process a strong firm foundation for every stage. If it is a customs union, we make a law that spells out what a Customs Union is. If it is the Common Market, Parliament makes a law. For the Monetary Union, Parliament makes a law, and for the political federation, again, Parliament will make a law and it will debate other relevant institutional frameworks.

Mr. President,

It is with those broad mandates in view that the East African Legislative Assembly accepted your invitation to attend this occasion for purposes of networking and building synergies with your Parliament as a way of enhancing regional parliamentary diplomacy, solidarity and collaboration. This is aimed at comparing notes, sharing experiences and charting the way forward as we work together to achieve the eventual African integration using regional economic communities as formidable building blocks.

It is against this background, therefore, that we are here to further strengthen and consolidate our partnership and collaboration in ensuring that the integration processes are based on a popular will of all stakeholders, including parliamentarians. This, therefore, makes Parliament instrumental in facilitating these processes through a participatory approach involving consultation, sensitization and networking with all stakeholders.

Mr. President,

Honourable Members and distinguished invited guests,

As I conclude, I wish to assure you, Mr President and your Parliament, of the East African Legislative Assembly's readiness and commitment to work with you in partnership as we strive to achieve both regional and continental integration through a process that allows and ensures full and active participation of national, regional and continental parliaments through their traditional roles of legislation, representation and oversight.

Mr. President and Honourable Members,

I wish to thank, you very much for your indulgence and kind attention.

Long live the Pan-African Parliament, long live the East African Legislative Assembly and long live the African Union.

Thank you very much for your kind attention.

LE PRÉSIDENT:

Merci beaucoup Honorable Sebalu. Merci pour le message de solidarité de l'EALA. Merci pour votre soutien, le soutien de l'EALA. Merci également pour vos encouragements. Merci pour le partenariat entre votre organisation et le Parlement panafricain auquel vous tenez beaucoup et merci également pour cet encourageant plaidoyer

que vous faites en tant qu'ancien du Parlement panafricain et en tant que représentant de notre organisation régionale de l'Est.

EALA est pour nous un modèle pour l'intégration de la région Est de l'Afrique. C'est aussi un modèle, parce que vous êtes déjà un Parlement avec des pouvoirs législatifs; ce pour lequel le Parlement panafricain est en train de s'organiser avec ses partenaires et avec les différents organes de l'Union africaine pour y parvenir. Les membres du Parlement de l'EALA également sont permanents. C'est également à quoi aspirent demain les membres du v Parlement continental pour que, comme vous l'avez dit, ensemble, on réduise le taux de mortalité en Afrique.

Encore, une fois, au nom du Parlement panafricain, tous nos remerciements pour cette très riche contribution.

À présent, je vais appeler le Docteur Chiviya, Secrétaire général du Forum Parlementaire du SADC.

4.3 Message du Secrétaire général du Forum parlementaire de la SADCDr. ESAU MAGWETA CHIVIYA:

Your Excellency, the President of PAP, Honorable Vice-Presidents of PAP, distinguished members of PAP, invited guests, Ladies and Gentlemen.

The SADC Parliamentary Forum, a forum of fourteen SADC countries is grateful for having been invited to attend the Official Opening Ceremony for the Second Ordinary Session of the Pan-African Parliament. We are indeed honoured to be giving a message of solidarity to this distinguished gathering.

Your Excellency, the President of PAP, distinguished guests, the SADC Parliamentary Forum is proud to be associated with the Pan-African Parliament. As a Forum, we fully appreciate the important role that the Pan-African Parliament plays in ensuring popular participation in the democratic and governance processes of our continent. It is in this respect that the SADC Parliamentary Forum fully supports the transformation of the Pan-African Parliament into a fully fledged legislative body.

The transformation of the Pan-African Parliament into a legislative body will be another important step in ensuring the strengthening of institutional structures that will make it possible for the peoples of Africa and their elected representatives to meaningfully participate in continental social, cultural, political and economic development for the benefit of the African Continent.

Your Excellency, the President of PAP,

Distinguished guests,

Looking at our continent today, one cannot help but see the ever widening gap between the many decisions that have been made at various level of governance structures and the agonizingly slow pace of implementation of these decisions. For instance, if one was to look at the number of Protocols and other Instruments that the African Union (AU) has passed which remain on the shelves of the African Commission gathering dust without ratification, domestication and implementation by member States, it is clear that there is a monitory and follow-up gap at the continental level. The transformation of Pan-African Parliament into a continental legislative body will go a long way in addressing this gap as this will better position PAP to effectively monitor the implementation of all decisions of the AU by member States through national Parliaments.

As clearly stated in Article 3 (9) establishing PAP one of its objectives is to "...facilitate cooperation among Regional Economic Communities and their Parliamentary fora.

Article 11 (7) of the same Protocol further provides that one of the functions of PAP is "...to promote the coordination and harmonization of policies, measures, programs and activities of the Regional Economic Communities (RECs) and the Parliamentary fora of Africa." Furthermore, Article 18, states that the PAP "...shall work in close cooperation with the Parliaments of Regional Economic Communities and the National Parliaments or other deliberative organs of Member States.

Thus, by creating a platform for mutual cooperation with Regional Economic Communities, the Pan-African Parliament is furthering popular participation in public policy formulation, implementation and debate through the involvement of Parliamentarians as the elected representatives of the peoples of Africa. The transformation of the Pan-African Parliament into a legislative body with full legislative powers will further entrench popular participation in the continent's governance process thereby deepening Africa's democracy.

At this point, Your Excellency, allow me to say something on the need for a SADC Regional Parliament. Distinguished delegates, you will be heartened to know that the Pan-African Parliament is not alone in its

endeavour to transform itself into a legislative body. The SADC Parliamentary Forum is also working towards achieving the same objective.

I am delighted to inform this distinguished gathering that there is growing consensus among all stakeholders in SADC on the urgent need to establish a Regional Parliament. Stakeholders across the spectrum believe that the Regional Parliament is the missing link in the current regional integration mix. There is convergence with regard to the fact that a Regional Parliament in SADC will scale up the integration agenda by providing a Parliamentary mechanism to debate and inform SADC on the popular views on development and other issues affecting SADC citizens. It is also our shared conviction that a Regional Parliament will also accelerate the process of establishing the enabling legislative, regulatory, institutional and democratic environment for regional integration as well as speed up the ratification, domestication and implementation of SADC Protocols and other instruments apart from enacting regional laws as determined by the SADC Summit.

What would be the objectives of a SADC Parliament? Your Excellency, the President of PAP and distinguished guests, the SADC Regional Parliament would have the following objectives:

- i) Providing a regional forum for dialogue, consultation and the public consideration of matters of common interest by representatives of the peoples of the region;
- ii) Strengthening and facilitating the effective implementation of SADC policies and programs and maximizing the implementation capacity of SADC by X involving Parliamentarians in SADC activities;
- iii) Accelerating the regional integration agenda of SADC;
- iv) Accelerating ratification and domestication of SADC Protocols;
- v) Promoting unity, good governance, democracy, human rights, gender equity and equality, human and economic development and peace and stability in the region;
- vi) Contributing to a more —prosperous future for the people of the region by promoting regional cooperation, self-reliance and economic efficiency; and finally
- vii) Fostering inter-parliamentary cooperation within and outside the region.

As the SADC Parliamentary Forum, we strongly believe that the establishment of a SADC Regional Parliament will be a great boost to both the operations of the Pan-African Parliament and indeed the SADC community. Indeed, a SADC Regional Parliament would complement the building blocks of African Regional Parliaments that feed into PAP for continental consolidation of African issues, challenges and solutions.

I wish you delegates fruitful deliberations. Thank you.

LE PRÉSIDENT:

Merci beaucoup Docteur CHIVIYA, Secrétaire général du Forum Parlementaire du SADC. Merci pour votre message de solidarité. Merci pour votre soutien au Parlement panafricain et merci de nous encourager et de nous accompagner pour le chemin qui va nous mener à un organe législatif.

Vous avez judicieusement rappelé le Protocole qui fait de la plateforme de collaboration entre le Parlement panafricain et les parlements et fora régionaux une plateforme institutionnelle.

Au nom du Parlement panafricain, nous félicitons et remercions nos partenaires de la plateforme du Forum Parlementaire du SADC.

Après nos collègues, Leurs Excellences, représentant les Parlements et fora régionaux, nous allons demander à nos autres invités de marque de dire quelques mots de solidarité. Nous allons commencer avec son Excellence, le Juge Jean MUTSINZI, Président de la Cour de Justice et Des Droits de l'Homme.

4.4 Message du Président de la Cour africaine des Droits de l'Homme et des Peuples MR. JEAN MUTSINZI:

Excellence, Monsieur le Président du Parlement panafricain,

Honorables membres du Parlement panafricain,

Il n'est pas habituel à un Président d'une Cour de Justice de prendre la parole devant le Parlement. C'est dire l'insigne honneur que vous me faites, Monsieur le Président, de me permettre de profiter de cette occasion, pour

dire quelques mots, pour vous informer sur la Cour Africaine des Droits de l'Homme et des Peuples, qui est un des organes de l'Union africaine, comme le Parlement panafricain.

Comme vous le savez, la Cour Africaine des Droits de l'Homme et des Peuples, a été instituée par un Protocole à la Charte africaine des Droits de l'Homme et des Peuples, adopté à Ouagadougou (Burkina Faso), le 9 juin 1998. Ce protocole est entré en vigueur le 25 janvier 2004, après sa ratification par 15 États membres de l'Union africaine conformément à l'article 34 (3) du Protocole.

Ses compétences

Aux termes de l'article 3 du Protocole portant sa création, la Cour africaine des Droits de l'Homme et des Peuples « est compétente pour connaître de toutes les affaires et de tous les différends dont elle est saisie concernant l'interprétation de la Charte du (présent) Protocole et de tout autre instrument pertinent relatif aux droits de l'Homme et ratifié par les États concernés ».

Selon les dispositions de l'article 4 du Protocole, la Cour est également compétente « pour donner un avis consultatif sur toutes les questions juridiques concernant la Charte ou tout autre instrument pertinent relatif aux Droits de l'Homme, à condition que l'objet de l'avis consultatif ne se rapporte pas à une requête pendante devant la Commission africaine des Droits de l'Homme et des Peuples ».

La Cour rend des arrêts définitifs, obligatoires et non susceptibles d'appels. Elle peut tenter également de régler à l'amiable les cas qui lui sont soumis conformément aux dispositions de la Charte (article 9), et c'est le Conseil exécutif de l'Union africaine qui veille à l'exécution des arrêts et non la Conférence des Chefs d'États et de Gouvernement.

Je suis heureux de vous informer, que la Cour a rendu son premier arrêt le 15 décembre dernier.

Les modes de saisine

Suivant l'article 5 du Protocole, ont qualité pour saisir la Cour:

- a) La Commission africaine des Droits de l'Homme et des Peuples;
- b) L'État-partie qui a saisi la Commission;
- c) L'État-partie contre lequel une plainte a été introduite devant la Commission;
- d) L'État partie dont le ressortissant est victime d'une violation des droits de l'Homme;
- e) Les Organisations intergouvernementales africaines.

Les individus et des Organisations non gouvernementales (ONG) dotés du statut d'observateurs auprès de la Commission peuvent introduire des requêtes directement devant la Cour, à condition que l'État-partie défendeur ait fait une déclaration d'acceptation de la compétence de la Cour à l'égard de telles requêtes, et malheureusement, pour le moment, seuls trois États ont fait cette déclaration, à savoir: le Burkina Faso, le Mali et le Malawi.

En ce qui concerne le droit applicable par la Cour, la Cour applique les dispositions de la Charte ainsi que tout autre instrument pertinent relatif aux Droits de l'Homme et ratifié par l'État concerné, et comme vous le constatez, son champ d'action à cet égard est très vaste, puisqu'il s'étend seulement à la Charte africaine des Droits de l'Homme et des Peuples, mais aussi à tout instrument pertinent relatif aux Droits de l'Homme.

La composition de la Cour

Le Protocole prévoit, en ses articles 11 et 14, que la Cour se compose de 11 juges ressortissants des États membres de l'Union africaine, élus à titre personnel parmi les juristes jouissant d'une très haute autorité morale, d'une compétence et expérience juridiques, judiciaires ou académiques reconnues dans le domaine des Droits de l'Homme et des Peuples.

Lors de l'élection, la Conférence des Chefs d'État et de Gouvernement de l'Union africaine veille à ce que la composition de la Cour reflète une répartition géographique équitable, ainsi que les grands systèmes juridiques.

La Conférence veille également à ce que soit assurée la représentation adéquate des deux sexes. Les premiers 11 juges de la Cour ont été élus en janvier 2006 et ont prêté serment le 2 juillet 2006, date à laquelle ils ont tenu leur première session.

C'est peut-être aussi l'occasion de rappeler que pratiquement tous les deux ans, un système de rotation a été mis en place, pour permettre à la Cour de fonctionner d'une manière permanente avec un nombre de juges suffisant. Il y a une certaine ancienneté au sein de la Cour, et la prochaine élection aura lieu, en principe, au mois de juillet prochain à la prochaine Conférence des Chefs d'État et de Gouvernement de l'Union africaine.

Il faut souligner ici, qu'en vertu du Protocole, la Cour et la Commission Africaines des Droits de l'Homme et des Peuples, dont le siège étant à Banjul, en Gambie, entretiennent des relations de complémentarité qui se traduisent notamment par la saisine de la Cour par la Commission, et par le fait qu'avant de statuer sur la recevabilité d'une requête émanant d'individus et d'Organisations non gouvernementales, la Cour peut solliciter l'avis de la Commission ou même renvoyer la requête devant la Commission, et d'une manière générale, il est prévu que les deux institutions se consultent pour assurer cette complémentarité.

Il me faut dire un mot, en ce qui concerne les défis que la Cour doit relever.

Comme toute institution naissante, la Cour Africaine des Droits de l'Homme et des Peuples fait face à un certain nombre de défis dont le plus important est sans doute celui de l'accès des individus et des Organisations non gouvernementales à la Cour. En effet, il serait peu réaliste de penser que les États africains ou même les Organisations intergouvernementales africaines vont saisir la Cour.

Les individus qui sont les victimes des violations des Droits de l'Homme, s'ils ne peuvent pas avoir un accès direct à la Cour, l'impact de celle-ci dans son action contre les violations des Droits de l'homme sera forcément limité.

C'est pourquoi, la Cour estime nécessaire de lancer un appel au Parlement panafricain, à faire la sensibilisation des États africains pour qu'ils ratifient le Protocole portant création de la Cour et fassent la déclaration d'acceptation de la compétence de la Cour à examiner les requêtes à lui soumises directement par des individus et les Organisations non gouvernementales dotées du statut d'observateurs auprès de la Commission africaines des Droits de l'Homme et des Peuples.

A cet égard, je ne saurais trop y insister, le rôle du Parlement panafricain qui a accès direct au peuple et au gouvernement est irremplaçable.

Excellence, Monsieur le Président,

Honorables membres du Parlement panafricain,

Dans l'architecture de l'Union africaine, le Législatif que vous êtes et le Judiciaire que nous sommes concourent de manière organique à l'œuvre de l'Union africaine, avec l'Exécutif de l'Union.

Notre solidarité avec vous est donc naturelle, et je tiens à le réaffirmer ici.

Je vous remercie de votre aimable attention.

(Applaudissements)

LE PRÉSIDENT:

Merci beaucoup, Excellence, Monsieur le Président. Nous sommes très honorés de votre présence et de votre message de solidarité. Nous vous remercions pour le bref éclairage sur la Cour africaine des Droits de l'Homme et des Peuples et ses relations avec la Commission des droits de l'Homme.

Les défis auxquels fait face la Cour africaine des droits de l'Homme et des Peuples sont des défis communs à l'ensemble des organes de l'Union africaine, et ce n'est pas sans raison que le dernier sommet de l'Union africaine a pris une décision demandant au Parlement panafricain et à tous les organes de l'Union africaine de faire un plaidoyer auprès des États pour la ratification des instruments de l'Union africaine. Nous nous y attelons, tout comme votre organe, et nous allons continuer à faire, dans la solidarité, le même plaidoyer.

Encore une fois merci beaucoup.

A présent, je vais passer la parole à Son Excellence AKERE MUNA, Président du Conseil Économique et Social de l'Union africaine.

4.5 Message du Président du Conseil Économique et Social de l'Union africaine S.E.M. AKERE MUNA:

Monsieur le Président du Parlement panafricain,

Monsieur le vice président,

Monsieur le représentant du Président de la Commission,

Monsieur le Commissaire,

Votre Honneur, Monsieur le Président de la Cour,

Honorables parlementaires,

Messieurs les Présidents représentants des Parlements régionaux,

Distingués invités,

Mesdames, messieurs,

C'est avec une grande émotion et je dois dire, avec beaucoup d'humilité, que je m'adresse à vous aujourd'hui. Je dois d'abord, Monsieur le Président, vous remercier pour votre aimable invitation et pour l'accueil chaleureux qui m'a été réservé. Inutile de rappeler que vous présidez le seul organe de l'Union dont le nom porte le rêve des fondateurs de l'Unité africaine. Vous êtes le seul organe qui est panafricaniste; c'est ça le rêve de tous les Africains. Vous comprenez, donc, que dès la réception de votre invitation, nous nous sommes précipités pour venir ici, à Johannesburg, à Midrand, pour nous joindre à vous.

Mr. President,

Because you carry a vision of the African dream, the continent is looking up to you. We all appreciate the challenges that you face. The Economic, Social and Cultural Council (ECOSOCC) which I preside, was born to tread on the trail that you will have to bless. The path towards a people-driven Pan-African Organization, the Pan-African Parliament, has quite a task before it.

The present configuration of the Pan African Parliament makes it an ideal organ to which integration of the continent can be got. I have listened keenly to the other messages from the representatives of the East African Legislative Assembly (EALA) and the Southern African Development Community (SADC) forum. I am truly impressed and happy to see that we believe that an empowered Parliament is something we must have. Even as we appreciate that, I am forced to interrogate myself. We all know that the whole is equal to the sum of its parts. Can we at this point expect to have a people-driven organization when so far we know that some of our countries are not yet people-driven? Can we truly expect that?

How then can we effect the transition from a system of the Government by the Government and for the Government to a system by the people and for the people? How do we effect that transition? That is the task that faces the Pan-African Parliament. How do we make sure that the dream of a United States of Africa is not just a project for the horizon, and that it is a concrete achievable project which I believe is passing to law? How do we achieve that? There, again, is a task for this august Assembly.

Mr President, I must also assure you that the ECOSOCC is ready to partner with you. We call ourselves the Parliament of the civil society and of professional organizations. We are ready to partner with you to ensure that we constitute the true interface between our institutions and our people.

Mr. President, there are some more hanging fruits that this institution can immediately get. I know how you are working towards this. There are many protocols, decisions and other enactments of the African Union (AU) that drag on because of the issue of ratification. We can imagine how easy and fast it would be if this can just be ratified by this august Assembly.

I do not want to go over the different points raised by the other speakers. Suffice to say that, we, at the ECOSOCC, have been able to organize continent-wide elections. Members of ECOSOCC are re-elected from all member states with a clear mandate. In your reflections, it is important that, that is considered because that is the only way we can cement the unity between the African people and put in place the foundation for a United States of Africa.

Mr. President, thank you again for your invitation. I wish you every success in your deliberations.

(Applause)

LE PRÉSIDENT:

Merci beaucoup, Monsieur le Président pour ce message de solidarité. Merci de nous renvoyer aux rêves et à la vision des Pères fondateurs de l'Union africaine. Merci de nous rappeler les objectifs de l'Union africaine et les ambitions des dirigeants du continent pour son intégration et merci également de nous donner quelques éléments sur le Conseil Économique et Social que vous avez l'honneur de présider et merci d'être parmi nous.

À présent, Son Excellence, l'Ambassadeur Epiphanie Tambwana, Présidente du Conseil de Paix et Sécurité de l'Union africaine.

4.6 Message de la Présidente du Conseil de Paix et Sécurité de l'Union africaine S.E. EPIPHANIE TAMBWANA:

Honorable Président du Parlement panafricain,

Honorables membres du Parlement panafricain,

Excellences,

Distingués invités,

Qu'il me soit permis, au nom du Conseil de Paix et de Sécurité de l'Union africaine et en mon nom propre de vous exprimer toute ma gratitude pour l'invitation que vous avez voulu adresser au Président du Conseil de Paix et de Sécurité du mois d'avril 2010, pour assister à la cérémonie d'ouverture de la deuxième session de la deuxième législature du PAP.

Je voudrais aussi en profiter pour me féliciter de l'hospitalité du pays qui abrite votre organisation. À la même occasion, je vous présente mes vibrantes félicitations et souhaite au PAP plein succès pour cette deuxième législature.

Le PAP vient de passer la phase transitoire et entre dans la phase de pleine activité afin d'assurer une noble mission qui lui a été assignée par le continent.

Je voudrais vous assurer de la bonne collaboration qui, heureusement, existe entre nos deux organes. La précédente rencontre entre le Conseil de Paix et de Sécurité de l'Union africaine et le PAP date de 2007. Il serait souhaitable qu'une telle réunion puisse être réorganisée pour qu'on puisse échanger sur des sujets d'intérêt commun et renforcer notre partenariat.

Le 9 avril 2010, le CPS a tenu une réunion inaugurale de la nouvelle équipe du Conseil au cours de laquelle il a tracé les grandes priorités constituant sa contribution à la mise en œuvre de la décision des Chefs d'État et de gouvernement sur l'année de la paix et de la sécurité en Afrique. Ces priorités portent sur les visites de terrain dans les pays touchés par les conflits et la tenue de réunions focalisées sur des activités particulières afin d'exprimer la solidarité aux peuples meurtris et assurer la visibilité du CPS dans les pays membres de l'Union africaine.

Le Conseil de Paix et de Sécurité pourra aussi participer aux activités liées à l'année de paix et de la sécurité organisées par les États membres.

Honorable Président du Parlement panafricain,

Honorables membres du Parlement panafricain,

Distingués invités,

Nos textes juridiques nous ouvrent la coopération en vue de la promotion de la paix, de la sécurité et de la stabilité en Afrique. Le CPS et le PAP travaillent main dans la main pour lutter contre les changements anticonstitutionnels en se basant sur les instruments juridiques de l'Union africaine et promouvoir la démocratie.

Nos deux organes sont garants de la stabilité des institutions nationales issues des élections démocratiques. Nous veillons à ce que les États membres se conforment à l'État de droit et respectent leur propre constitution et, quand ils procèdent à des réformes constitutionnelles, qu'ils évitent que cela soit une source de conflits.

On doit arriver à éliminer le système de démocratie négociée. Dans ce contexte, le CPS demande au PAP de lui servir d'avocat privilégié auprès des États membres de l'Union africaine pour qu'ils signent et ratifient la Charte africaine sur la démocratie, les élections et la bonne gouvernance et adhèrent aux principes de bon voisinage.

2010 a été proclamée année de la paix et de la sécurité en Afrique. Nous allons conjuguer nos efforts, chacun en ce qui le concerne, pour que notre Afrique respire l'air de paix et de liberté.

Honorable Président,

Honorables parlementaires,

Distingués invités,

Je réitère au PAP l'assurance de la coopération inconditionnelle du CPS et de l'Union africaine. L'Afrique est en marche et ses institutions continentales se consolident de plus en plus.

Je termine en souhaitant à ces assises plein succès. Je vous remercie de votre attention.

(Applaudissements nourris)

LE PRÉSIDENT:

Merci beaucoup, Excellence, Présidente en exercice, pour le mois d'avril, du Conseil de Paix et de Sécurité, pour le message de solidarité. Merci pour votre soutien au Parlement panafricain.

Comme vous l'avez si bien dit et souhaité, nous allons reprendre le partenariat avec le CPS, dans l'intérêt du continent et des peuples de notre continent. Merci d'honorer de votre présence parmi nous, Excellence, et merci encore pour votre message.

Excellence, Dr MAXWELL MKWEZALAMBA, Commissaire aux Affaires Économiques de la Commission de l'Union africaine, représentant le Président de la Commission de l'Union africaine, nous sommes très impatients de vous écouter, demain, sur le rapport d'activités annuelles de la Commission de l'Union africaine que vous allez nous livrer, de même que le rapport, tant attendu, du Conseil de Paix et de Sécurité de l'Union africaine, en cette année de paix et de sécurité.

En attendant, donc, vos interventions importantes de demain, je vous invite à prononcer quelques mots de solidarité à l'endroit de la plénière. Je vous en prie.

4.7 Message du Commissaire aux Affaires économiques de la Commission de l'Union africaine Dr. MAXWELL M. MKWEZALAMBA [COMMISSAIRE AUX AFFAIRES ECONOMIQUES DE LA COMMISSION DE L'UNION AFRICAINE]:

Your Excellency, the President of the Pan-African Parliament, Hon. Vice Presidents of the Pan-African Parliament, Excellencies, Hon. Members of the Pan-African Parliament, distinguished Ladies and Gentlemen.

It is a pleasure for me to be here this morning to attend this auspicious occasion marking the opening of the Second Session of the Pan-African Parliament Second Legislature.

The Chairperson of the of the African Union Commission, His Excellency, Jean Ping could not come to be with you today owing to some prior commitments, but realizing the importance of the Session, he requested me to come and represent him. Therefore, I would like to say that he sends his fraternal greetings and wishes the Second Session of the Pan-African Parliament Second Legislature fruitful deliberations.

Your Excellencies, distinguished Ladies and Gentlemen, the invitation to the Second Session of the Pan-African-Parliament signifies the excellent cooperation and collaboration that exist between our two African Union organs. This is not the first time that we are being invited. We are always being invited and always represented. I have been here personally to participate at your Sessions. I remember the inputs that we received from the Pan-African Parliament during the time that we were working on the rationalization and harmonization of the Regional Economic Communities; the input that helped in providing some guidance to our Heads of State and Government in taking very important decisions on the rationalization and harmonization of the Regional Economic Communities.

As the African Union Commission continues to work with the member states, the Regional Economical Communities in accelerating African integration agenda, we welcome the role that the Pan-African Parliament continues to play in supporting the work of the African Union Commission. I must say that we have a number of issues that we need to continue working together as we forge ahead Africa's integration agenda. Clearly, we have a number of challenges, one of which is lack of adequate resources to finance our integration. I believe that the Pan-African Parliament faces similar problems because we have gone through this together in the discussions pertaining to the AU Budget.

The African Union Commission has been working on alternative funding sources for the African Union. A number of proposals have been made, but we still need to get to some point. This has been the discussion for more than four years and we would like to invite pAp to work with us in getting this matter to its conclusion. Clearly, we also need to look at our Pan-African financial institutions if we are to finance Africa's development and promote monetary integration moving towards utilization of a single currency.

I heard a number of you who took the Floor before me talk about the non-implementation of African Union decisions which are decisions taken at the highest political level. Again, I would also like to seek the support of the Pan-African Parliament in ensuring the operationalization of the financial institutions particularly, the African Investment Bank where substantial progress has been made. The Heads of State and Government have adopted the Protocol on the Investment Bank and Statute on the Investment Bank, but we need to move into signatures and ratifications. So far, only fourteen countries have signed the Protocol and the Statute and only one has ratified despite these decisions having been taken some time last year. Clearly, if we are to move on this, we definitely need your support.

Your Excellencies, I would also like to recall the decisions taken by the African Union Assembly of January/February 2010 regarding the priorities for 2010 and some years to come, which include peace and security. As we all know, 2010 has been designated the year of peace, agriculture and food security and within this, looking at having no child go hungry within the coming five years, but also investing in infrastructure, including transport, energy and information and communications technology.

As a commission, we cannot implement this decision of the Heads of State alone. Therefore, we would like to work very closely with the Pan-African Parliament in this regard. We also need to work together in several fronts particularly in 2010. Following the global financial and economic crisis, the African Union Commission, the Economic Commission for Africa and the African Development Bank worked very closely in finding some policy measures to be implemented by member states, but also to be implemented by our partners, including the international financial institutions.

This year, we have two summits, one in June in Canada and the other in November in the Republic of Korea. We need to work together in pushing ahead Africa's agenda which includes ensuring that Africa have a seat in the G-20. Currently, we are invited, but we do not have a permanent seat and because of this, we are not even involved in the preparatory meetings leading to the leaders' summits.

2010 is also another very important year in that we will be reviewing the MDGs in September this year. I know that there is a committee of Pan-African Parliament on MDGs and we would like to work with you in forming Africa's common position to be taken to New York in September. There is also a big summit coming - Africa EU Summit which is scheduled to take place in November this year. As Pan-African Parliament, you have participated in a number of meetings leading to the holding of the summit. Therefore, we would like to continue working with you in this regard. Of course, I need not mention climate change discussions. I am sure a number of us were involved last year and these discussions will continue in the course of this year leading to the discussion to take place in Mexico.

The transformation of the African Union Commission into the African Union Authority also requires your inputs. These discussions are currently going on. As I am talking now, there are meetings of experts taking place in Tripoli, Libya. Therefore, we need to see how you will also get involved in this discussion.

Mr President, as you rightly said, I will have a lot to talk about tomorrow when I present the two reports that you referred to, the Activity Report of the African Union Commission and the Report of the African Union's - Peace and Security Council whose Chair also took the Floor just a while ago.

Therefore, pending those presentations, once again, I would like to underscore the African Union's Commitment to continue to working with the Pan-African Parliament because we know that without working with you, there is not much that we can achieve in addressing Africa's integration agenda in addressing the socio-economic challenges facing our continent.

I would like to conclude by joining other distinguished guests in congratulating Hon. Members of Parliament who took their oaths of office today and wish them well in undertaking their tasks.

Mr President and Hon. Members,

I would like to wish the Second Session of the Pan-African Parliament fruitful and successful deliberations.

I thank, you.

(Applause)

LE PRÉSIDENT:

Excellence Dr Maxwell MKWEZALAMBA, Commissaire aux Affaires Économiques de la Commission et représentant le Président de la Commission de l'Union africaine, au nom du Parlement panafricain, je vous remercie pour votre message de solidarité et je remercie le Président de la Commission S.E. Jean PING pour ce vœu fraternel de succès de notre session.

Nous allons, le Parlement panafricain et la Commission de l'Union africaine, continuer à travailler main dans la main, comme vous l'avez si bien dit, dans l'intérêt de l'Union africaine et des populations africaines. Nous allons apporter notre contribution pour les défis de l'an 2010 qui nous attendent.

L'an 2010 a été décrété par les Chefs d'État africains, année de la paix et de la sécurité. Nous allons y apporter notre contribution. Nous allons également apporter notre contribution au défi de l'agriculture et de la sécurité alimentaire, qui est également un défi que s'est donné notre continent à travers la décision des chefs d'État. Les transferts de l'énergie sont également des défis, tout comme les objectifs du millénaire pour le développement.

Nous apporterons également notre plaidoyer et notre contribution dans les directives pour faire face à la crise financière mondiale. Je disais tantôt que nous attendons impatiemment vos deux rapports, programmés pour demain, et nous espérons apporter notre contribution en vous écoutant et en posant des questions auxquelles, je suis sûr, vous répondrez. Le Parlement panafricain également apportera sa contribution.

Encore une fois, merci de représenter S.E. le Président de la Commission de l'Union africaine.

Le Président du Forum des Parlementaires arabes et africains pour la population et le développement, l'honorable Issa Abas ALI empêché, à la dernière minute, a néanmoins bien voulu nous envoyer un message de solidarité écrit qui vous est distribué ou qui le sera.

Au nom du Parlement panafricain, nous remercions le Forum des Parlementaires arabes et africains pour la population et le développement pour ce message de solidarité.

Le dernier message de solidarité est celui de S.E. JERZY BUZEK, Président du Parlement européen, message vidéo que nous allons suivre incessamment, si la technique est en mesure de nous projeter.

4.8 Message de solidarité de S.E. Jerzy Busek, Président du Parlement européen

(Projection de la vidéo)

H.E JERZY BUZEK, PRÉSIDENT DU PARLEMENT EUROPÉEN:

Mr. President and dear colleagues, it is a great honour for me to address the Pan African Parliament on behalf of the European Parliament. Both our parliaments have been working closely since the establishment of the Pan-African Parliament in 2004. At a time when we are facing a number of huge challenges, this partnership is of utmost importance for Africa, Europe and the world.

The financial and economic crisis has hit the citizens of Europe hard. It is, however, hurting Africa's people even more, especially now as commodity prices drop, remittances dry up and export demand shrinks. Climate change is particularly affecting Africa. I know your struggle is not an easy one. I have lived through economic change and the transition to democracy in my country. We came through the reforms and we are now stronger for it.

In your work you can continue to count on the full ongoing support and cooperation of the European Parliament. The important point is that we should work together as partners to address the burning issues facing Africa and Europe. We are neighbors and partners. Our two parliaments must reflect this.

I wish you a fruitful and productive plenary meeting. Of course, I look forward to meeting you at the Africa-EU Summit towards the end of the year.

Thank you very much.

(Applause)

LE PRÉSIDENT:

Nous remercions le Président du Parlement européen pour le message de solidarité.

J'invite le Secrétaire général à nous faire part des annonces, s'il y en a.

M. LE SECRÉTAIRE GÉNÉRAL PAR INTÉRIM:

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03

LE PRÉSIDENT:

La séance est présentement suspendue jusqu'à demain mardi 13 avril 2010 à 9 heures.

Je vous remercie.

La séance est suspendue à onze heures quarante-sept minutes. Elle reprendra le mardi 13 avril 2010 à neuf heures.
Mardi 13 avril 2010

LE PRÉSIDENT:

La séance est ouverte.

J'invite le Secrétaire général à nous présenter le premier point inscrit à l'ordre du jour.

LE SECRÉTAIRE GÉNÉRAL PAR INTERIM:

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(Problèmes techniques)

LE PRÉSIDENT:

Honorables membres du Parlement, nous avons quelques problèmes techniques. En attendant que les techniciens vérifient un à un les micros, nous allons suspendre la séance pour une pause-café de vingt minutes.

(Suspension de séance)

1.OPRÉSENTATION ET DÉBAT SUR LE RAPPORT ANNUEL D'ACTIVITÉS DE L'UNION AFRICAINEH.E. Dr. MAXWELL M. MKWEZALAMBA [COMMISSIONER FOR ECONOMIC AFFAIRS OF THE AUC]:

Thank you very much, Your Excellency the President of the Pan-African Parliament, for giving the African Union Commission this opportunity to present the two reports; the Activity Report for the African Union Commission and the Report of the Peace and Security Council of the African Union.

Let me, from the outset, recognise the presence of Your Excellencies the Vice-Presidents, the Hon. Members of the Pan-African Parliament, as well as all the distinguished Ladies and Gentlemen.

I will start with the Activity Report of the African Union Commission. The comprehensive report has been given to the secretariat for circulation, but there is also an executive summary of the report that will be presented that has already been circulated. You will notice that the executive summary that has been circulated is that of the Chairperson of the African Union Commission. So, when you read it, you should take it that it is the report that was presented to the African Union Assembly held in January - February this year.

Your Excellencies, the report covers activities undertaken between July 2009 and December, 2009, but I have also made some extensions as to what I call moving ahead. The activities are being implemented in line with the African Union Commission's Strategic Plan for 2009-2012 that was adopted by the African Union Assembly in July 2009. The strategic plan covers four areas namely; peace and security, integration, development and cooperation, shared values and strengthening the institutions of the African Union.

I need to underscore, here, the importance of having predictable, credible and regular sources of financing for the African Union so as to enable us, the Commission, and all the other policy organs implement the various decisions of the AU Assembly.

Currently, as we all know, we depend on assessed contributions of member states which finance the operational budget of the African Union Commission. We also depend on partner contributions which finance the development part of our budget. A lot of times, we have difficulties because the assessed contributions do not come on time and because only five member states of the African Union contribute 75 percent of the African Union's budget. Clearly, this is not sustainable. It should also be pointed out that our partners, as well, make commitments to finance the budget for a particular year, but often times they are unfulfilled, thereby derailing the implementation of the activities of the Commission and other organs of the African Union. This is something that I will speak on later as one of the challenges that we faced in 2009.

Your Excellencies, Hon. Members and distinguished Ladies and Gentlemen, my report, therefore, covers the four areas of our strategic plan. I will go through each one of them to highlight what was achieved in the last half of 2009.

Regarding peace and security, there have been efforts to speed up the establishment of the continental peace and security architecture, support conflict prevention, management and resolution endeavours and to follow-up on the Prodi Report on the findings of the African Union led peace support operations. This is, of course, bearing in mind certain emergency situations such as the African Union Mission in Somalia (AMISOM) field operations.

I would also like to mention, here, that in August 2009, we did organise a special summit on conflict situations in Tripoli, Libya. Among other things, the summit adopted a declaration and plan of action on the elimination of conflicts in Africa.

The Commission also continued to monitor crisis situations on the ground with special focus on extremely worrying unconstitutional changes of government in Guinea and Madagascar. We also focused on other conflict zones, including Somalia, Darfur, in the Sudan, the relations between Chad and the Sudan, the situation in Burundi, the Democratic Republic of Congo, the Central African Republic, Cote d'Ivoire and the Western Sahara.

We also reported on these situations on a regular basis to the African Union's Peace and Security Council to ensure that the appropriate measures were taken. As I said earlier, I will be presenting a report on the Peace and Security Council immediately after this presentation.

Mr. President, I would also like to mention the fact that there was a Peace and Security Council Summit held in Abuja, Nigeria, in October, 2009 which did endorse the recommendations of a High Level Panel on Darfur presided over by the former president of South Africa, His Excellency, Thabo Mbeki. This report is comprehensive and aimed at addressing the problems in the Sudan. The elections currently taking place in the Sudan and the referendum planned for 2011 have been adequately covered in this High Level Panel Report on Darfur.

Pertaining to integration, development and cooperation, I will focus on a number of areas, including human capital development, the health sector, infrastructure, energy, climate change, agriculture and food security, trade partnerships, the Millennium Development Goals (MDGs), the global financial and economic crisis, statistics, private sector development, alternative funding sources for the African Union, as well as the development of a minimum integration programme for our continent.

Under human capital development, the Commission was engaged in mobilising support for the Pan-African University Project. This is one of the key projects of the African Union Commission. There were a lot of discussions and consultations regarding the establishment of the Pan-African University.

The Commission also launched a prize award programme for high level African scientists to support and stimulate research and scientific and technological innovations. In fact, in January-February when we had the African Union Summit, the African Union Assembly did present some scientific awards to deserving African researchers and scientists.

Regarding the health sector, there were also a number of activities that were undertaken. These included the launch of the Campaign for the Accelerated Reduction of Maternal Mortality in Africa (CARMMA). As of January this year, nine countries had launched the campaign at the national level. We also did undertake efforts, again in the health sector, to combat drug and cross border crime.

In the areas of labour and employment, we focussed on the protection of the rights of the child and migration.

Regarding infrastructure, the Commission did undertake efforts to promote continent wide inter-connectivity in line with the declaration adopted by the African Union Summit of January-February 2009 whose theme was Infrastructure and Development in Africa. What we have done so far is to develop a programme on infrastructure development in Africa in close collaboration with the African Development Bank (ADB), the Economic Commission for Africa (ECA), the Regional Economic Communities (RECs) and the former New Partnership for Africa's Development (NEPAD) Secretariat, now the NEPAD Planning and Coordinating Agency.

In line with this, we did request for proposals to conduct feasibility studies for the construction of the Dakar-N'djamena-Djibouti and Djibouti-Libreville continental highways. Again, in the area of infrastructure, there was gradual implementation of the Yamoussoukro Declaration on the Liberalisation of the Air Transport Market in Africa. This was accompanied by the operationalisation of the African Civil Aviation Association, the executing agency. The Commission also did elaborate rules of competition and the mechanism for the settlement of disputes, as well as the formulation of a common African Civil Aviation Policy.

Pertaining to maritime transport, there was a Conference of African Union Ministers responsible for marine transport held in Durban, South Africa, in October, 2009, which adopted the Draft African Maritime Charter. The Charter will regulate all matters relating to the development and member states cooperation in all maritime operations in Africa. The conference also adopted a Declaration on Maritime Security and Safety and Protection of the Maritime Environment.

We also did work on energy. In this regard, I need to mention one key decision taken following the recommendation of the African Ministers in charge of petroleum products at a meeting held in December, 2009, to create an African Petroleum Fund. This fund was first proposed in Khartoum, Sudan, during the African Union Summit. The idea was to set up this fund to support oil importing countries during periods of rising oil prices. So,

at least, we now have a decision on the setting up of the African Petroleum Fund whose minimum capital will be around US\$260 million to be contributed by member states, as well as international companies operating in the energy sector. Of course, there are still issues surrounding whether the contributions should be voluntary or not and the member states are yet to agree on this matter.

We were also actively involved in the preparations for Cop 15, that is, the Climate Change Summit that was held in Copenhagen. The African Union Commission prepared a common African position on climate change negotiations. This common position was adopted by the African Union Summit in Sirte, Libya and formed the basis for Africa's negotiating stance in Copenhagen. I am sure we are all probably aware of the outcome of Copenhagen, the Copenhagen Agreement. We are now working towards reaching a legally binding agreement. Of course, Copenhagen did make a number of provisions in support of Africa's efforts in mitigation and mitigation measures regarding climate change. So, this is something that we also did.

As for agriculture and food security, the African Union Commission continued to work closely with the then NEPAD secretariat to mobilise all the member states to subscribe to the Comprehensive African Agriculture Development Programme (CAADAP), including allocating at least 10 per cent of budgetary resources to agriculture. Let me mention, here, that the allocating of 10 per cent budgetary resources to agriculture, although agreed to by our Heads of State and Government in Maputo in 2003, still remains an issue. Of course, there are countries that have moved towards increasing the allocation to agriculture. The numbers I have, I think, could be about fourteen or so.

However, Finance Ministers are of the view that they should not be given such targets because of what is currently happening in the other sectors. Agriculture talked about 10 per cent, health is saying 15 per cent, education 20 per cent and I think ICT about 1 per cent of our gross domestic product (GDP). So, they are concerned that if we are to continue at this pace, by the end of the day, there would probably be nothing left to allocate to other priority areas. Of course, they are committed to increasing the budgetary allocation to agriculture, but they do not want to talk about the numbers.

Let me say that this mobilisation towards the support for CAADAP has also resulted in a number of countries signing the CAADAP Compacts. The signing of the CAADAP Compacts will enable countries access investment resources for the agricultural sector.

We also did participate in the G8 Summit in L'Aquila, Italy in July last year, at which the G8 made a commitment to provide around US\$20 billion in support of the implementation of country agriculture plans based on CAADAP.

As for trade, the African Union Commission continued to be engaged in multilateral trade negotiations for the Economic Partnership Agreements (EPAs) as well as the World Trade Organisation (WTO) Doha Development Round Negotiations. In this regard, under the auspices of the African Union Commission, African Ministers of Trade held intense consultations in Cairo in October, 2009 and in Geneva in November, 2009 ahead of the Seventh Ministerial Conference of the WTO. We continue to coordinate the African position on these negotiations and will continue to provide the leadership required.

We were also able to deploy efforts towards strengthening existing partnerships with the rest of the world. In this regard, we did organise several meetings. These included the Africa-Latin America Meeting in Margherita, Venezuela, in September, 2009, the Permanent Commission on Afro-Arab Cooperation in Tripoli, Libya, in October, 2009, the Africa-China Ministerial Forum in Sharm el-Sheikh, Egypt, in October, 2009, the Africa-South Korea Meeting in Seoul, South Korea, in November, 2009 and the Africa-EU Ministerial Troika Meeting held in Addis Ababa, Ethiopia, in October, 2009.

Of course, people have been saying we are involved in too many strategic partnerships and we need to review them. So, one of the activities that was undertaken in the last half of 2009 was a review of these strategic partnerships which was submitted to the AU policy organs in January-February, 2010.

In preparation for the United Nations High Level Summit in New York, in September this year, the Commission, in 2009, carried out two consultations on the review of the MDGs. There was a consultation in Bamako, Mali, and another in East London, South Africa, intended to review progress on the attainment of the MDGs, but also to prepare a draft African common position on the MDGs which will be submitted to the United Nations (UN).

In fact, this review has been done. We had meetings at the level of experts and only a few weeks ago, Finance ministers did meet in Lilongwe, Malawi, to, among other things, consider the common position on the MDGs. We will be taking this to the Africa Union Summit to take place in June-July this year. However, we realise that work

on the preparation of the outcome document has already started and we will be sharing what we have done with our African Ambassadors based in New York. We also plan to share the documents on the review of the MDGs with our Ambassadors based in other capitals, including Brussels and Geneva.

Pertaining to the global financial and economic crisis, the Commission was actively engaged in finding solutions to the crisis. We worked very closely with the ECA, ADB and the Committee of ten Finance Ministers and Central Bank Governors that was set up by the meeting of Finance Ministers held in Tunisia in 2008.

The African delegation has been led by Prime Minister Meles of Ethiopia and has included the Chairperson of the African Union Commission who has been accompanied by the President of the African Development Bank, the Executive Secretary of the Economic Commission for Africa and the Commissioner for Economic Affairs.

We have also participated in the G20 Summit and our message has included the reform of the international financial institutions, increased voice of Africa within the international financial architecture, issuance of special drawing rights, which was done last year, and increased policy space. We have also asked for the review of the debt sustainability framework to increase policy space for African countries. Following our submission, this review has been conducted by both the World Bank and the International Monetary Fund (IMF).

Mr. President, we have also called for an early conclusion of the Doha development round of negotiations, as well as the acceleration of IDA16, that is, the International Development Association, which is the soft window of the World Bank. We have also called for the African Development Fund (ADF) 12 replenishments, as well as general capital increases for the World Bank and the ADB to enable them support African countries in this time of crisis. We have also worked in several other areas, including statistics, where a charter on statistics has been prepared, adopted and we are now in the process of obtaining signatures and ratification. We have also prepared a strategy on the harmonisation of statistics in Africa.

I must say that our work in statistics has been informed by the fact that statistical information in Africa is not reliable, does not come timely, the data is not harmonised and, therefore, not comparable. So, this is what we have been doing and I hope that with the adoption of the charter and the strategy on the harmonisation of statistics, we should be in a much better position to monitor the implementation of Africa's integration and development agenda and also have well informed evidence based policy making.

The private sector is another important area that we have continued to work in. In the last part of 2009, we did organise an EU-Africa Business Forum in Nairobi, Kenya. The first forum was organised in 2007, in Brussels. The second one was in Accra, Ghana, in 2007. This has provided an opportunity for our business people to interact with their counterparts in Europe. We have also used this forum to get policy makers to appreciate some of the challenges facing the private sector within our continent. We also finalised the Micro-finance Policy Framework and Action Plan which was adopted by the January-February 2010 African Union Assembly.

Another preoccupation of the Commission was seeking resources for the African Union through a study on alternative funding sources for the Union. As I did indicate in my introductory remarks, this is something that needs to be addressed as early as possible. Unfortunately, we do not seem to be making much headway. The experts have met a couple of times. The Finance Ministers have met as well. The last time they met was in Addis Ababa, Ethiopia, in December, last year to discuss the same issue, but there seemed to be some resistance for some reason.

I believe that this is an area in which we need to work together in order to ensure that the various options proposed by the African Union Commission are seriously considered and adopted by the African Union Assembly.

I wish to give you a few of the options we have. We have, for example, a proposal to introduce an import levy. This has been successfully done by the Economic Community of West African States (ECOWAS). ECOWAS is financially sustainable because of an import levy. We have also been looking at levies on insurance premiums, export levies, levies on petroleum products and private sector funding. There are about eight options that we have presented to the member states for consideration and it is our sincere hope that we will get to a closure of these matters pretty soon, but, of course, with your support.

The need to accelerate integration is key. Of course, what I talked about goes a long way towards accelerating our integration efforts, but we decided to develop what we are calling a minimum integration programme for the continent. This minimum integration programme has been discussed with the Ministers in Charge of Integration. It is essentially a mechanism for convergence between the RECs and focuses on a few priority areas of concern at regional and continental level.

We are in the process of organising sectoral meetings to identify the projects, activities and programmes that will be implemented in the priority areas identified, which include peace and security, trade and market integration, infrastructure development, agriculture, human rights and governance, among others.

Regarding shared values, we intensified efforts for the promotion of governance architecture along the lines of the peace and security architecture. This involved efforts aimed at ensuring the signing and ratification of the African Charter on Democracy Elections and Governance. We also prepared a draft Public Service Charter and did operationalise the Anti-Corruption Consultative Council to promote the implementation of the AU Convention on Prevention and Combating Corruption in Africa.

We were also able to deploy observer missions in eleven member states in the last half of 2009.

We also did continue to promote gender equality in the structures of the African Union. With the technical support of the African Development Bank, we were able to conclude the feasibility study on the establishment of a trust fund for women. The trust fund was endorsed by the last African Union Summit held in Addis Ababa, Ethiopia.

Finally, under institutional strengthening, we have carried out a number of activities. Of course, it is not possible to highlight all of them suffice to mention that there have been a number of institutional reforms that we did undertake as a Commission. These include the implementation of the Integrated Management Information System (IMIS), as well as the African Monitoring Evaluation and Reporting Tool. We believe that with the adoption of these tools, it should be possible to mobilise our partners to provide budget support as opposed to providing project support which currently is the case.

I should also mention, here, that we worked on the transformation of the African Union Commission to the African Union Authority in line with the African Union Assembly decision. As I speak, there is a meeting of legal experts taking place in Tripoli, Libya on this issue. The idea is to give more authority and executive powers to the African Union Commission which will be known as the African Union Authority once the relevant legal instruments have been ratified.

The structure of the organisation will obviously change. There is also a proposal to change the designation of the elected officers. Once this is done, the Chairperson of the Commission, for example, will be the President of the Authority and the Commissioners will be re-designated Authority Secretaries.

We also worked on the integration of NEPAD into the African Union structures and processes. This is a matter that has been on the drawing board since Maputo in 2003. I am glad to say that finally, the Heads of State and Government were able to take a decision on the integration of NEPAD into the African Union structures and process. NEPAD, now known as the NEPAD Planning and Coordinating Agency, has a clear mandate focusing, among other things, on monitoring, implementation of projects and programmes, facilitating the implementation of programmes and projects, mobilising resources for the continent, conducting research and broadly serving as a think-tank for the African Union. Of course, we need to work on the modalities for the implementation of this African Union Assembly decision. That is what we are currently doing with the NEPAD Planning and Coordinating Agency.

We also continue to work on setting up African financial institutions. These include the African Central Bank which will be located in Abuja, Nigeria, the African Monetary Fund which will be located in Yaoundé, Cameroon and the African Investment Bank which will be located in Tripoli, Libya.

For the Central Bank, for example, we were able to work closely with the Association of African Central Bank Governors in developing a joint strategy for setting up the African Central Bank. The reason is that we had two parallel processes. The Central Bank governors were also working towards the setting up of the African Central Bank and the African Union Commission, deriving its mandate from the Constitutive Act, was also working on the setting up of the African Central Bank. However, we basically agreed that we need to work together. We need the input of the Central Bankers and agreed to have a joint strategy and work on this has been progressing very well.

Nigeria, the host country for the Central Bank has already identified buildings to host members of the technical committee that will work on implementation studies for the bank. In fact, I expect to send a Mission to Abuja, Nigeria, within this week to receive the building.

I would like to mention, here, that Nigeria has provided financial support for the work on the Central Bank. Last year, they did provide some resources and again this year Nigeria has offered to pay consultancy fees for members of the steering committee that will work on the implementation of this bank. Five consultants will come "from each region as appointed by the Central Bank governors and two or three of them will be paid by the African Union Commission.

A lot of progress has also been made on the establishment of the African Monetary Fund. A building was identified and handed over to the Commission and I did go to Yaoundé, Cameroon, to receive it on behalf of the Commission in September, last year. The Committee has already been appointed and has started work on the setting up of the Fund.

The area in which we have made the most progress is the establishment of the African Investment Bank. The AU Assembly has adopted the protocol, as well as the statute on the Investment Bank and we are working on the signatures and ratification of the legal instruments. We, again, as I did mention yesterday, need your support in this venture. So far, we have fourteen signatures and only one ratification of the protocol.

Moving forward what do we expect to do? 2010, as I said yesterday, is a special year for us. The African Union Assembly has already identified priorities for the year. These include peace and security, of course 2010 being the year of peace, agriculture and food security, infrastructure, including transport, energy and information and communication technology, which was the theme of the January-February Summit. As the Commission, we will work on ensuring that we implement these priorities.

We also participated in the G8 and G20 summits and the MDGs review in readiness for the UN High Level Summit on MDGs. Preparations for the Africa-EU Summit to be held in Tripoli, Libya, in November, this year are underway. This is going to be a big summit. The second one was held in December, 2007, I think, in Lisbon, Portugal. We adopted a joint strategy and first action plan. The Summit to take place in November will review the implementation of the joint strategy and decide on how we move forward with our partnership.

We will continue to participate in climate change discussions, discussions on the transformation of the African Union Commission into the African Union Authority, as well as the acceleration of the establishment of the Pan-African financial institutions. As I said, we will also be looking at developing further the minimum integration programme through the consultations that will define the priority areas, programmes and projects to be undertaken.

In conclusion, a number of activities have been undertaken. Of course, we did not implement everything that we had planned to. This could be attributed to, among other things, lack of financial resources despite the activities having been included in the 2009 budget. I remember that in the last half of 2009, we could not move even on the implementation of some of the activities because the resources were simply not there. Some of the partners who had made commitments to provide funding did not provide the funding and it was a difficult situation.

As I said, let us explore alternative sources of funding for the African Union. It is my hope that the Extra-Ordinary Meeting of Finance Ministers scheduled for November, 2010 will probably get us somewhere. However, I know and am sure that if we do not do a lot of ground work, we may not manage to get them to agree to one or two options. So, you really have some work to do with us.

Your Excellency the President of PAP, Hon. Members and distinguished Ladies and Gentlemen, this is what I had to say regarding the activities of the Commission for the last part of 2009.

Please, with your permission, allow me to move to the next presentation and this is the Report of the Peace and Security Council.

2.0PRÉSENTATION ET DÉBAT RELATIFS AU RAPPORT DU CONSEIL DE PAIX ET DE SÉCURITÉ DE L'UNION AFRICAINEH.E. Dr. MAXWELL M. MKWEZALAMBA [COMMISSIONER FOR ECONOMIC AFFAIRS OF THE AUC]:

The approach I will adopt will be slightly different if you do not mind. This is because it looks like we are getting somewhere. So, with your permission, I am going to read.

I think that a lot has been done in the area of peace and security and I will focus on the Peace and Security Council.

You may recall that the Peace and Security Council of the African Union was established in 2002 following the adoption of its final protocol by the inaugural ordinary session of the Assembly of the African Union held in Durban right here in South Africa in July, 2002.

The Peace and Security Council of the African Union replaced the central organ of the Mechanism for Conflict Prevention, Management and Resolution of the then Organisation of African Unity (OAU).

The mandate of the Peace and Security Council derives from Articles 2 and 6 of the Peace and Security Council Protocol. Article 2, for example, states that "There is hereby established pursuant to Article 5(2) of the Constitutive Act a Peace and Security Council within the Union as a standing decision-making organ for the prevention, management, and resolution of conflicts in Africa."

Article 6 goes further to strengthen Article 2 by outlining the specific functions of the Peace and Security Council.

The Peace and Security Council comprises fifteen members that are elected on a regional basis, that is, Central Africa, Eastern Africa, Southern Africa, North Africa and West Africa. These are the regions within the African Union. Central Africa, Eastern Africa and Southern Africa have three members each, North Africa has two members whereas West Africa has four members, these obviously reflecting the sizes of our regions.

The membership of the Peace and Security Council is divided into two mandates with ten members serving for two years and another five serving for three following each election. The Peace and Security Council Protocol does not impose term limits on these mandates.

The first fifteen members of the Peace and Security Council were elected by the Executive Council in January 2004, as authorised by the African Union Summit that took place in Maputo, Mozambique, in July, 2003. On 16th March, 2004, the Peace and Security Council adopted its rules of procedure. Its inaugural meeting was held on 17th March, 2004 marking the beginning of the operation of the Peace and Security Council. Thus, the Peace and Security Council takes pride in having six years of accumulated practice and experience.

Your Excellency, Mr. President, Hon. Members and distinguished Ladies and Gentlemen, only a few days ago, on 9th April, 2010 to be specific, the new Peace and Security Council took seat in Addis Ababa Ethiopia. This followed the expiry of the mandate of the other fifteen members of the Council, namely those holding two year and three year terms. This happened on 31st March, 2010.

The new Council members were elected by the Executive Council and subsequently appointed by the Assembly of the African Union during the last Summit held in Addis Ababa, Ethiopia. The new Peace and Security Council comprises Benin, Burundi, Chad, Cote d'Ivoire, Djibouti, Equatorial Guinea, Kenya, Libya, Mali, Mauritania, Namibia, Nigeria, Rwanda, South Africa and Zimbabwe.

The new Council has the benefit of six former members that were re-elected namely, Nigeria, Mali, Benin, Rwanda, Burundi and Chad. In this regard, there is some degree of continuity and maintenance of institutional memory. Most importantly, the new Council takes off from a strong background of tremendous work and achievements made by the outgoing Peace and Security Council.

Since March, 2004, following the inception of the Peace and Security Council, all conflict and crisis situations have been addressed by the Council. The Peace and Security Council has made long strides in promoting peace, security and stability in our continent. One can say it with evidence and pride that peace has no doubt gained more space in Africa and continues to do so. The Peace and Security Council's role in taking leadership in the continent in conflict resolution decision-making has made it unnecessary for foreign interventions to take place in African conflict and crisis situations.

Mr. President, Hon. Members and distinguished Ladies and Gentlemen, the most remarkable characteristics and achievements of the Peace and Security Council, thus far, include the following:

The holding of permanent sessions of the Peace and Security Council is one of them. The Peace and Security Council is in permanent session making it capable of convening at any time. It has a high frequency of meetings at the level of Ambassadors who are also permanent representatives given that these Ambassadors work permanently at the AU headquarters in Addis Ababa. Notably, the Peace and Security Council decisions have the same weight whether taken at the level of Ambassadors, Ministers or Heads of State and Government.

Another good characteristic is that the Peace and Security Council meetings are closed and the decisions are taken in closed sessions. Unlike past OAU organs on peace and security that were larger, open-ended and wielded committees which were politically and functionally susceptible to paralysis, the Peace and Security Council is a closed committee. It can discuss issues in depth and take decisions without interference from parties to the conflict. Whilst the PSC protocol provides for such parties to be invited, to state their cases to the Council they do not sit in the decision-making deliberations of the PSC.

I would also like to mention another important attribute of the PSC and that is that membership of the PSC is based on a competitive election. Article 5 (2) of the Peace and Security Council of Protocol stipulates the attributes expected of member states candidatures running for an election into the Peace and Security Council.

Both the two and three year mandated membership of the Peace and Security Council are subject to a criteria guided election. Candidates to a PSC election should be objectively capable of shouldering the heavy responsibilities that go with the membership of the PSC, including the provision of troops and logistics for peace support operations.

It is also the case that the Peace and Security Council has the ability to veto freely any peace and security issue within Africa.

In terms of Rule 6 of the Rules of Procedure of the Peace and Security Council, no AU member state can oppose the Peace and Security Council's inclusion or consideration of any matter deemed to threaten peace and security or to have devastating consequences on human life and property.

I would also like to mention the improved working methods of the Peace and Security Council following the adoption of its Rules of Procedure. There is also increased vigour to combat and prevent the unconstitutional change of government. This follows the retreat in Swaziland in December last year that extensively debated the problem of the resurgence of the unconstitutional change of government in Africa and how to deal with it. The debate culminated in the adoption of the Eluzwini Framework on the enhancement of African Union measures in situations of unconstitutional change of government. In this respect, the Peace and Security Council has decided to establish a Sanctions Committee to oversee the implementation of sanctions in situations of unconstitutional change of government in Africa.

There is also another attribute pertaining to interaction with the RECs or regional mechanisms on conflict prevention, management and resolution. This is in pursuance of Article 16 of the Peace and Security Council Protocol, which provides that regional mechanisms are part of the overall security architecture of the Union. So, we have worked closely with various RECs such as the Inter-Governmental Authority on Development (IGAD), ECOWAS and the Southern Africa Development Community (SADC).

There has also been cooperation with international organizations, including the UN. The idea was to build more support towards the Peace and Security Council's peace efforts.

Further, the Peace and Security Council believes in interacting with the civil society. As we know, we need to tap into the energies and inputs of the civil society towards the promotion of peace, security and stability in Africa. This is provided for in Article 20 of the Peace and Security Council Protocol.

The working relationship between the AU Peace and Security Council and the Pan-African Parliament regarding the promotion of peace, security and stability in Africa is specifically spelt out in Article 18 of the Peace and Security Council Protocol. The Article provides that the Peace and Security Council shall maintain close working relations with the Pan-African Parliament in furtherance of peace, security and stability in Africa. The Peace and Security Council shall, whenever so requested by the Pan-African Parliament, submit, through the Chairperson of the African Union Commission, reports to the Pan-African Parliament in order to facilitate the discharge of its responsibilities relating to the maintenance of peace, security and stability in Africa. Thus, our two organs have to work closely, each utilizing its comparative advantage, with a view to building synergy towards the promotion of peace, security and stability in Africa.

Mr. President, Hon. Members and distinguished Ladies and Gentlemen, it is my singular honour to submit to the Second Session of the Pan-African Assembly Second Legislature detailed reports of the Peace and Security Council covering the periods January to June 2009 and July 2009 to January, 2010. There are two reports because at the African Union we have two summits. These are reports that were presented to the AU Assembly in June-July, 2009 and January-February, this year.

These reports have been circulated and I take it that you have had an opportunity to have a look at them. Notably, in both reports the same conflict and crisis situations are placed in focus. However, the period of July 2009 to January 2010 witnessed new peace and security situations that are also captured in the report covering this period.

In 2009, the Peace and Security Council dealt with situations in Burundi, the Central African Republic, the Comoros, Cote d'Ivoire, the Democratic Republic of Congo, the Republic of Guinea, Guinea Bissau, Liberia, Madagascar, Mauritania, Niger, Somalia and the Sudan. They also dealt with the Ethiopia-Eritrea Peace Process, relations between Djibouti and Eritrea and relations between Chad and the Sudan and the Western Sahara.

The occurrence of unconstitutional orders in Guinea, Madagascar and Niger were major preoccupations that were seized by the Peace and Security Council. Major efforts, including the work of international contact groups, have been deployed towards the return to constitutional order in these countries. It is worth noting that gains were made towards peace in most of the situations even those situations that have stalemated. There has been no recourse to war between the parties to conflict.

Indeed, the year 2009, particularly the second half, witnessed the intensification of efforts towards the promotion of peace, security and stability in Africa. Many initiatives were taken in pursuance of the implementation of the decisions of the Peace and Security Council. Peace efforts were focused on resolving current conflicts and crisis through mediation activities and the provision of support for the implementation of peace agreements. Also, efforts were focused on consolidating peace in post-conflict situations.

The major constraints encountered related to the challenges of funding and logistics for peace efforts more so with respect to the AU peace support operation in Somalia. I remember that sometime last year we were not even able to pay the soldiers.

The deficiency or unwillingness of parties to conflict or crisis situations to scrupulously and fully implement agreements reached also constituted challenge.

Mr. President, Hon. Members and distinguished Ladies and Gentlemen, it is gratifying to note that our leaders have declared 2010 as the year of peace and security in Africa. The broad aim is to tell the success stories thus far, intensify peace efforts and put in the limelight the various peace and security challenges.

Activities to be carried out include communication to the African peoples, movement of the flame of peace across the AU member states, appointment of Ambassadors of peace and sporting activities. Therefore, the year of peace offers a unique opportunity to infuse fresh impetus into the endeavours aimed at extricating the continent from the scourges of war, violence and instability.

Mr. President, I think this report will be incomplete if I do not give a status of conflict situations. Please, with your permission, allow me to look at just a few conflict situations.

As regards the Ethiopia-Eritrea situation, there has not been any progress in the peace process concerning the definite demarcation of the border between the two countries. Therefore, the process remains a stalemate.

Regarding the Sudan, the implementation of the comprehensive peace agreement of January, 2005 signed between the National Congress Party and the Sudan Peoples' Liberation Movement Army opened national elections on the 11th April, 2010. The African Union has deployed an election observer team in the process. The elections are expected to open a new chapter of peace, reconstruction and development in the country, particularly in the region of Darfur that has known violent conflict since 2003. The holding of national elections is also expected to pave way for a self determination referendum in South Sudan scheduled for January, 2011.

As for Somalia, since October, 2004, it has been engaged in a peace and reconciliation process that has encountered many challenges, including the rise of anti-peace elements, extremist armed movements such as the Al-Shabab, arrival of foreign fighters, weaknesses of the transitional federal institutions and lack of funding for public services as well as for reconstruction and development. I remember that during an IGAD ministerial meeting held in Djibouti towards the end of last year, the transitional federal government did present its budget for 2010. However, you could also see that there was need for them to mobilize the resources required to implement this budget. I still wonder whether they have been able to mobilize the resources.

Since 2007, the AU has deployed a peace support mission, AMISOM, to support the peace and reconciliation process and to provide humanitarian assistance within its means. The peace support mission has troops from

Burundi and Uganda. Djibouti is to bring a battalion to join AMISOM. As a major challenge, AMISOM has not yet reached its authorized strength of eight battalions. The mission also faces the problem of funding and logistics. Of course, a couple of years ago, a number of countries had committed themselves to providing soldiers to AMISOM, but they are yet to come forward.

What about Cote d'Ivoire? Cote d'Ivoire is in the process of implementing the Ouagadougou Political Agreement and its supplementary agreements. The implementation process is planned to culminate in the holding of national elections that will usher in peace and stability in that country. The holding of the elections has been postponed several times in the past pending the settlement of issues relating to disarmament and the preparation of the voters' register.

As for Guinea, it remains suspended from participating in the activities of the African Union until the return of constitutional order. The Junta has agreed to follow the democratic route with the holding of the planned elections in June, which is the key issue in terms of exit from the crisis. The African Union and ECOWAS are deploying collective efforts towards the return to constitutional order in the country.

As for Madagascar, we continue to face serious challenges in the efforts to run the process of return to constitutional order. The country remains suspended from participating in AU activities. Andry Rajoelina, the leader of the de facto authorities, has been a major stumbling block in the efforts to rescue Madagascar from the current unconstitutional order. Of course, the AU and SADC continue to work closely to ensure the return to constitutional order in Madagascar.

Finally, Mr. President, Hon. Members and distinguished Ladies and Gentlemen, Niger is another conflict situation. However, the good thing is that the Junta has been cooperative with respect to putting in place agreements for returning the country to constitutional order. As such, the holding of national elections to this effect is actually in perspective. We continue to work closely with ECOWAS to ensure the return to constitutional order. I think this does add some substance to my presentation of the report of the Peace and Security Council.

Let me, Mr. President, once again, thank you very sincerely for having invited the African Union Commission to present these two reports. As I said yesterday, the Chairperson of the Commission would have loved to be here with you to present this report by himself, but owing to other exigencies of duty, he could not make it. However, I believe that the report will be well received and look forward to the discussions that take place. I thank you very much for this opportunity.

I thank you very much.

LE PRÉSIDENT:

Merci beaucoup Excellence, Docteur Maxwell Mkwazalamba, Commissaire aux Affaires Économiques de l'Union africaine pour ces deux présentations que, je répète, vous avez faites au nom du Président de la Commission de l'Union africaine. Je vous en félicite.

J'ouvre, à présent, le débat sur le rapport d'activités annuelles de la Commission de l'Union Africaine et le rapport du Conseil de Paix et de Sécurité de l'Union africaine. Nous avons 65 inscrits dont une vingtaine se sont inscrits sur les deux sujets. Nous allons accorder quatre minutes aux intervenants. Ceux qui se sont inscrits pour aborder des questions sur les deux sujets s'arrangeront à poser leurs deux questions pendant les quatre minutes. Le premier orateur est l'honorable Aliou Ibra Ba de la Mauritanie.

HON. BA ALIOU IBRA [MAURITANIE]:

Merci Monsieur le Président. Je remercie le Commissaire pour la qualité des deux rapports qu'il vient de nous présenter et pour leur caractère exhaustif.

Je voudrais féliciter la Commission de l'Union africaine et son Président Jean PING, pour les efforts qu'ils ont fournis visiblement pendant cette période, pour arriver à des résultats incontestables. Aujourd'hui, il reste incontestable que l'Union Africaine gagne en crédibilité et elle devient un interlocuteur consulté et écouté.

Monsieur le Président,

Je crois qu'un des défis majeurs de l'Union africaine, au cours de notre siècle, sera le pilier « valeur partagée ».

Malheureusement, notre continent a connu, ces derniers temps, des changements anticonstitutionnels, très fréquents: des efforts supplémentaires doivent être menés par la Commission, par les parlements nationaux, pour la signature et la ratification de la Charte africaine sur la démocratie. Je crois que des sanctions doivent

continuer à être appliquées contre les auteurs de ces changements anticonstitutionnels, mais ces sanctions doivent être appliquées surtout avec beaucoup de diligence.

Monsieur le Président,

Les progrès enregistrés par l'Union africaine ne peuvent perdurer sans ressources financières permanentes, le commissaire l'a dit.

Je félicite la Commission pour sa recherche des sources de financement alternatives, mais je voudrais, ici, attirer l'attention des uns et des autres, que les populations africaines sont prêtes à s'endetter pour les générations futures, pour des questions de développement, à condition que ces dettes soient judicieusement utilisées et de façon transparente. De même, je crois qu'elles sont prêtes à investir dans l'approfondissement de la démocratie, la bonne gouvernance, donc dans le renforcement des institutions de l'Union, à condition que celles-ci soient performantes.

Voilà, Monsieur le Président, ce que j'avais à dire sur le rapport de la Commission.

Sur le rapport du Conseil de paix et de sécurité, je voudrais simplement dire qu'il y a eu beaucoup de changements anticonstitutionnels, beaucoup de « tripotages » de constitutions dans notre continent, que l'Union africaine a fait des efforts louables pour lutter contre ces changements, mais ces efforts sont manifestement insuffisants et ces insuffisances se situent au niveau de trois domaines:

Le premier domaine, c'est qu'il me semble que l'Union africaine, dans le cadre de la prévention de ces changements, ne s'implique pas suffisamment à l'avance, pendant la période de maturation de la crise et pendant la crise même pour prévenir ces changements.

Le deuxième domaine dans lequel les efforts sont insuffisants, c'est que ces changements aboutissent souvent à des élections, et ils doivent passer obligatoirement par des élections. Or, l'Union africaine et les partenaires internationaux ne s'impliquent pas de façon quotidienne ni de façon permanente pour rendre ces élections transparentes, ce qui fait qu'on aboutit souvent à la réélection des mêmes auteurs.

Le troisième domaine dans lequel les efforts sont insuffisants, c'est la période post élections. En général, après les élections, on ne retrouve plus ni l'Union africaine, ni les partenaires internationaux, et on a l'impression que, les uns et les autres, à partir du moment où les élections sont terminées, estiment que leur mission est terminée.

Donc, il y a là, des efforts à faire pour que, comme dit un proverbe africain « on n'enterre pas un corps en laissant les ortels », alors qu'il faut enterrer tout le corps.

Ma dernière remarque concerne la Mauritanie. Il faut noter que les « accords de Dakar », notamment en leur article 7, ne sont pas appliqués. Ils n'ont même pas connu encore, dans ce domaine, un début d'exécution. Cet article 7, je le rappelle, évoque l'engagement de toutes les parties à entamer un dialogue politique inclusif, après les élections quelle qu'en soit l'issue, quels que soient les résultats de ces élections. Mais, de ce point de vue, aucun progrès n'a été fait et c'est le blocage complet.

Je vous remercie, Monsieur le Président.

HON. ABDELMADJID AZZEDINE [ALGERIE]:

Merci, Monsieur le Président. J'ai trois questions à poser.

La première question renvoie à la situation au Sahara occidental. Audelà de la situation de nonachèvement du processus de décolonisation de ce territoire, le peuple sahraoui est sujet actuellement à de flagrantes et graves atteintes aux droits de l'Homme.

Ma question est la suivante: quelles sont les réactions et les actions entreprises par l'Union africaine pour s'élever contre ces violations et ces atteintes?

Ma deuxième question porte sur les relations de l'Union africaine avec le G8.

Une promesse d'aide notamment à l'agriculture a été décidée par le G8; cette aide s'élève à vingt milliards de dollars. Quelles sont actuellement les avancées de la mise en œuvre de cette aide?

Ma troisième question est relative à la lutte contre le réchauffement climatique et plus globalement aux problèmes écologiques. Quelles sont les grandes lignes du programme de l'Union africaine en la matière et quelles sont également les avancées dans la mise en œuvre de ce programme?

Je vous remercie.

HON. OBAMI-ITOU ANDRÉ [CONGO]:

Merci Honorable Président.

Je voudrais tout d'abord adresser mes félicitations à Son Excellence, le Dr Maxwell pour ses deux présentations sur le rapport de la Commission de l'Union africaine et le rapport du Conseil de paix et de sécurité.

En ce qui concerne ces deux présentations, je dirais que ce sont des présentations très importantes et je les ai suivies avec beaucoup d'attention.

Je ne suis pas pessimiste, pour ce qui concerne les conflits en Afrique. Cependant, Monsieur le Président, je peux dire, sans risque de me tromper, que notre continent, l'Afrique, est imprévisible. Tout peut arriver, même au moment où l'on ne s'y attend pas. Donc la paix et la sécurité sont menacées en permanence. Alors, ma question est de savoir: en déclarant l'année 2010, année de paix, cela signifie-t-il que les conflits actuels évoqués par l'orateur sont en train de s'éteindre?

Je vois, par exemple, la question de la Somalie qui est presque un non-Etat depuis 1990. Les crises persistent et on a l'impression que rien ne se fait, malgré, comme l'a dit l'orateur, un grand pas fait, en ce qui concerne le domaine de la paix et de la sécurité.

Je ne pense pas que l'Afrique soit réellement en paix, aujourd'hui. C'est vrai que les négociations durent et qu'on a l'impression que cela peut durer aussi longtemps que possible mais, à un moment donné, il faut mettre fin aux négociations et trancher.

Je ne dis pas qu'il faut prendre les armes pour trancher les conflits. Je parle plutôt de négociations, qui malheureusement durent et je pense qu'avec la diplomatie, c'est vrai, il faut chercher à concilier les deux parties, à trouver les points d'accord, les points de désaccord, au jour le jour.

On a l'impression aussi que dans certains conflits, on va, on revient et on recommence. Donc, dans ce sens là, qu'est-ce que l'Union africaine doit faire? Il y a des conflits qui persistent comme s'il y avait un manque de volonté de la part des concernés, les politiques, à ne pas résoudre les conflits, leurs propres conflits dans leurs pays.

Ma deuxième préoccupation concerne la vie de la Commission - il s'agit-là de contributions -. Chaque fois, cette question revient de façon récurrente; la Commission n'a pas de moyens, les États ne contribuent pas et chaque fois, c'est ça! Qu'est-ce qu'il faut faire alors? Quelles sont les mesures à prendre contre les États qui ne contribuent pas? Certes, ce sont des mesures souples, pour ne pas blesser la susceptibilité des Chefs d'État, pour ne pas les [...].

HON. TOSKIN JOHNSON BARTILE [UGANDA]:

Thank you very much, Mr. President, for giving me this opportunity. I want to begin by thanking the Commissioner for his elaborate report to this House today.

On the First Report on the Annual Activity of the African Union Commission, I want to appreciate the plan by the Commission for the establishment of the Pan-African University. We all know that Africa continues to suffer a loss of resources by engaging experts, particularly from Western Europe, and the rest of the North, in consultancies. We continue to lose the little money that we get as aid because we have to engage consultants from outside. This is just because we have not built our own capacity. I hope the establishment of this university will help African countries build up capacity, so that we are able to handle some of these consultancies. Of course, there is also the problem of brain-drain which has really done harm in Africa. We have had to lose the few brainy people we have in Africa to the West.

I am also particularly impressed by the efforts of establishing connectivity between African countries through road and railway infrastructure. This must be done sooner or later because there is no way we are going to develop this continent until our people are free and can easily move from region to region.

Mr. President, the most pathetic issue is that of air-connectivity. Africa has continued to spend a lot of money. We lose a lot of money moving from one part of Africa to the other because most air-connections go to Europe before they come back to our regions. This is very expensive and time consuming.

Mr. President, the issue of shared values is still of great concern. I want the Commissioner to state very clearly what we are doing to ensure that all the states ratify the African Charter on Democracy, Elections and Governance. The more we delay on this, the more we give other negative forces time to continue spoiling elections and the governance of the continent. We want to see what measures have been put in place to ensure that all countries are able to ratify and domesticate this Charter.

Mr. President, I was waiting to hear from the Commissioner on the participation of the AU in the ongoing negotiations of the South-South co-operation and development. There have been a number of these negotiations and discussions. There was one in Madrid, one in Accra and just recently, there was one in Bogota, Columbia, where I happened to have represented the Pan-African Parliament. The presence of the AU was not very significant.

Thank you.

HON. RAKUOANE LEKHETHO [LESOTHO]:

Mr. President, I would like to thank you for giving me this opportunity. I also wish to congratulate Dr. Maxwell M. Mkwezalamba, the Commissioner of Economic Affairs for the African Union Commission.

Mr. President, indeed, this report that has been given to the PAP by the commission is very significant. In fact, this helps the PAP have a feel of the activities and challenges that the commission faces. Really, I wish to congratulate the Chairperson of the Commission.

Mr. President, on the issues that have been raised in the report, one also wants to congratulate the Commission and the AU for having issued awards to distinguished African scientists. These awards are significant in that they not only recognize our scientists, but also go a long way in warding off the perspective that Africans are of an inferior race. Indeed, if the commission itself makes sure that our people are able to get world recognition, that is a very important gesture.

I also wish to point out that the unconstitutional change of governments is a very worrying phenomenon. It is really rearing its ugly head again and one also wishes to congratulate the Peace and Security Commission on the Eluzwini Framework.

Mr. President, one is worried that we have to revisit some of the resolutions that have been made by this House in terms of giving a term limit to our Heads of State and Government. When one looks at the crisis in Niger, to some extent, it was also the making of the incumbent who dissolved Parliament and CO, which he did not agree with. Therefore, this question of term limit, which this August House has proposed to the AU to consider, could be one of the issues that should be looked into much more seriously in terms of buttressing the framework that was proposed in Eluzwini, in Swaziland. Therefore, one wishes that the resolution will be followed up and Parliament should get a report as to how it is being looked into by the AU.

We also wish to appreciate and applaud the efforts that have been made to put up African financial institutions such as the African Monetary Fund, the African Investment Bank and the African Central Bank. Maybe, one would wish to have clarity as to [...].

HON. TOYI MARIE-THÉRÈSE [BURUNDI]:

Merci Monsieur le Président.

Mon intervention concerne surtout le domaine de la paix et de la sécurité.

Monsieur le Président,

Je suis heureuse d'entendre que cette année 2010 est dédiée à la paix et à la sécurité en Afrique. Nous en avons besoin. Il faut que des efforts soient consentis, et des efforts particuliers, pour que l'Afrique puisse connaître définitivement la paix.

Nous avons constaté, à travers le rapport de la Commission de l'Union africaine que des programmes ont été mis en œuvre pour que la paix soit recouvrée à travers l'Afrique, mais la question que je voudrais poser

au Commissaire est de savoir si la Commission dispose de moyens assez suffisants pour que ce programme ambitieux puisse être réalisé.

En Somalie, par exemple, il nous est rapporté que d'autres contingents vont être déployés dans ce pays. Est-ce que la Commission dispose d'assez de moyens pour financer tous ces contingents?

Cela pourrait surtout aider des pays comme le Burundi et l'Ouganda qui ont déjà consenti des efforts assez spéciaux pour que le pays meurtri par la guerre puisse retrouver la paix.

Je voudrais aussi m'exprimer sur les changements anticonstitutionnels. Depuis quelques temps, on observe des coups d'Etat qui se succèdent sur notre continent. Ces pratiques qu'on croyait déjà révolues, préoccupent encore, aujourd'hui, tout panafricaniste.

La stabilité politique est en effet une condition sine qua non pour s'assurer un développement durable. À voir ce qui se passe, je me demande où va l'Afrique.

J'ai eu dernièrement l'occasion d'échanger avec un ancien chef d'État, à propos de ces changements anticonstitutionnels. Je lui posais la question de savoir si, devant ce constat, l'Afrique progresse ou recule en démocratie. Il m'a répondu que l'Afrique connaît des progrès, parce que les Africains ne veulent plus être gouvernés par des tyrans.

Alors, qu'est-ce que nous pouvons faire pour que ces réactions populaires puissent se faire dans des conditions acceptables par les Constitutions?

Monsieur le Président,

Si j'ai bonne mémoire, le PAP a adopté une résolution visant à limiter les mandats des chefs d'État à deux seulement. Qu'est-ce qui a été fait de cette résolution?

Qu'est-ce que la Commission prévoit pour que des chefs d'État ne cherchent plus à garder le pouvoir, au-delà des mandats prescrits par les constitutions, étant donné que c'est cela qui engendre souvent des conflits politiques?
HON. KANTENGWA JULIANA [RWANDA]:

Thank you, Mr. President, for giving me the Floor to debate. Like the previous speakers, I would like to commend the African Union (AU) Commissioner for his eloquent presentation.

Mr. President, I want to intervene concerning the Report on the Peace and Security Council on its Activities and the State of Peace and Security in Africa. The report was very enriching and covered a spectrum of the conflicts in Africa.

However, listening to the Commissioner, I was a little concerned because the report sounded more like the reports we have been getting from our Committee on Cooperation, International Relations and Conflict Resolutions over the past six years we have been here. I questioned myself: Are we repeating what the Peace and Security Council is doing when we are using resources from the same budget of the African Union? Should we be doing the same thing or adding value to one another? I came to the conclusion that, maybe, we need to sit together and rationalize in terms of where we begin and where we stop. This is especially so with the pAp, whose parliamentary mandate is very clear. We need to sit down and stop this overlap because it does not do us any good. We are all serving the same people and our focus is the same; to reduce, and if possible, eliminate conflicts on the African continent.

Mr. President, I also looked at the kind of conflicts that he narrated in his report. They are mainly related to state building, self definition of some states and the different levels of the democratization process.

However, today, we know that with the threat of climate change, resource-based conflicts are going to be the order of the day. My fear is, the longer we take to remove these arbitrary borders that were defined by those who colonized us, the more likely we are to have conflicts. It is a sure recipe for more resource-based conflicts if we continue lagging behind in the integration process. Not that I want to be a proponent of the now now theorem of integration, but the danger becomes more real when we think of resource-based conflicts with these arbitrary demarcations. So, I would like to hear from him how the Peace and Security Council perceives the threat that I see to be eminent.

I thank you, Sir.

HON. AMBROSE DERY [GHANA]:

Thank you, Mr. President. I also want to thank the Commissioner for a good presentation. I commend the change in approach from business as usual to a result-oriented approach. That is in consonance with what the Commissioner indicated that there are well-defined benchmarks on the basis of which organs of the AU could evaluate themselves at the end of 2010 and in subsequent years. Regrettably, however, there is the issue of finance. How do we finance the activities of these organs? We cannot be successful without finance and that is why I regret the approach of the Finance Ministers in delaying the decision on alternative sources of finance.

First of all, partner funding is not dependable. We cannot depend on development partners to finance our own progress. Therefore, I think that the example of ECOWAS, in as far as the import levy is concerned, is good.

Mr. President, we do not need to reinvent the wheel whenever we have a best practice example in Africa. So, if ECOWAS has applied the import levy, then I think we should exercise our advisory role by indicating to the AU that it is the way to proceed. Why do I say so? Without finances, nothing can happen. Decisions are not a problem in Africa, but implementation is. How do we implement decisions without the resources? We, as PAP, are charged to play our part and that is why I find spot-on the decision of the Executive Council 526 (XVI) which says that PAP and other organs of the AU should assist, advocate and make sure that member States speed-up their signature and ratification of these agreements. How are we going to do that when our budget has been slashed down precisely because there is no money? How are we going to ensure peace and security when at sometime we could not pay our forces in Somalia? So, we cannot avoid the issue of finance.

Now, for me, I think the greatest issue is leadership. The four pillars are okay, but we cannot make the four pillars without leadership. That is why I think that when it comes to shared values, good governance is the most important thing. I agree that we should advocate for the signing and ratification of the African Charter on Democracy and Governance. In the first place, if we do not sing from the same hymn book and do not have democracy across the various countries, then integration becomes impossible. Democracy must include a limitation on the Executive tenure. We cannot have Heads of State who stay for life. They, themselves, are a threat to peace and security. So, I think, that what we need to do is to emphasize these rules and empower the PAP.

How do we empower PAP? There is an example of the East African legislative Assembly. We had a representative from there. They were given legislative powers and are able to be more effective. What we must tell the AU is that we are going to be more effective partners in moving this agenda forward if we are given legislative powers. If this has happened in East Africa, just as I said in the case of financing, why do we need to recreate the wheel? So, we need to look at it. If we have good governance right, then the other issues will fall in place. Maternal and infant mortality will be controlled and vulnerable groups protected. Then when it comes to the development of other infrastructure, I have seen a petroleum fund that is good.

I thank you.

HON. MATAMISA ERIMENZIAH EDITOR [ZIMBABWE]:

Mr. President, my intervention will be on the Peace and Security Council Report on the State of Peace in Africa.

Mr. President, let me applaud the Peace and Security Council's endeavours to create a peaceful Africa. However, let me hasten to ask of what use is signing and the ratification of decisions and protocols without honouring them? Some African Heads of State have agreed to various decisions and protocols, but they have one way or another overruled or gone against the very decisions that they made and gone their own way to serve their own selfish interest at the expense of their subjects.

Mr. President, there have been no punitive measures put in place. Hence, the authority of the AUC becomes rather questionable. I also note, with interest and pride, the role of the panel of the wise who have worked tirelessly to bring peace in the Sudan.

Mr. President, while I acknowledge their efforts, I feel that resolutions on election related conflicts should not be left until lives have been claimed. There is need for early warnings and response mechanisms to ensure that situations do not degenerate into civil war.

Mr. President, as Africa, under the spirit of sisterhood or brotherhood, the Peace and Security Council should be able to call a spade a spade and not support dictatorship. As the AU tries to combat and prevent unconstitutional changes of government, what does it intend to do with those who unconstitutionally hang on to power? This is a question we need an answer to.

Mr. President, there is need for AU institutions to act transparently and in a professional manner so that they protect the led and not the rulers and the powerless and not the powerful. For credibility purposes, this should be the way.

Countries that have been brought into the spotlight are those where dictators need protection. Where there are signs of discontent, those are enough to make the AU decide on interventions, but often, there is no intervention put in place.

Therefore, I would like to call upon the AUC to genuinely take up its role and stop paying lip-service. If this body fails to bring peace to Africa, then, the rest of the AU institutions will become a laughing stock.

Mr. President, I thank you.

HON. HAJAIG FAATIMA [SOUTH AFRICA]:

Thank you, Mr. President. I would like to address a few issues on the Peace and Security Council as well as the African Union Commission.

First of all, I would like to commend both the reports. They were comprehensive and we thank the person who gave us the input, the Commissioner from the AU. The report spells out the progress made in diffusing tension and tackling the conflict and crisis situations. The past six months have, thus, intensified the efforts at promoting peace, security and stability.

However, Mr. President, I do have a few concerns. My concern stems from the fact that the early warning system is not yet operational. The question is: why? That is an important mechanism that will assist us in containing a crisis before it explodes.

Due to the strategic location of Africa and the valuable cargoes on African waters, the scarcity of maritime safety and security has become an African and international concern.

Piracy and crime in the Gulf of Guinea and around the Horn of Africa is of concern to all of us. Of course, one way to deal with the problem is to restore law and order on shore. The business of restoring order in a country requires the establishment of a proper operating civilian system of law and order. If there is no rule of law on land, how can there be rule of law on the oceans? Therefore, it is important for us to implement the African Charter on Democracy, Elections and Governance. We cannot only just sign and ratify it.

Mr. President, in principle, the AU non-aggression and common defense pact which came into force on 4th January 2010, is a good pact. It contains what constitutes an aggression and other issues, but what is of concern, among other things, is Clause 4(D). What is the regulatory framework for this pact and what are the details regarding the budgets, number of troops, member states' responsibility and what kind of command structure are we going to have? Is it going to be a collective command structure or what? That is on the issue of peace and security.

Mr. President, I was quite disturbed when the Commissioner told us that we are now going to have an African Union Authority. He also said that the rules of the Constitutive Act are going to be changed to make the Commission stronger. It appears now that we are having a replay of the old Organization of African Unity secretariat. The secretariat is growing stronger than the other organs of the AU and that is problematic. It is unacceptable at this stage. What I would like to know is: when PAP becomes a legislative body, what will its role in this kind of structure be?

The Constitutive Act very clearly sets out the role and functions of the Executive Council. The Executive Council now seems to be sidelined and the special committees that are supposed to feed into the work of the Executive Council are nowhere to be found. So, these things are of concern.

I thank you, Mr. President.

HON. ZROUG BRAHIM SALEH [SAHARAWI REPUBLIC]:

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On a désigné, nous a-t-on dit, un consultant. Tous nos efforts, appuyés par le Bureau du PAP, pour que nous puissions rentrer en rapport avec ce consultant ont été vains. Nous, nous avons examiné notre contribution à ce processus de révision du Protocole qu'en principe, nous avons déjà envoyé à AddisAbaba.

Nous voudrions savoir quelles sont les difficultés que rencontre la Commission cela aussi fait partie de son rapport d'activités. Il faudrait qu'on puisse nous dire ce qui se passe. Si nous voulons renforcer les organes de l'UA, le premier des organes c'est l'organe qui représente le peuple africain.

Nous voulons faire en sorte que le processus puisse avancer. C'est un appel que nous lançons à partir d'ici, à travers le Commissaire qui est venu représenter le Président de la Commission, pour que la Commission polarise son attention sur ce processus.

Enfin - cette question va revenir - le Protocole dit, en son article 1, al. 2, que le PAP examine son budget et celui de la Communauté et fait des recommandations à ce sujet avant leur approbation par la Conférence.

Pourquoi ne nous a-t-on jamais soumis le budget de l'UA avant son adoption, par la Conférence des chefs d'États? Nous adoptons des textes que nous n'appliquons pas.

Le PAP est prêt à examiner, mais cela suppose qu'on révisé le calendrier - au niveau de la Commission, pour que les textes que nous adoptons ne soient pas de vains mots, ne soient pas des textes destinés à l'histoire et à nos tiroirs.

Monsieur le Président, ce sont mes questionnements pour faire avancer la construction de l'Union africaine.

(Applaudissements nourris)

HON. DUMBUYA SHEKU B. [SIERRA LEONE]:

Thank you very much, Mr. President. I would like to associate myself with the sentiments that have been expressed by those who have spoken before me in thanking Dr. Maxwell Mkwezalamba for his two presentations.

Mr. President, the financial situation in Africa is very worrying. It is more the case because we speak big but cannot act big. We cannot act big because of financial constraints. Therefore, governments must be really prepared to do something in this respect.

Mr. President, on the issue of agriculture, to me, there is no alternative to this. It may be the only hope for Africa's development. Food crisis will not arise in Africa if the necessary attention is given to maximum agricultural production.

Mr. President, there is the argument that the Ministers for Finance are advancing that some attention has to be given to education and health. While I agree with this, I think the CAADP Project which requires that 10 percent of the national budget be allocated to agriculture, is quite valid. You can never be educated on an empty stomach and you can never be healthy if you do not eat well. So, agriculture is very important.

Mr. President, on the question of signing and not ratifying some protocols, I feel that this is tantamount to hypocrisy. When we sign a protocol, we have to ratify it. Without ratification, it cannot be of any effect because it is ratification that leads to domestication of the protocol. If the protocol has to be implemented in a country, it has to be ratified. So, those that have signed protocols should also take responsibility for ratifying them.

On the situation in Somalia, I am pleased to see that there is some calm there. Countries like Uganda and Burundi must be commended for the tremendous sacrifice they are making in having their troops stationed there.

Mr. President, on the Copenhagen Summit, it is commendable that Africa is now beginning to speak with one voice. I hope that this will be demonstrated in other cases, particularly where there are issues that concern and confront us.

Mr. President, on Peace and Security in Africa, if we look at the Niger situation, we say we do not want coups. Indeed, I am averse to them, but believe you me, had there not been a coup, the former President would have continued in his undemocratic ways and the people of Niger would have continued to be brutalized. One of our colleagues was imprisoned, but, thank God, because of the coup, he is now a free man.

Mr. President, on the situation in Guinea, there are times when you have to do evil for good to happen. Had this man not been shot through the attempted assassination, Guinea would not have made the progress they are making today. Therefore, at times, good comes out of evil.

In the case of the Ivory Coast, Mr. President, I feel that the President is dragging his feet. That is a ploy to prolong his rule. Something has to be done by the AU to make sure that something positive and meaningful happens in the Ivory Coast.

Thank you very much.

Sr. DEPUTADO JAIME BESSA AUGUSTO NETO [MOZAMBIQUE]:

Sua Excelencia Presidente do Parlamento Pan-Africano

Ilustres Convidados

Minhas Senhoras, Meus Senhores

A todos vos, distintas figuras presentes nesta Magna Sala, enderezo felicidades do meu Povo e dos Deputados do Parlamento de Mozambique. Fazo votos de que esta Sessao Ordinària do Parlamento Pan-Africano seja coroada de éxitos.

Felicito, antecipadamente, a forma clara e profunda com que o Relatório Anual de Actividades da Comissao da Uniao Africana apresentado, retrata as ideias e os esforços levados a cabo para a criado de uma Uniao Africana próspera e de bem-estar para todos os povos de África.

Todavia, ainda em relato ao Relatório, permita-me, Vossa Excelência Senhor Presidente, tecer algumas considerates:

- Ainda há muito por trilhar para a realizato do sonho de todos os africanos, que é o de alcançar o bem-estar social e económico para todos, e erguer estados de direito democráticos em todo o Continente;
- Só para citar, o Relatório sobre a Paz e Seguranza dá alguns exemplos de países vivendo em instabilidade política, mas ainda, nao obstante o esforço já realizado, devemos continuar a apostar na estratégia de criaçao —yrde infra-estruturas inter e intra-regionais, como sejam redes de estradas e linhas férreas de e para interland, ligando portos, aeroportos, mercados, bem como devemos apostar no desenvolvimento de instituioes que sirvam de esteio ao desafio da Uniao Africana, a partir do fortalecimento da integrazao regional;
- Pretende-se um processo de Uniao, progressivo, com garantias de crescimento económico sustentável, pró-competitivo para as empresas geradoras de investimento e emprego, bem como de partilha de ganhos entre os nossos países;
- Devemos continuar a concertar estratégias no dominio da energia e de fontes alternativas, respondendo ao maior constrangimento na componente de custos das nossas empresas;
- Corroboro da ideia do continuo investimento na educado, nos dominios da ciencia e das novas tecnologias de informado e comunicado, fdesde que seja particularmente valorizado o ensino aos nossos filhos, em termos de saber fazer, como metodologia de aprendizagem ao servido do desenvolvimento;
- Na arena internacional, devemos privilegiar a concertação de políticas e esforços, garantindo uma África e uma só voz; e

Deve prestar-se atenção redobrada às questoes transversais como por exemplo o HIV-SIDA, pelo sofrimento que causa nas familias;

Devemos, também, olhar para o ambiente, através da sustentado de políticas que evitem a desertificado e que protejam a floresta e os recursos hidricos, garantindo o uso sustentável da água para o consumo humano e para a agricultura, ao mesmo tempo que se garante a auto-suficiencia da produção alimentar.

Devemos, igualmente, garantir a promodo do genero, através da crescente participado da mulher na vida politica, económica e sóciocultural, bem como nos órgãos de poder e de decisão política, potenciando o seu empoderamento em todos os processos de desenvolvimento do continente africano.

Para terminar, Senhor Presidente, e em conformidade com os Objectivos do Milénio [...].

HON. KANE BOCAR SADIKH [SÉNÉGAL]:

Merci, Monsieur le Président.

Monsieur le Président, à l'instar de mes collègues, je félicite le Dr Maxwell, pour les deux présentations, à la fois, exhaustives et précises qu'il nous a faites.

En ce qui concerne maintenant le rapport d'activités de la Commission de l'Union africaine, j'ai constaté que le rapport est articulé sur quatre axes dont le quatrième axe concerne le renforcement des institutions de l'Union. Je me suis posé la question de savoir quelle place l'Union a réservée au Parlement panafricain. Quel est l'accompagnement de la Commission au processus de mutation du PAP d'organe consultatif en organe législatif avec de réels pouvoirs de contrôle?

À mon avis, ce silence de la Commission sur cette volonté affichée par la Conférence des chefs d'État et de gouvernement nous laisse sceptiques quant aux dispositions de la Commission à accompagner ces mutations que nous espérons de tous nos vœux.

Monsieur Maxwell qui représente le Président de la Commission est interpellé et, à travers lui, le Président de la Commission, pour que, vraiment, à l'avenir, on sente que la Commission est en phase avec le PAP pour gérer nos problèmes, pour partager avec nous la vision que les chefs d'État ont et les objectifs que les chefs d'État ont de cette institution, de ce troisième organe qui est le Parlement panafricain.

Maintenant, s'agissant du rapport sur le Conseil de paix et de sécurité, je me suis rendu compte que les deux rapports se tiennent et qu'il y a une étroite imbrication.

À mon avis, le Conseil de paix et de sécurité doit être davantage proactif. Pour cela, je pense que des efforts sont à faire pour la ratification, en particulier, la ratification de la Charte africaine sur la démocratie, les élections et la gouvernance.

En effet, si les changements anticonstitutionnels sont de véritables sources de conflits, des élections mal organisées, des modifications des règles du jeu, à quelques mois des élections, constituent également une source réelle de conflits et d'instabilité post élections.

Cela veut dire quoi? Cela veut dire qu'aujourd'hui, le Conseil de paix et de sécurité et la Commission de l'Union africaine doivent mettre davantage de moyens, en amont, pour interpellier les chefs d'État et de gouvernement qui tripatouillent les Constitutions et les Codes électoraux pour arriver à se faire réélire. Une fois cette phase dépassée, il est très difficile à ces organes de l'Union africaine d'agir pour arrêter le processus.

Je pense que les moyens dont dispose la Commission doivent être mis en amont, pour essayer d'interpeller de manière très énergique ceux-là qui sont tentés, à quelques mois des élections, de changer les règles du jeu pour être réélus; car une fois réélus, l'expérience nous a montré qu'il est très difficile de les faire revenir et d'appliquer les Constitutions antérieures.

Je vous remercie!

HON. WOLOKOLIE DUSTY [LIBERIA]:

Thank you very much, Mr. President. I would like to join my other colleagues in congratulating the AU Commissioner for the succinct and excellent report. It was comprehensive and exhaustive. We would like to also join in the question of resource mobilization. We should continue the strategic pursuit of innovative avenues for resource mobilization in support of maintaining peace and security, especially so with the example of ECOWAS on the levying of imports.

Mr. President, I would like to dwell particularly on the African Charter on Democracy, Elections and Governance. I had the privilege, along with Hon. Abrahams of Uganda, who is on the Justice and Human Rights Commission, on behalf of PAP, to participate in a technical meeting of the African Commission in Banjul, Gambia, where the discussion was centered on the popularization and ratification of the African Charter on Democracy, Elections and Governance.

This Charter was adopted in 2007. Out of the thirty-five signatories to the Charter, only three member states have ratified it. These are Ethiopia, Mauritania and Sierra Leone. Thanks to them. The other countries are yet to ratify the Charter which needs fifteen ratifications in order to take effect.

Mr. President, I think this is a very important, significant and encompassing instrument that would serve to mitigate some of the various circumstances we continue to face day by day. I would like to urge all the honorable Members of Parliament from the respective countries to prevail upon their national parliaments and executives,

who have signed this Charter, to bring them forward to Parliament so that they can be ratified and domesticated and take effect in order to help maintain peace and stability on our continent.

I thank you, Sir.

HON. SHEBESH RACHEL [KENYA]:

Thank you, Mr. President, for this opportunity. I would also like to congratulate the Commissioner who presented this report.

First, I would like to ask a question that has been echoed by some of my colleagues. In the Commissioner's presentation, I failed to hear whether the PAP, in the work of the AUC, has been taken into consideration in the work that they are doing and how we have impacted on some of the work they have done, especially on the peace and security issue because of our Committee on Cooperation, International Relations and Conflict Resolutions. Therefore, I would like to hear whether the AUC is working hand in hand with the PAP, especially with the Standing Committees.

Mr. President, on the issue of conflicts, I would like to first declare my interest as a Kenyan. I would like to know when a final solution will be found for Somalia. Being a neighbour to this country, we are now in a situation where this is no longer an issue of insecurity within Somalia, but even within our borders in Kenya. This situation is also affecting the livelihood of our people.

The influx of the people of Somalia into Kenya has become too large. This has also impacted on our census results, which we have not been able to release. The food and property prices in Kenya have also gone up tremendously because of the influx of people from this unstable country. It is about time that the Commission put in a bit of commitment to finding a final solution in Somalia. My question again is: Is there ever going to be a final solution for this country that continues to be dogged by conflict?

Mr. President, on the issue of co-operating with regard to the Copenhagen Agreement, it was, of course, the first time that Africa, after a very long time, went with one common position. However, I would like to know whether the AUC realized that a political solution was needed in Copenhagen. We asked for input from Parliamentarians because we know that a political solution must come from politicians. We had the experts and a common position for Africa that was based on science, but we failed to come up with a political solution. I wonder whether there is any endeavour to come up with a group that can work on a political solution because I believe that even the next negotiations will have a political inclination.

Mr. President, on the issue of a Trust Fund for African Women, I would like to understand who this money will be targeted at and how it will reach the African women at the grassroots level. Are there structures that have been put in place? Are we working with national assemblies? We do not want a Fund that will be misused and used in the name of creating funds that do not reach African Women. Therefore, I would really like to know how these funds are going to reach the African women.

Mr. President, lastly, on the issue of shared values on anti-corruption, I would like to congratulate the AU Commission for coming up with a body that will deal with corruption because that is what is killing Africa. However, they should also note that there is an African Parliamentarians Network Against Corruption (APNAC) that has been working hand in hand with the UN. We would like to work together to make this a possibility.

Mr. President, I thank you.

HON. BOUDINA MOSTEFA [ALGERIA]:

Merci Monsieur le Président.

Je commence par poser quelques questions au Dr Maxwell.

Est-ce qu'au stade actuel des choses, nous ne devons pas être plus clairs, pour ainsi dire? Est-ce que nous sommes en train d'appliquer la politique de nos moyens ou, est-ce qu'on est en train de mettre en œuvre les moyens de notre politique?

Les handicaps, les freinages, les blocages viennent du fait que les États, dans leur grande majorité, ne versent pas leur contribution. L'Union africaine attend les partenaires étrangers ou va mendier aux partenaires étrangers des moyens pour appliquer le programme de l'Union africaine.

Voilà des questions auxquelles nous devons tous répondre!

L'autre point de freinage aussi, c'est la ratification qui n'arrive pas. Beaucoup d'États africains n'ont pas ratifié les accords sur lesquels ils avaient donné leur signature au départ; ce qui a retardé l'application de beaucoup de projets.

Je pense qu'il est nécessaire, aussi bien pour l'Union africaine que pour les autres organes de l'Union africaine, de constituer un groupe de pression et d'aller faire du lobbying dans les États qui n'ont pas versé leurs cotisations et qui ont bloqué les ratifications.

Deuxième point! Je souhaiterais souligner ceci: est-ce qu'il y a une hiérarchie entre les organes de l'Union africaine?

Nous avons le COREP, nous avons le Conseil des ministres, nous avons la Commission de l'Union africaine, nous avons le Parlement panafricain. À quel niveau le Parlement panafricain se situe-t-il, puisque nous sommes sous l'autorité du COREP et sous l'autorité du Conseil des Ministres, et nous avons la Commission africaine à laquelle le Sommet des chefs d'États a donné pouvoir et autorité. Si la Commission a autorité au moins de coordonner « les choses » entre les différents organes, on règle un certain nombre de problèmes. Au moins qu'elle puisse avoir une autorité d'arbitrage, parce qu'il est arrivé souvent que nous ne soyons pas d'accord avec le COREP ou bien avec le Conseil des Ministres.

Cette année, c'est au moins 17 pays qui sont en train de commémorer le cinquantenaire de leur indépendance. C'est une honte pour l'Afrique qu'un pays continue à souffrir de la colonisation marocaine. Là aussi, est-ce que nous appliquons une solidarité réelle agissante ou, est-ce que c'est tout simplement le verbiage et une solidarité passive?

Je suggère que l'Union africaine soit plus percutante pour mobiliser l'opinion publique internationale et aussi les autres continents qui sont en faveur de l'indépendance du peuple Sahraoui.

Je voudrais terminer par un dernier point, relatif aux coups d'État. La position de l'Union africaine est claire: elle condamne et dénonce la prise du pouvoir d'une manière anticonstitutionnelle et elle revient sur sa décision, quinze jours après.

HON. CONIQUET RADEMBINO RENÉ [GABON]:

Merci Monsieur le Président.

Je voudrais intervenir d'abord pour dire que la Commission a travaillé, prospecté, réfléchi et propose des solutions qui, à mon avis, ne peuvent pas être réalisables, dès maintenant.

Rappelons-nous que nous sommes le Parlement panafricain, le Parlement panafricain consultatif actuellement. Or, le dossier qu'on nous transmet, on devait nous le transmettre avant que les chefs d'État ne le connaissent, parce que nous sommes consultatifs.

Le débat que nous faisons maintenant, c'est du pur verbiage. Nous parlons, mais cela n'aboutira à rien, puisque les chefs d'États ont déjà adopté le document qu'on nous remet maintenant. Je crois que c'est une affaire qu'il faudrait que le Commissaire, qui est venu là, signale. Le Parlement panafricain a un statut qui nous donne ce pouvoir d'être consulté. Nous ne sommes jamais consultés.

Maintenant, nous voulons devenir législatifs. Nous avons apporté notre contribution et la Commission ne fait rien du tout. Tout traîne! Or nous voulons donner un pouvoir supérieur à la Commission!

Je crois bien que dans les réunions qui concernent les ministres, il faudrait que le Bureau du Parlement panafricain participe à ce niveau, parce que j'ai l'impression que là-bas, ils ne connaissent pas très bien ce que c'est le Parlement panafricain. On n'applique pas les textes.

Je voulais simplement signaler cela pour dire que c'est bien, nous parlons mais, cela n'a pas un effet.

Moi, je me suis inscrit simplement pour le rapport de la Commission de l'Union africaine, pas sur le reste. C'est pourquoi je m'arrête à cela, parce que nombreux de mes collègues ont déjà parlé et j'ai partagé beaucoup d'interventions, notamment la dernière avant moi. Je suis d'accord avec ce qu'il a dit.

Il faut bien que quelque chose soit fait pour que nous puissions avancer, parce qu'actuellement ce sont les États qui payent pour que nous soyons ici. On ne veut pas faire un budget pour le Parlement panafricain. Vous croyez

qu'à ce rythme-là, le Parlement pourra être législatif? Déjà, il n'est même pas consultatif. On nous réunit pour débattre simplement.

Monsieur le Président, je m'excuse, mais moi j'aime dire la vérité. Je vous remercie!
HON. SIRMA MUSA [KENYA]:

Thank you, Mr. President for giving me the opportunity. First and foremost, I wish to thank the presenter for a good job. Of course, it is a detailed report of the AU and its organs.

Firstly, I would like to say that it has clearly stated the shared values of the AU. The shared values are a good electoral process. We have all manner of human rights abuses by people in power. I actually wonder if the AU meetings are a talk-shop or they are going to give solutions to Africa.

We are amazed at times when a person who has been serving in the AU and attending all its meetings goes back to his country and tries to change the Constitution to favour his further stay. We have heard of many such incidents, including the one in Niger. Hon. Bazoum was here and complained about what the President did. Because Parliament had the authority to deny him the extension of his term, he decided to dissolve Parliament.

Other countries have done the same by amending their constitution - Uganda included. It is time our African leaders led by good example so that countries and Africa can be peaceful. This is because the more we amend our constitutions to further our self interest, the more conflicts we will have.

We have always heard about AMISOM, the force for Africa to maintain peace, but what have they achieved? Ethiopia gave its army to try to assist Somalia, but in a few days, they went back because there was no cooperation and the situation was not good due to lack of funding.

I would also like to laud the progress made on the University for Science and Technology and IT. That is where the world is going. I hope it will be an excellent university to be a model for the African. I hope they are going to put up the infrastructure which they would like to. This is because I do know that the road running all the way from Cape Town to Cairo is not complete. This is because the money which was given for parts of it was misappropriated or taken elsewhere. I want to give an example, in fact, of the Kenyan section to a neighbouring country where between certain areas, the road has not been done, and yet funding was given.

Mr. President, we need committed leadership and committed unity [...].
HON. INZOUNGOU-MASSANGA ZELY PIERRE [CONGO]:

Merci Monsieur le Président.

La Conférence des Chefs d'État de janvier-février de l'année dernière avait prescrit à la Commission de l'Union africaine d'engager le processus de révision du Protocole créant le Parlement panafricain, l'enjoignant de prendre en compte le point de vue du PAP à différentes étapes.

On observe malheureusement qu'un an après, le Parlement panafricain attend d'être associé dans ce processus, malgré plusieurs demandes formulées par sa Commission compétente pour rencontrer le consultant engagé à cet effet, à défaut du conseil juridique de l'Union africaine, pour émettre enfin l'avis du PAP sur les termes de référence, par exemple.

On se demande alors si la Commission de l'Union africaine est véritablement engagée sur le chemin de l'évaluation et de la révision du Protocole instituant le PAP, tel que prévu en son article 25. Je pense que non; parce que le rapport qui vient de nous être présenté ne fait nullement allusion au Parlement panafricain. Pourtant, l'activité décrite porte sur la période de juillet à décembre 2009, qui est supposée être la période de lancement du processus de révision du Protocole.

La question que je pose à Monsieur le Commissaire est celle de savoir, si la Commission a effectivement engagé le processus de révision du Protocole. Si oui, quelle est l'étape à laquelle se trouverait-elle? Et, qu'est-ce qu'elle attend pour prendre en compte l'avis du Parlement panafricain?

Ensuite, Monsieur le Président, les chefs d'État ont décidé que 2010 soit l'année de la paix mais, quels efforts entendent-ils faire dans le sens de favoriser l'alternance démocratique dans leurs pays respectifs, entendu que les élections mal organisées et les tripatouillages des constitutions sont souvent les causes des conflits internes?

Pour traduire dans les faits leur volonté de faire que l'année 2010 soit l'année de la paix, les chefs d'État auraient dû prendre l'engagement de ratifier rapidement la Charte africaine de la démocratie et des élections, pour que celle-ci entre en vigueur dans les brefs délais et régisse l'organisation des élections dans ces pays respectifs.

Monsieur le Président,

Au sujet du premier pilier « Paix et Sécurité », la Commission a suivi avec une attention particulière, nous a dit le Commissaire, le développement dans les différents conflits et crises sur le continent, notamment dans certains pays, dont la RDC.

Dans ce pays particulièrement, Monsieur le Président, si de l'opinion générale, la crise de l'Est de la RDC peut être considérée comme en voie de règlement définitif - tout au moins, nous l'espérons - il n'en demeure pas moins vrai que dans une autre partie du territoire de ce vaste pays, à savoir la province de l'Équateur, une autre crise est en train de se développer.

Aujourd'hui, en dehors des humanitaires, on peut dire sans risque de se tromper que la Communauté internationale en général et l'Union africaine en particulier, ne semblent pas prêter attention à ce qui s'y passe. Et pourtant, des milliers de citoyens congolais quittent leurs villages, leurs villes et provinces pour se réfugier au Congo Brazzaville voisin; ce qui pose d'énormes problèmes d'insertion.

Dans plusieurs localités de la région de la Likouala, au nord du Congo Brazzaville, où arrivent des réfugiés de la RDC, la population totale s'est presque multipliée par dix. Partout, les réfugiés sont en train de chasser les populations autochtones. Il se pose, dès lors, un véritable problème d'insécurité.

L'Union africaine devrait s'en préoccuper avant que la situation ne dégénère en affrontements entre réfugiés et populations autochtones.

Monsieur le Président,

Je voulais bien signaler ces aspects, parce qu'il semble que le Conseil de paix et de sécurité n'est pas assez proactif. On préfère venir tenter de résoudre une crise qui sévit déjà, alors qu'il y a des prémices qu'on pouvait prendre en compte et anticiper pour éteindre la crise qui naît et se développe.

Je vous remercie.

HON. IYAMUREMYE AUGUSTIN [RWANDA]:

Je vous remercie, Monsieur le Président.

Je voudrais intervenir uniquement pour ce rapport sur les activités du Président de la Commission.

Monsieur le Président,

Nous sommes habitués, dans nos Parlements, quand nous recevons des rapports d'activités, de recevoir, en même temps, ou supposément, un plan d'activités. Il est très difficile de juger d'un rapport d'activités, quand on n'a pas ce qui était prévu, à l'avance.

Je pense, donc, que pour être complet, il faudrait qu'il soit soumis au Parlement, un plan d'activités de la Commission, si c'est possible, pour qu'on puisse savoir ce qui a été fait, ce qui reste à faire, ce qui a été bien fait et ce qui n'est pas réalisable.

Monsieur le Président,

Je profite de l'occasion pour revenir au domaine agricole dont un membre de cette assemblée a déjà parlé. Je voudrais juste en ajouter une dimension.

Monsieur le Président,

Si les chefs d'État de notre continent ont fait la déclaration d'augmenter de 10% le budget de l'agriculture, c'était la seule façon d'atteindre la sécurité alimentaire en Afrique. S'il y avait d'autres façons d'atteindre cette sécurité, on n'aurait pas besoin de recourir à l'agriculture. Il avait été constaté que la seule façon d'avoir la sécurité alimentaire en Afrique, c'était d'augmenter et de faire la promotion de l'agriculture.

Monsieur le Président,

Cette notion de sécurité alimentaire peut être mise dans le domaine même de la sécurité tout court, parce qu'un peuple qui a faim, c'est un peuple ingouvernable; des gens qui ont faim, ce sont eux qui vont migrer pour trouver refuge dans des pays où ils peuvent trouver à manger, et je pense que, s'il y a des pays qui ne respectent pas ou qui cherchent des prétextes, ceux-là tombent dans le travers, comme nous l'avons déjà dénoncé, de faire des déclarations, de prendre des décisions qu'on ne met pas en pratique.

Il s'agit, ici, d'une question fondamentale, Monsieur le Président, de savoir le sérieux des décisions prises, au niveau le plus haut du gouvernement de l'Afrique. Des chefs d'État prennent une décision - nous l'avons vu, ils ont pris une décision concernant le Parlement et nous l'avons mise en œuvre, pour changer notre Bureau - pour la survie des populations et parla suite avancent des prétextes en disant qu'ils ne peuvent pas réaliser ces promesses-là. Et pourtant, quand il s'agit d'augmenter le budget de l'armement, quand il s'agit d'augmenter le budget des dépenses somptuaires, il n'y a pas de prétexte.

Je pense, Monsieur le Président, que nous reviendrons sur ce débat, mais je voudrais recentrer cette question, parce que le Commissaire qui en a parlé avait l'air d'être indulgent vis-à-vis des Ministres qui fuient leurs responsabilités.

Je vous remercie Monsieur le Président.

HON. GAMALELDIN ABDELAHAD [ÉGYPTE]:

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LE PRESIDENT:

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HON. GAMALELDIN ABDELAHAD [ÉGYPTE]:

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HON. OYO EBULE EVANGELINA FILOMENA [GUINÉE ÉQUATORIALE]:

Gracias Sr. Presidente,

Yo realmente me había apuntado para intervenir en el debate sobre la presentación del Presidente sobre éste tema.

Gracias.

HON. MUKABARANGA AGNÈS [RWANDA]:

Je vous remercie, Monsieur le Président, de me donner la parole. Je remercie aussi le délégué de la Commission de l'Union africaine qui nous a présenté un rapport assez informatif.

Monsieur le Président,

Comme les autres orateurs, je voudrais souligner que ce rapport fait ressortir effectivement une question de moyens qui manquent crument à nos institutions, et cela nous élabousse aussi. Le budget du PAP a été réduit de plus de 300 000 dollars, ce qui est beaucoup.

Le rapport met aussi en évidence la question de ratification des instruments pourtant cruciaux pour qu'on puisse aller de l'avant.

Monsieur le Président,

Je voudrais vous dire qu'on devrait recourir à des remèdes beaucoup plus amères; ça veut dire que le Commissaire aurait dû nous dire publiquement, et au courant de cette plénière, les pays qui ne cotisent pas. Il faut que ce soit connu, parce qu'on nous dit que même des pays qui ont pourtant des ressources ne cotisent pas. C'est un manque de solidarité, pendant qu'on bénéficie des avantages qui sont inhérents aux institutions. Il faut que cette liste soit aussi mise sur le web site, pour que nos populations le sachent, parce que pour la plupart du temps, elles ne le savent pas.

Je me demande aussi, Monsieur le Président, s'il n'est pas grand temps qu'on mette en place un ministère chargé de l'Union africaine et de ses organes, pour que la population s'approprie et connaisse un peu plus la mission de l'Union africaine, ses différents organes, sa vision et les résultats qu'elle est en train de faire. Je pense qu'il faut explorer ce domaine-là.

Je suis témoin de l'efficacité du ministère de l'East-african Community, dans la région de l'Est, parce que ce Ministre (le Ministre chargé en charge de ce Ministère) vient souvent au Parlement parler des instruments à ratifier. Il vient nous faire le briefing de l'évolution de la mise en application des traités signés. Je pense que c'est vraiment un mécanisme que n'on devrait adopter.

Pour ce qui est du rapport sur la paix et la sécurité, Monsieur le Président, le cas du Niger et d'autres coups d'État qu'il y a eu en Guinée-Conakry et en Guinée-Bissau tout récemment, montrent effectivement qu'il faut recourir à des instruments juridiques et à la sensibilisation sur l'opportunité et l'importance des instruments comme la Charte sur la bonne gouvernance, les élections et la démocratie. Il ne faut pas l'oublier la Charte africaine des Droits de l'Homme et des peuples. Elle apporte aussi des solutions à la stabilité.

Monsieur le Président,

Le rapport montre que l'intégration reste et restera un problème pendant longtemps. Le gouvernement des « États-Unis d'Afrique » devra encore attendre, et c'est pour cela que la mission législative du PAP fait face à des problèmes. C'est pourquoi, il faut qu'entre temps, on renforce les blocs régionaux, pour qu'ils aient effectivement dans leur agenda cette question d'intégration au niveau continental, qu'ils fassent le plaidoyer des instruments importants dont je viens de parler, et [...].

HON. KPARKAR EUGENE [LIBERIA]:

I thank you, Mr. President. Let me premise my presentation by commending the Commissioner for his profound and articulate presentation which has deepened our thoughts into knowing the activities of the Commission. I am particularly interested in the peace and security component because this is a critical element or a catalyst through which socio-economic development can be enhanced in Africa.

Often times, we Africans are mooted for sugarcoating or window dressing things. I think we have to call a spade a spade. As far as peace and security is concerned on the African Continent, I do not think we have made monumental strides in keeping the continent safe. Often times, we hear of issues like in Guinea, Mauritania and Madagascar, where individuals transgress democratic tenets. Usually, the AU suspends them, but suspension, in my opinion, does not have any effect. We need to impose stringent measures on those countries or individuals that bring untold suffering on their impoverished citizens. I recommend stronger measures such as economic

sanctions, travel restrictions and the like. These will serve as deterrents for the war lords or war mongers and help prevent them from bringing suffering on their people.

The last aspect has to do with the Commission. The report seems to me as a blue print rather than implementation. It is often said that we Africans are very good at planning, but when it comes to implementation, we usually do not implement because we do not have funding. We have to do away with this new form of colonialism; the dependency syndrome on the West. Look at the Commission. They did not do most of the things they wanted to because they were waiting for funding from the partners. Look at our section today. The section is virtually empty because we do not have money. I think the suggestion for this levy is well in place and supported because, at the end of the day, PAP members should not depend on their countries to send them here. The Pan-African Parliament should take charge of its responsibility by bringing members here to compel attendance. That way, we will be making some headway at the level of the continent.

The other aspect which I would like to touch on has to do with Section 20 under the sub-title Shared Values. The Commission as, in the past, must intensify its endeavors, according to your report, for the promotion of the union's, architecture and governance. This involves, in particular, efforts aimed at signing and ratifying the African Charter on Democracy, Elections and Governance. I think that under this Charter, there are so many instruments that have not been ratified. I think we need to watch our sister countries and the Commission needs to be in the forefront going from country to country to encourage [...].

HON. LAHAI BERNADETTE [SIERRA LEONE]:

Mr. President, I wish to join my colleagues who have spoken before me and to identify myself with all the sentiments that they have raised concerning the two reports.

Mr. President, no doubt, the work of the Peace and Security Council of the African Union Commission is fundamental to sustaining development at all levels. As such, we must continue to advocate for continued national and international technical and financial support to the Council.

Mr. President, in this regard, I want to commend the work they are doing. I will, in the same vein, commend the countries that have been named in the report to have made and continue to make steady progress to promote peace, resolution, fostering of reconciliation, deepening —> of democracy and the strengthening of democratic institutions.

Mr. President, on the other hand, we must put pressure on those countries that are still at a stalemate and are not giving peace a chance. We must, in no uncertain terms, condemn such stalemate member states while putting extra pressure on them to give peace a chance.

Mr. President, the establishment of the Committee of Sanctions as a way of combating and preventing unconstitutional changes of government in Africa is a welcome gesture. The conclusions of the retreat of the Council in the Kingdom of Swaziland to give effect to the work of the Committee on Sanctions are noteworthy. However, I note, with sadness, the slow pace of the ratification of the African Charter on Democracy, Elections and Governance, which is pivotal in addressing the menace of unconstitutional change of government, by member states.

Mr. President, one may ask a question why this slow pace? I see a direct relationship between the non-adoption or adoption, implementation and monitoring of the Charter and or the increase or decrease, as the case may be, in unconstitutional changes of government. Where governments continue to adopt undemocratic policies such as to remain in power either for life or for an extended period and where they adopt an ostrich attitude by burying their heads in the sand pursuing their self-centered agenda ignoring popular cry and consensus, impoverished to sanctions and external pressures, what then will be the means of removing such governments from power?

Governments which fail to ratify or ratify but do not effectively implement this Charter should not enjoy any protection in the face of unconstitutional changes of government. They should only have themselves to blame. You cannot have your cake and eat it too.

To me, the Charter is straightforward and non-controversial, but if this is, however, not the case, then, member states can seek the assistance of the AU or the Council in clarifying areas of concern. Like in most charters, I believe options exist for reservations on certain articles if this is a constraint to ratifying the Charter.

I also want to identify myself with the activities of the AU, particularly in the areas of agriculture, gender and infrastructure. I think a realistic approach is being taken. This is because when we talk of peace and security, we

should go beyond the conventional definition of peace which is persevering territorial integrity. You do not have peace and security if a country is hungry or has a high level of illiteracy or if the basic foundation of development infrastructure is not there.

Therefore, I think the report [...].

HON. JARJU BINTANDING [GAMBIA]:

Thank you, Mr. President.

Mr. President, my intervention will be on the Peace and Security Council Report. First and foremost, I would like to associate myself with my colleagues who have commended the Commissioner for presenting such a comprehensive report on the activities of the Commission. I believe we will all agree that the work of the Peace and Security Council is not an easy one and it will be in place for one to commend the efforts made towards restoring peace and security in the continent.

However, I have a concern, Mr. President. The report centered on discussions with conflict parties, mediations, sanctions, peace-keeping missions et cetera, but I did not hear anything on the control of small arms and light weapons that are the root cause of conflicts. This is because parties hang on to conflicts because they are in possession of weapons. Otherwise, the conflict would end in a short time. So, I would like the Commissioner to shed more light on the position of the Commission on this issue.

The idea of setting 2010 as the year of peace for Africa is a laudable one because the people of Africa are yearning for everlasting peace and if this becomes a reality, I think, the continent will prosper.

I thank you so much.

HON. JATTA FABAARY TOMBONG [GAMBIA]:

Thank you, Mr President. I also want to seize this opportunity to thank the presenter for his very informative and comprehensive report.

The Peace and Security Council is an important organ of the AU. The protocol and internal regulations that govern it ensure its effective and proper functioning and assure its independence.

Mr. President, it is most welcome and commendable to have established the Panel of the Wise to provide support to the efforts of the PSC and the Chairperson of the Commission in the promotion of peace, security and stability in Africa. This augurs well with our enviable African norms and values.

Mr. President, there can be no socio-economic development on our beloved continent in the absence of peace, security and stability. Therefore, to ensure a reduction or elimination of conflicts and sustainable promotion of peace and stability in Africa, we must ensure democratic governance and the rule of law; the elimination of all social injustices; respect of fundamental rights and freedoms; open, free, fair and regular elections; promotion of the spirit of tolerance and dialogue; promotion and protection of the independence of the judiciary and fight corruption.

Mr. President, in addition, various AU instruments to combat and prevent unconstitutional changes of governments in Africa must be strengthened and enforced. We must build and strengthen capacities for the management and solution of crises, including disputes and tensions arising from elections.

Mr. President, I salute the African leaders for the adoption of the Tripoli Declaration on the Elimination of Conflicts in Africa and the Promotion of Sustainable Peace in August, 2009. This is indicative of the commitment of our leaders to take appropriate measures to deal with the challenges that have continued to face our beloved continent in the areas of peace, security and stability. We must, therefore, recommit ourselves and take a lead, in partnership with the international community, in preventing and managing conflicts on the continent.

In the circumstances, I urge the speedy ratification of the African Charter on Democracy, Elections and Governance, adherence to which will contribute immensely to the reduction of conflicts on the continent.

Mr. President, I also salute the AU in its efforts to establish necessary institutions to fast track the continental integration process. These include the creation of the African Court of Justice, the African Central Bank and the necessary continental financial institutions, the Pan African Parliament and transformation of the AU into an Authority later on. These transformations pertaining to the AU are encouraging and will impact positively on the lives of the African people.

I thank you, Sir.

(Applause)

HON. NIYONKURU SCHADRACK [BURUNDI]:

Honorable Président, je vous remercie pour la parole. Je voudrais, avant de tenir mon propos, féliciter Docteur Maxwell pour son exposé qui était très clair.

Honorable Président,

Tout a été dit, mais je voudrais m'exprimer sur deux points: d'abord, sur la situation en Somalie, mais également la question sur les changements anticonstitutionnels.

Au sujet de la situation en Somalie, Honorable Président, c'est une situation qui est inacceptable sur le continent africain. On ne pourra pas envisager de développer l'Afrique aussi longtemps qu'il y aura un point noir sur le continent, aussi longtemps qu'il y aura l'insécurité sur le continent. C'est la raison pour laquelle tous les pays africains devraient se mobiliser pour qu'on puisse rétablir l'ordre et la sécurité, au niveau de la Somalie. Déjà, à ce niveau-là, il faudra encore continuer à encourager les pays qui ont mobilisé les forces pour, au moins, essayer de ramener l'ordre dans le pays, et je citerai les cas de Burundi et de l'Ouganda qui ont envoyé leurs contingents pour essayer de ramener l'ordre.

Toutefois, ce qu'on constate, c'est qu'apparemment les moyens ne suivent pas. Ces pays consentent beaucoup de sacrifices. Il faut les soutenir par les moyens pour que les contingents qui sont envoyés sur place puissent mener à bien leurs missions. Il faudra aussi mobiliser non seulement le continent africain, mais aussi toute la communauté internationale, et là, je m'adresse sincèrement et avec insistance à la Commission de l'Union africaine, pour qu'elle se mobilise encore, afin de pouvoir donner suffisamment de moyens et que les militaires qui sont sur le terrain puissent remplir leur mission.

Je dis qu'il faut aussi mobiliser la Communauté internationale, puisque ce n'est pas uniquement une question africaine. La situation en Somalie, c'est une question mondiale, c'est-à-dire des ramifications intercontinentales.

Quand vous voyez les moyens qui sont mobilisés pour le cas de l'Afghanistan ou dans d'autres conflits, ce sont des moyens énormes. Si la même tâche devait être menée pour engager les mêmes moyens au niveau du continent africain, au niveau de la Somalie, je suis sûr et certain que cela ne tarderait pas à ramener la paix en Somalie.

C'est la raison pour laquelle j'insisterai à demander à la Commission de l'Union africaine de mettre les moyens et de sensibiliser la communauté internationale pour qu'ils envoient les moyens suffisants, mais également qu'ils sensibilisent les pays africains à envoyer les troupes pour soutenir ceux qui sont sur place, afin de pouvoir ramener la paix en Somalie.

Honorable Président,

Je voudrais m'exprimer sur la question des changements anticonstitutionnels.

C'est une très bonne chose que la Commission de l'Union africaine soit ferme sur cette question, qu'elle n'accepte plus les changements anticonstitutionnels. Il faut l'encourager dans ce sens.

Toutefois, on a l'impression que ses mesures sont un peu limitées. Ceux qui s'aventurent dans ces changements anticonstitutionnels, c'est qu'ils savent qu'avec le temps, ils finiront par être acceptables.

C'est la raison pour laquelle je pense qu'il faudra que la Commission de l'Union africaine puisse y mettre suffisamment de moyens, être suffisamment ferme et même arriver à constituer une force qui soit capable de mettre hors d'état de nuire toute personne qui s'aventurerait à ce changement anticonstitutionnel.

Et, là aussi, la Commission de l'Union africaine doit être ferme pour ne pas permettre à ceux qui font des tripotages constitutionnels à continuer à le faire, puisque là aussi, c'est souvent l'origine de ces changements anticonstitutionnels.

Je prends le cas du Niger; le Niger est un cas qui était isolé et on a vu évoluer cette situation et le cas qui est arrivé [...].

HON. KEBZABO SALEH [TCHAD]:

Je vous remercie Président.

Monsieur le Président, je voudrais d'abord déplorer, dans la forme, que maintenant, on parle assis. Déjà qu'on ne se connaît pas très bien! Avant au moins, en se levant, on regardait qui parlait, et cela nous permettait de mettre un nom sur un visage. Il y avait l'écran qui permettait de voir. Maintenant, quand quelqu'un parle, tout le monde tourne la tête pour chercher, c'est vraiment dommage.

(Murmures)

Voilà, on me dit de me lever pour qu'on me voie, donc je me lève pour qu'on me voie.

[(Rires dans l'assistance)]

Je pense que c'est utile quand même qu'on parle debout, que d'une façon ou d'une autre, qu'on se présente pour que nous nous connaissions entre nous. Merci Président.

Je voudrais donc, profitant de cette prise de parole, m'exprimer sur deux points. Le premier point qui a été largement évoqué par mes collègues, en illustrant cela par le Niger, consiste à dire que l'Union africaine n'intervient qu'après les dégâts. Au Niger, on savait très bien, on voyait que le Président Tandja était en train d'aller à la dérive et d'entraîner son pays à l'aventure. L'Union africaine n'a pas été assez ferme pour l'en empêcher.

La CEDEAO a essayé de faire ce qu'elle pouvait, mais avec les résultats que nous connaissons. Je pense que, pour reprendre le terme de quelqu'un, la « proactivité de l'Union africaine » est très limitée et cela pose problème, puisque quand il y a un coup d'État, comme c'est le cas au Niger, un coup d'État que tous les Africains ont salué, on vient encore dire: non, il n'est pas permis de faire de coup d'État. Il y a là une situation qui n'est pas normale et sur laquelle, je pense, l'Union africaine devrait se pencher un peu plus.

Il ne faut pas rester silencieux, quand il y a des tripatouillages de constitutions qui sont générateurs de crises politiques graves. Il faut savoir intervenir à temps pour prévenir un conflit grave dans un pays donné.

Le deuxième problème que je voulais soulever va toujours dans le sens de la prévision des conflits. Nous voyons ce qui se passe au Soudan; nous savons qu'il y a eu des élections, ces derniers jours, qui ont largement été boycottées par l'opposition mais, les élections les plus cruciales pour le Soudan viennent l'année prochaine. Dans un an, en effet, le Sud va voter, et nul n'ignore que le Sud va opter pour son autodétermination.

Alors, le problème que je pose, au niveau de l'Union africaine, est celui du principe sacro-saint de l'intangibilité des frontières. Là, on va accepter qu'au Soudan, au nom de la liberté des peuples à disposer d'eux-mêmes, que les Soudanais du sud proclament leur indépendance. Mais, là aussi, il y a deux poids deux mesures.

Vous avez les Sahraouis qui attendent depuis une trentaine d'années. On ne les accompagne pas dans leur autodétermination. Vous avez le cas du Soudan, on accepte. Comment l'Union africaine va gérer l'avenir en acceptant cette situation puisque nous sommes dans un continent où il y a beaucoup d'oppositions armées?

Les oppositions armées dans d'autres pays, prenant l'exemple du Soudan, vont se dire: « on avait la possibilité d'arracher notre indépendance par un référendum ». Elles vont, donc, exiger, en rébellion, un référendum pour s'autodéterminer, et vous savez que les rebellions, il y en a un peu partout sur notre continent.

Est-ce que là, on ne creuse pas le lit, on ne favorise pas cette tendance, à amener les rebellions à vouloir l'autodétermination de leur région?

Donc, là, c'est la réflexion [...].

HON. NKODO DANG ROGER [CAMEROUN]:

Merci Monsieur le Président.

Monsieur le Président,

J'aimerais que quand le Commissaire va nous répondre, si possible, qu'il nous clarifie le bienfondé de ces exposés qu'il vient de nous faire. Étant entendu que nous sommes un organe consultatif, on aurait dû nous faire ces exposés avant. S'ils sont déjà adoptés, nous ne pourrions faire que parler, comme quelqu'un l'a dit dans la salle.

Je crois que de l'OUA à l'UA, ce sont les mêmes récriminations. Il y a deux constats qui se dégagent: le manque de moyens financiers et la position mitigée, en matière de coup d'État militaire.

Lorsqu'on avait créé l'OUA, c'étaient les mêmes reproches; on faisait les condamnations de forme pour toute prise de position par les armes. Lorsqu'il y a eu l'avènement de l'Union africaine, nous avons salué les efforts qui ont été menés dans la résolution de certaines situations. Je pense notamment à la situation des Comores.

Quand l'Union africaine est intervenue aux Comores, on a vu toute la détermination à résoudre un problème, et ça a été résolu. Mais, à l'exception de ce cas, dans tous les autres cas, maintenant, l'Union africaine assiste impuissante devant le développement des situations qui dépasse le niveau interne des États.

Lorsque les gens parlent de la Somalie, aujourd'hui, le problème de la Somalie n'est plus un problème interne, ni un problème continental, mais c'est devenu un problème international, parce que le grand banditisme, les enlèvements, le rapt des bateaux se sont développés dans cette zone, et on a comme l'impression que l'Union africaine est toute impuissante devant cette situation.

Je voudrais donc poser au Commissaire la question suivante: pourquoi cette politique de deux poids, deux mesures?

Le mensuel « Jeune Afrique Économie», dans sa dernière livraison, faisait état que le Président de la Commission de l'Union africaine aurait été rabroué par le Président de la Haute Autorité de transition de Madagascar. Il se pourrait que le Président Jean PING serait parti à Madagascar et que le Président RAJOELINA lui aurait « infligé » une fin de non recevoir.

On est en droit de se poser des questions, Monsieur le Commissaire, pourquoi cette impuissance devant certaines situations où on croit que l'Union africaine, qui s'était substituée à l'OUA (parce qu'on accusait l'OUA de certaines lenteurs), aurait pu régler un certain nombre de problèmes?

Enfin, Monsieur le Président, je voulais revenir sur un problème qui me paraît également primordial, le problème de changements climatiques.

L'Afrique doit payer le lourd tribut des changements climatiques, aujourd'hui, alors que l'Afrique a conservé ce qu'elle a de plus belles: ses forêts. Ceux qui ont « déforesté » pour planter les industries, ceux qui polluent à 95% viennent nous demander de ne rien faire, alors que pendant ce temps nous les Africains, nous mourons de famine. Et, lorsque nous allons dans ce genre de négociations, nous allons en bandes dispersées.

Ma déception a été grande, lorsqu'au sommet de Copenhague, des voix se sont élevées çà et là, alors que seule l'Union africaine devait parler pour tout le continent africain.

Monsieur le Président, je voudrais appeler à ce que l'Union africaine se remette dans ses positions. Elle sait que sans moyens, elle ne peut rien faire. Si ce sont les moyens qui lui manquent et que même au niveau du pouvoir, cela diminue ses pouvoirs, qu'on reste les bras croisés et qu'on ne continue pas à pleurnicher chaque jour pour dire qu'il nous manque les moyens. Sans moyens, rien ne peut être fait. Que ceux qui ne paient pas soient écartés de l'UA!

Je vous remercie Monsieur le Président.

HON. RAGAB AHMED MOHAMED [ÉGYPTE]:

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HON. MOISERAELE MASTER GOYA [BOTSWANA]:

Mr. President, I would like to thank you for giving me the floor to add my voice to the two reports that were delivered to this august House this morning by the representative of the African Union Commission. (A (I found the reports insightful and very thought-provoking. Had they not been thought-provoking, I do not think, we, as Hon. Members, would have listed our names to take turns to debate them.

Mr. President, having gone through these reports, I will confine myself to the Report of the Peace and Security Council on its activities and the state of peace and security in Africa.

Having gone through the report, I certainly believe that it suffices for me to commend the Peace and Security Council on the efforts achieved, to date, in trying to broker peace in countries that have been bedeviled by conflict.

Mr. President, I would like to express my grave concern as regards the rotation of the Chairmanship of the Council. In the report, it is stipulated that the Chairmanship of the Council rotates among its members on a monthly basis. A month is surely not sufficient to allow any member chairing the Council to attend to any issue to its fulfillment. Therefore, something needs to be done to ensure that we increase the period of rotation of Chairmanship of the Council to, at least, two months. Surely, a month is not enough.

Mr. President, I am of the opinion that there is no way peace and security will reign without the security sectors of all nations becoming participatory and representative of the population they seek to serve. The security sectors should be truly representative of the population they are intended to serve. There should be a balance of women and men at all levels of peace and security institutions be it in governments, the military, police, customs, private security companies and so on.

Mr. President, it must be admitted that, to date, the peace and security sector is dominated by men. Something needs to be done to ensure that we create a balance between women and men in taking active participation and representation in the peace and security institutions worldwide.

(Applause)

Mr. President, there is an urgent need to put in place gender and security sector reforms given that peace and security needs arise from factors such as sex, age, ability, sexual orientation, economic status, ethnicity, religion, to name but a few.

The issue of the security of women and children is not effectively addressed in this world. This has a disastrous impact on individuals and society as a whole.

Mr. President, I thank you.

HON. ASAGA ADUKO MOSES [GHANA]:

Thank you very much, Mr. President. I share the sentiments of my colleague who advised that we should be standing up to talk. In that way, there can be a focus and later on during the coffee break, you could go to the person who made the contribution and discuss further.

Mr. President, after listening to Dr. Michael, it would be difficult for you to do a contribution within four minutes. So, I would like to look at the African Petroleum Fund. I think that the establishment of the African Petroleum Fund is laudable for this would mitigate the risk that is associated with the volatility of oil prices as a result of conflicts in the Middle East and sometimes the low production in oil producing countries that raise oil prices.

Mr. President, considering the global uncertainties that affect oil prices such as the present consumption of China and India, oil prices will continue to rise. That is why the setting up of this fund has become more important.

Mr. President, if you look at the continent of Africa, we produce about 9 million barrels of oil per day. Oil revenues, through royalties, carried interest of national oil companies and also a percentage from independent oil companies and international oil companies, can really build a good reserve for Africa. For example, in 2006 and 2007, when oil prices hit US\$140 per barrel, Nigeria made a windfall profit of almost US\$30 billion. Currently, we have a number of new discoveries of oil in Ghana and Uganda, just to mention a few. This means that if the Petroleum Fund is well managed, it will be sustainable.

Mr. President, this, to me, is a bold initiative. However, in 2006, a concept paper was developed. It has taken us almost four years to again talk of how we are going to establish it. I am, therefore, asking the Commissioner to put pace on the development of the Petroleum Fund.

Mr. President, the Commissioner did mention a number of initiatives and plans, but I think that his initiatives in the financial sector may not work, especially as regards the Investment Bank and the African Monetary Fund. I say this because this would be a duplication and in competition with the African Development Bank. In West Africa, we already have the Investment Bank. Are these going to be super structures over those already existing? Again, if you look at the raising of funds, they are still going to come from the World Bank, the IMF and the same capital markets. I think that [...].

HON. MUNGARO GEDEON [KENYA]:

Ahsante Mheshimiwa Rais.

Kwanza, ningependa kukushukuru kwa kunipa nafasi hii. Pia nimpongeze Mwakilishi wa Mwenyekiti wa Jumuiya ya Afrika aliyetoa maelezo kuhusu usalama wa Afrika na maendeleo ya Kamisheni ya Afrika. Nawapongeza kwa kazi wanayofanya.

Mheshimiwa Rais, ningependa kusesitiza, kama wenzangu, kwamba kuna umuhimu wa Kamisheni hii ya Afrika kuzichukulia hatua, hasa nchi ambazo hazichangii katika mfuko wa kuendesha mambo ya Afrika.

Mheshimiwa Rais, na isiwe siri, Kamisheni hii inafa iweke orodha ya majina ya pinchi ambazo hazijishughulishi na kulipa fedha ambazo zinastahili ili kuweza kuendesha Jumuiya hii. Pia, ningependa kuipongeza Nigeria kwa kujitolea kutaka kutoa nyumba na pesa ili kuweza kuendesha mambo ya Afrika.

Mheshimiwa Rais, katika upande wa usalama, nchi ya Somalia imekuwa tatizo kubwa hasa katika Bara Hindi. Meli za mizigo zinazolingia katika eneo la Afrika Mashariki zimekumbwa na mikasa mingi sana na kuzorotesha uchumi wa nchi kama Kenya, Tanzania, Uganda, Rwanda na Burundi, kwa sababu ya maharamia katika Bahari ya Hindi.

Kamisheni ya Jumuiya ya Afrika inalo jukumu kubwa la kupata suluhisho la nchi ya Somalia. Haiwezekani, kwa miaka 20, nchi moja tu iwe na matatizo ilihali Afrika nzima ikiikodelea macho na kuangalia bila kuwa na suluhisho. Nafikiri wakati umefika wa Bunge hili kusesitiza, kupitia kwa Kamisheni hii, kuwaambia viongozi wa Afrika, ni wakati sasa wachukue jukumu na kuhakikisha nchi ya Somalia inapata amani.

Mheshimiwa Rais, bila amani, Somalia, kama alivyosema mwenzangu kutoka Kenya na wengine ni kwamba, mbali na watu wanaoingia kwa wingi Kenya, kuna matatizo ya silaha ndogo ndogo ambazo pia hupenya na kuingia katika eneo la Afrika Mashariki kutokana na msukosuko ambao unaendelea katika nchi ya Somalia.

Mheshimiwa Rais, vile vile ningependa kuipongeza Jumuiya ya ECOWAS kwa pesa wanzokusanya kupitia mfuko wa biashara zinazolingia na kuwaambia kuwa, katika Jumuiya ya Afrika Mashariki, upo Mfuko wa Forodha kama wanaweza kuiga mfano huu ili kuendesha Jumuiya yao.

Ahsante sana, Mheshimiwa Rais.

(Makofi)

LE PRÉSIDENT:

Merci beaucoup.

Excellence Docteur Maxwell Mkwazalamba, Commissaire aux Affaires Économiques de l'Union africaine,

Vous avez mesuré l'intérêt que le Parlement panafricain porte aux deux contributions que vous avez apportées ce matin, les très nombreuses contributions mais également les questions que les honorables parlementaires ont bien voulu vous poser.

Je vous donne la parole pour répondre à ces questions et apprécier les contributions.

AN HON. MEMBER:

Sorry, Mr. President, I was not available yesterday that is why I am not on the original list to debate this report, but I submitted my name. I am very keen and interested in making a contribution on this report.

THE PRESIDENT:

I have five lists, but I did not see your name.

H.E. Dr. MAXWELL M. MKWEZALAMBA [COMMISSIONER FOR ECONOMIC AFFAIRS OF THE AUC]:

Mr. President, I would like to thank you.

Let me begin by thanking the Hon. Members of the PAP for their significant contributions to the two reports that I presented this morning.

We welcome the kind words that have been expressed about the two presentations and also take note of your support for the ratification of the legal instruments of the AU, including the Charter on Democracy, Elections and Governance.

Whereas signing the legal instruments is not that difficult, the problem we tend to have is that of ratification. This is because in a number of member states, the ratification of these legal instruments can be a rather tedious process. We, therefore, hope that the Parliamentarians present will support us in this regard.

I also take note of the support for alternative sources of funding for the AU given the current difficulties that the union is facing. We expect to continue working with you in this regard.

Mr. President, questions were raised regarding where we are on the review of the PAP Protocol. I raised this matter with our legal counsel sometime last year and all I have been told is that we are on course. In fact, the work has started. As soon as we get more details, we will share the information with PAP. We realize the need for the work to be done and, at any rate, it is also part of the AU's decision to review this protocol after five years of operation.

I would also like to say something regarding the submission of these reports to PAP. As I said, the activity report is that of the Chairperson of the Commission to the AU Assembly that was presented in January-February. As for the Peace and Security Council Report, it is a report that is being presented to yourselves based on the request that it be presented.

Mr. President, indeed, there are issues that need to be brought to PAP before being taken to the AU policy organs. We shall endeavour to do this and we have done it in the past. As I said, I have been here before to present a report on the rationalization of the RECs. I also had some of my staff come to PAP to present our study report on the trade funding sources for the AU. All I am saying is that there are issues that we should be able to discuss with you before they are presented to the AU Assembly.

(The speaker follows in French)

Monsieur le Président,

Combien de temps, vous allez me donner, parce que je vais parler, peut-être pour [...].

LE PRESIDENT:

Vous avez le temps de vos réponses.

N'interrompez pas le Commissaire, s'il vous plaît

H.E. Dr. MAXWELL M. MKWEZALAMBA:

Let me also speak to the questions posed regarding the G-8 commitment to provide the US\$20 billion as committed in L'Aquila, Italy. On this one, there has not been much progress in terms of movement by our partners. To date, only about US\$ 800 million has been committed largely by Canada which has pledged around US\$ 500 million as well as Russia.

Steps have been undertaken to set up a multilateral donor trust fund at the World Bank to mobilize these resources. Only a few weeks ago, we were approached as the African Union Commission, to identify individuals to be members of the steering committee that has been set up by the World Bank which has the responsibility of mobilizing the resources. The United States of America (USA) made a commitment of US\$ 3.5 billion towards this initiative. President Obama is awaiting the approval of congress for the USA to move forward.

We have also done something about climate change because there was a question regarding what had been done by the Commission. Among other things, we have set up a Clean Dev. Africa Programme, which is a programme to support African countries in developing policies and strategies for climate change mitigation and adaptation. We have also submitted a proposal to set up a climate change division within the department of Raw Economy and Agriculture.

Mr. President, issues were also raised regarding inter-connectivity and the need to invest in infrastructure. I would like to say that this is quite a challenge for us. Although we have developed the programme on infrastructure development in Africa, we need to mobilize the necessary resources.

As you may be aware, to finance a loan for our infrastructure requirements, we are talking about US\$15 to 20 billion a year for the coming three years. We are not anywhere near mobilizing these resources. It is in this regard that we feel very strongly that the setting up of the African Investment Bank will go a long way in filling the financing gap that currently exists.

This brings me to the question raised on the duplication of functions by the African Investment Bank and the African Development Bank. The African Investment Bank will focus purely on regional infrastructure projects and private sector activities that cut across borders. The ADB also has a regional infrastructure window, but it is only 30 percent of its portfolio. Even if you look at other multilateral development banks, they do not have financing instruments for regional infrastructure projects.

In fact, in setting up the investment bank, we have consulted the African Development Bank which has agreed that there is a need for us to set up this important financial institution. We should also remember that the setting up of the investment bank derives from Article 17 of the Constitutive Act of the African Union.

The monetary fund, on the other hand, will initially operate as a clearing house to facilitate trade among African countries. Currently, the level of trade within Africa is very low. It is about 10 percent of the total trade of Africa. We believe this will be a good way to promote inter-African trade.

As we move towards setting up the African Central Bank, the African Monetary Fund will be critical to undertaking surveillance of micro-economic policies as we move towards harmonization leading to the creation of a single currency once we set up the African Central Bank.

Hon. Members, the climate change discussions in Copenhagen were a success. I take note of what you have said regarding the fact that we may not have had the same voice, but I must say that those that were in Copenhagen were satisfied with the outcome. At the level of the AU, as I said, we had a common position paper that guided the negotiations, but we also had a committee that had been set up at the level of Heads of State and Government whose coordinator was the Prime Minister of Ethiopia, His Excellency, Zenawi Meles.

At the AU Summit that was held in January-February, there was a decision requesting Prime Meles to continue coordinating the work of the conference of African Heads of State and Government on climate change. They also called upon Africa to continue to speak with one voice.

There was a question regarding the establishment of the African Union Authority. Suffice to say that the idea of setting up this authority came about following the discussions we had on the setting up of the African Union Government. It was the wisdom of our leaders to say that we set up the African Union Authority giving it the executive powers required for the implementation of the decisions that are taken at the level of Heads of State and Government. Of course, other policy organs will still be there, but, maybe, as we move towards the union Government in years to come, there may be, need to review their roles, including that of the Executive Council and the Permanent Representatives Committee (PRC).

Mr. President, something was mentioned regarding the role of PAP in African Union work, particularly on peace and security. In my presentation, this morning, I specifically referred to Article 18 of the Peace and Security Council Protocol that specifies the need for a working relationship between the two AU organs. In fact, for the information of Hon. Members, the two organs had their first meeting in 2007 to discuss peace and security

issues in Africa. The Peace and Security Council of the African Union is currently working on ensuring that these consultations take place on a regular basis.

As for the African Union Trust Fund for Women, the details are yet to be worked out. What has happened is just the taking of the decision to set up the trust fund. Therefore, in the spirit of collaboration, we will talk to the director for gender to ensure that you are involved in the discussions leading to the details pertaining to the fund.

There was a question relating to the need for the AUC to submit an activity plan alongside the activity report presented. I must say that that is a rather difficult task because the activity plan would be what we have in the strategic plan 2009-2012 as well as the African Union Commission budget which details the activities to be undertaken in the year. Therefore, we have to look at the documents together with the activity report. Therefore, what is important is for PAP to be aware of what we were able to achieve in 2009 and this could be measured against what was contained in the budget for 2009 and the Regional Plan for 2009-2012.

The report should have included activities up to March, but it is as up-to-date as you can imagine. In fact, in my intervention, I tried to ensure that the report was up-to-date and went beyond to look at the way ahead.

Let me also address issues pertaining to the conflicts that are continuing today. The main thrust today is to build up conflict prevention. To this effect, we have a continental early warning system that is being developed for Africa. In fact, the continental early warning system is part of Africa's peace and security architecture. The continental early warning system will enable the AU react on time to crises and prevent the worst. Therefore, this addresses the concerns raised regarding the AU only coming in when there are situations of conflict before we actually determine what is going to happen.

Mr. President, I wish to report that the AU is closely following the situation in the Western Sahara, but the UN Security Council has an upper hand on this issue.

As for the unconstitutional change of governments, the long-term solution is to improve governance, deepen democracy, uphold human rights and freedoms as well as transition in power. The AUC is working hard with the member states to put measures to prevent unconstitutional changes of government.

There was a question that was raised regarding borders and border-related conflicts. I need to mention that we have an AU border programme, which aims at the full delimitation and demarcation of borders in Africa. The programme also seeks to promote cross border co-operation in Africa. The progress is currently underway.

On the question of the African Standby Force (ASF), I need to point out that the ASF is provided for under Article 13 of the Peace and Security Council Protocol. It comprises regional obligates from the AU five regions, that is North Africa, Southern Africa, Central Africa, West Africa and East Africa. The ASF will be directed by the Peace and Security Council when it comes to interventions in conflicts and crisis situations.

Mr. President, I think the question on PAP and the Peace and Security Council has been addressed.

On the problem of Somalia, this is a difficult situation for us. I indicated in my intervention earlier today some of the challenges that we face in Somalia. For example, we have a situation where the Somalis, themselves, do not agree on the political fundamentals such as the Constitution and administration. I talked about weak transitional federal institutions in Somalia in my presentation and the lack of adequate resources, including troops. As I said, there are countries that had committed themselves to providing troops, but up to now, these troops are yet to be made available with only Burundi and Uganda having troops on the ground.

There is also competition to influence Somalia among the big powers. We believe that Somalis will need to agree to have progress in Somalia.

On small arms and light weapons, this is an area that the AUC has also been working on within the African-EU dialogue. Currently, the AU is working towards effective non-proliferation of small arms and light weapons. This includes efforts to work with weapon producing countries from which small and light weapons come. Of course, the long-term solution is to have strong state ownership and control of small arms and light weapons.

There was a question raised regarding the Sudan and the Western Sahara. In this case, I am particularly looking at the role of the AU. In the Sudan, we have been fortunate in that the parties negotiated and signed a comprehensive peace agreement in 2005, which includes the holding of a referendum on self-determination for the Southern Sudan.

On the other hand, in the Western Sahara, Morocco and the Polisario have difficulties agreeing on a way forward. Of course, the AU supports signed agreements, but does not initiate them.

Therefore, this is what I would like to say regarding the questions raised. I may not have been able to address all of them in full. However, I wish to thank Hon. Members for their comments and observations that we believe will go a long way in enriching the documents that we presented and in implementing our activities for this year and the years to come.

Mr. President and Hon. Members of the PAP, I would like to thank you for your attention.

(Applause)

LE PRÉSIDENT:

Merci beaucoup, Excellence, Commissaire. C'est un honneur de vous avoir parmi nous et de vous écouter.

Nous sommes heureux que vous ayez pu apporter quelques éléments de réponses et mieux que vous ayez considéré les contributions des parlementaires comme des contributions enrichissantes aux deux rapports.

Maintenant que nous travaillons, les deux organes main dans la main, je suis sûr que la qualité des rapports, par notre contribution et par celle des autres organes va s'améliorer, parce que ces rapports nous engagent également.

Encore une fois, au nom du Parlement panafricain, nous remercions, à travers vous, le Président de la Commission de l'Union africaine et l'ensemble de la Commission de l'Union africaine.

À présent, Secrétaire général, nous allons passer au point suivant de l'ordre du jour.

LE SECRÉTAIRE GENERAL:

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3.0RECRUTEMENT DU SECRÉTAIRE GÉNÉRAL ET DU SECRÉTAIRE GÉNÉRAL ADJOINT CHARGÉ DES AFFAIRES LÉGISLATIVESLE PRÉSIDENT:

Merci beaucoup, le rapport d'activités du Parlement panafricain est pour la période de novembre 2009 à mars 2010. Pendant cette période, il y a eu une activité importante que le Bureau a menée pour la vie de notre institution.

Vous savez que depuis plus d'une année, nous n'avons pas de Secrétaire général, ni de Secrétaire général adjoint chargé des affaires législatives et je voudrais commencer par cette importante activité que le Bureau a menée, en votre nom.

Je vais donner la parole à l'honorable AMADI, Premier viceprésident, pour vous expliquer le processus qui nous a conduits au recrutement du Secrétaire général du Parlement panafricain.

Honorable AMADI, vous avez la parole pour expliquer aux honorables membres de la Chambre, ce processus.

HON. AMADI BETHEL [NIGERIA]:

Mr. President and distinguished Hon. Colleagues, I would like to give you the report on the process we followed in the selection of candidates for the posts of Clerk and Deputy Clerk of the Pan-African Parliament (PAP).

The posts of Clerk and Deputy Clerk Legislative Business were advertised on the PAP website and the AUC website in August, 2009. Copies of the advertisements were also sent to national Parliaments to invite interested candidates to submit their applications for the posts. A total of thirty-three and thirty-one applications respectively were received for the positions.

Mr. President, on 4th March, 2010, the Bureau directed another call for additional applications for the two posts and accordingly advertisements were, again, posted on the PAP website and sent to the national Parliaments. The final deadline was for 19th March, 2010. An additional eight and nineteen applications were received for the posts of Clerk and Deputy Clerk respectively.

The short-listing exercise was conducted by the Bureau and technical experts who were invited to assist the Bureau with the technical assessment of the applications between 26th to 27th of March, 2010.

In attendance at the short-listing meeting on the 26th and 27th March, 2010 were Hon. Dr. Idriss Ndele Moussa, President of PAP; Hon. Bethel Amadi; First Vice President; Hon. Mary Mugenyi, Second Vice President; Hon. Laroussi Hammi, Third Vice President; Hon. Joram Macdonald Gumbo, Fourth Vice President; Mr. Jaque Moudoute-Bell, Director of Bureau and Ms. Gaone Masire, Head of the Human Resources Division of the African Union Commission. Mrs. Rebecca Nabweteme, Senior Human Resources Officer with the Pan-African Parliament was Secretary of the panel.

Mr. President, we also had in attendance two experts who were invited to assist the Bureau in the technical assessment of the CVs.

We had Mr. Ceesay Sarriang, Director of Finance and Administration, ECOWAS Parliament, and Mr. Austin Zvoma, Clerk of the Parliament of Zimbabwe.

Mr. President, the panel discussed the short-listing process and agreed on the following criteria:

We looked at the nationality of the candidates because candidates from the AU members states which are under sanction by the AU were not eligible. A list of countries under sanctions was provided to us by the AU officer. As such, the recruitment list removed those candidates from countries that had not paid their subscriptions and those that were under sanctions. There were a total of thirteen countries whose candidates were removed.

Mr. President, we also looked at the issue of age. The advert had stated that the Clerk should be between the age of forty-eight and fifty-five and the Deputy Clerk should be between the ages of forty-five and fifty-five. However, we decided that the issue of age would only eliminate those who were over and above sixty years, which is outside the limit for AU recruitments. The AU does not accept people who are over sixty years old. All candidates who were over sixty years were also eliminated from the process.

The last issue we looked at was academic background and work experience. Based on that, the person to be appointed to the position of Clerk was required to have an advanced degree and post-graduate level in social science, law or public administration and relevant work experience of fifteen years. For the Deputy Clerk, we required an advanced degree and post-graduate level in social science, law and public administration with relevant work experience of twelve years.

We were given a methodology for scoring the academic qualifications and the work experience by the technical experts who participated in the process. The first criterion that was used was relevant academic and professional qualifications which were given twenty points. Those who had a post-graduate diploma in addition to their university degree got fifteen points. Those who had master's degrees got seventeen points and if you had a PhD you got twenty points.

Mr. President, work experience in an international organization carried ten points. So, a minimum of five years work experience in an international organization would give you seven points. An additional year would give you one point for every additional two years of service in an international organization.

We looked at general work experience which carried ten points. A minimum of five years work experience carried seven points. There was an additional one point for every three years of service. We also looked at relevant work experience in Parliament, which carried thirty points. For the position of Clerk, a minimum of eight years of working in a Parliament was required and a minimum of five years for the position of Deputy Clerk. Then two points was given for each of those who met the minimum criteria and an additional one point for every two years of service was given.

Managerial and leadership experience carried twenty points. Minimum level for the Clerk in terms of managerial and leadership experience was kept at P5, which meant ten years and earned fifteen points. Assistant Clerk or Deputy Clerk, five years which earned fifteen points. Total management level in any institution was awarded one point for every two years of service.

Mr. President, we also looked at the issue of the motivation statement by those who sent their applications. We had in the advert also requested that the candidates let us know why they wanted to work for the Pan-African Parliament. Some wrote applications stating their reasons for wanting to work for the Pan-African Parliament.

That carried five points. At the end of the short-listing exercise, we had ten candidates short-listed for the post of Clerk. They were graded based on the criteria that I have listed above.

At the end of that exercise, points were awarded based on the criteria that had been given. The following were the short-listed candidates for the interview. The first five were: Lephimotswe Boyce Sebetela from Botswana had 89.5 points; Zwelethu Mighty Madasa from South Africa had 86 points; Miria Matembe from Uganda had 84 points; Renee Koto Sounon from Benin had 72.5 points and Morad Boularaf from Algeria had 69.5 points. These five were short-listed and invited for an interview. The interview process was fixed for 8th and 9th April, 2010.

The interview panel which sat over the issue of Clerk was made up of the following: Hon. Dr. Idriss Ndele Moussa; Hon. Bethel Amadi; Hon. Mary Mugenyi; Hon. Laroussi Hammi; Hon. Joram Macdonald Gumbo; Mr. Jacque Moudoute-Bell, Director of Bureau; Ms. Gaone Masire, Head of Human Resources Division, African Union Commission, and Miss Rebecca Nabweteme, Secretary of the Panel. We also had technical experts from our regional bodies Mr. Cessay Sarriang, Director of Administration and Finance, ECOWAS Parliament; Mr. Justin Zvoma, Clerk of Parliament, Zimbabwe and Mr. Said Mokadem, Secretary-General of the Maghreb Parliament.

The methodology for the selection of Clerk during the interview process was as follows:

It was divided into two parts; there was a written examination and an oral interview. The written examination was given forty-six points and the oral interview was broken down and given forty points. The presentation and ability of the candidate to deliver his presentation was given ten points and language was given four points.

In the interview, each panelist evaluated the candidates individually and accordingly awarded scores. At the end of the interview, the individual scores were computed and an average was arrived at which consisted the final score for the interview for each of the candidates.

Mr. President, the examination paper highlighted the knowledge of the candidates in change management, leadership skills, crisis management and strategic management.

Basically, the interview for the position of Clerk highlighted the areas of chief executive officer, the accounting officer and the head of secretariat, his ability for coordination, parliamentary administration and the challenges that are presently faced by the African Union. At the end of the exercise for the position of Clerk, the scores were given and the following results were arrived at based on the scoring:

Mr. Zwelethu Mighty Madasa from South Africa got 69.5 points; Mr. Morad Boularaf from Algeria got 68.5 points; Mr. Lephimotswe Boyce Sebetela from Botswana got 60.2 points; Mr. Rene Kotu Sonuon from Benin got 59.2 points and Mrs. Miria Matembe from Uganda got 53.5 points. I recollect that that was the exercise for the selection process for the post of Clerk.

Thank you, Mr. President.

THE PRESIDENT:

Hon. Members, I would like to introduce to you the successful candidate for the post of Clerk of the Pan-African Parliament as required by the rule of procedure, Rule 17 of the Rules of Procedure of the Pan-African Parliament. The Bureau propose to you for appointment and I call Mr. Zwelethu Lukaniso Madasa to present himself to the Chamber.

(Applause)

HON. SAWADOGO LASSANE [BURKINA FASO]:

Motion de procédure! Motion de procédure!

LE PRÉSIDENT:

Sil vous plaît, laissez l'invité parler.

HON. SAWADOGO LASSANE [BURKINA FASO]:

Non, non, non, ce n'est pas l'invité, c'est la procédure. Motion de procédure!

LE PRÉSIDENT:

La procédure est engagée. Monsieur MADASA, vous avez la parole.

HON. SAWADOGO LASSANE [BURKINA FASO]:

Non, attendez Monsieur le Président, ce n'est pas du forcing quand même! Dans ce cas nous allons quitter la salle, parce que nous ne sommes plus dans un parlement.

LE PRÉSIDENT:

Honorables membres du Parlement panafricain, conformément à l'article 17 du Règlement intérieur, le Bureau vous propose le candidat qui est venu en tête du processus qu'on a engagé depuis le mois de septembre 2009. Et c'est vous plénière, de l'apprécier.

Maintenant, permettez à ce candidat qui est venu en tête, de se présenter à vous, et après qu'il se sera présenté, vous apprécierez.

HON. SAWADOGO LASSANE [BURKINA FASO]:

Motion de procédure, Monsieur le Président.

LE PRÉSIDENT:

Dites-moi en quoi cette procédure est biaisée.

HON. SAWADOGO LASSANE [BURKINA FASO]:

Écoutez, le Règlement intérieur dit en son Article 17 (e): [...].

(Bruits dans la salle)

Ce sont des pratiques d'une période que nous croyons à jamais révolues, ce sont des pratiques qui sont en train de revenir dans ce parlement. Et nous ne serons pas complices de ce recul démocratique.

Le Règlement intérieur dit que pour la nomination du Secrétaire général et des Secrétaires généraux adjoints, le Bureau fait des recommandations, et c'est à la plénière de décider de la nomination.

Le 1^{er} Vice-président a présenté la recommandation qui devait nous permettre de nous prononcer par rapport à ce qui vient de nous être présentés, avant de procéder éventuellement à la présentation des candidats.

LE PRÉSIDENT:

Merci beaucoup. Vous avez répété la même chose que ce que j'ai dit. Nous n'avons pas recruté un Secrétaire général, nous avons procédé à un concours, et conformément à l'article 17, nous vous présentons le candidat qui est venu en tête. Quand il va se présenter, vous allez apprécier.

HON. SAWADOGO LASSANE [BURKINA FASO]:

Ce n'est pas la procédure!

LE PRÉSIDENT:

Je vous retire la parole. Monsieur MADASA, vous avez la parole. Après qu'il se sera présenté à vous, vous allez juger.

MR. ZWELETHU MADASA [SUCCESSFUL CANDIDATE PROPOSED TO THE POSITION OF CLERK OF PARLIAMENT]:

Thank you, Mr. President.

Before I address the Assembly, I would like you to excuse my voice because I had a terrible flu over the weekend.

In the name of God, the Almighty, the creator of all things, I would like to greet the Hon. President, the Vice Presidents and the Hon. Members of the Pan-African Parliament.

I would like, from the outset, to thank my family, my organization, the African National Congress, the SADC Region and all of you Hon. Members, for your support for me to assume the position of the Clerk of Parliament.

(Applause)

HON. SAWADOGO LASSANE [BURKINA FASO]:

Encore une formulation de procédure!

(La salle: non! non!!!)

LE PRÉSIDENT:

Par courtoisie, laissez-le finir, s'il vous plaît.

(Interruptions)

AN HON. MEMBER:

Mr. President, one person cannot just [...].

(Interruptions)

AN HON. MEMBER:

Let us hear him first!

(Interruptions)

AN HON. MEMBER:

Mr. President, on a point of order.

THE PRESIDENT:

No, let him finish and then come in.

AN HON. MEMBER:

Mr. President, no! A point of order precedes any other issue.

AN HON. MEMBER:

If that is the case, then we should all leave.

AN HON. MEMBER:

On a point of order, Mr. President!

THE PRESIDENT:

Mr. Madasa, proceed, please!

AN HON. MEMBER:

No, Mr. President, you are bullying us.

(Interruptions)

AN HON. MEMBER:

On a point of order, Sir.

THE PRESIDENT:

Mr. Madasa, can you continue, please.

MR. ZWELETHU MADASA:

Thank you, Mr. President. I feel déjà-vu when I am standing in this Assembly. I was a Member of the first group of the Rules Committee that drafted the first rules of the Pan-African Parliament. I remember the struggles we had [...]

(Applause)

[...] during that exercise. These struggles were caused by some Members trying to impose their national colonial traditions on this great institution, instead of purposefully interpreting the AU legal founding instruments as the foundation of the African Parliament.

Hon. Members, I believe that the Pan-African Parliament's task is to accomplish the role envisaged for it as espoused in the AU vision namely, a united, integrated and strong Africa.

(Applause)

Subsumed in this AU vision is the duty of the PAP to become a common platform for the peoples of Africa to participate in the discussions and decisions pertaining to the economic integration of the continent.

Hon. Members, for the PAP to accomplish the purpose for its formation, I submit that there must be a well coordinated triangular relationship between the Secretariat, the Bureau and Parliament per se, including the committees of Parliament.

(Interruptions)

Hon. Members, the secretariat must support and help the PAP in addressing the objectives of the PAP as outlined in the Protocol founding the PAP. For example, the promotion of principles of human rights and democracy, peace and security in the member states, intra-African trade, solidarity and a sense of common destiny amongst the people of Africa and so on.

Hon. Members, I believe that for the PAP to achieve its objectives, we need a strong and organized office of the secretariat. This office must stand [...]

[(Applause)]

[...] on the following seven pillars:

1. Supervision of the civil arm of the administration of the Parliament.
2. Supervision of the political administration of the Parliament.
3. Facilitation of good relations between the PAP and other organs of the AU.
4. Facilitation of strong relations between the PAP and other regional Parliaments outside the continent.
5. Raising the profile and visibility of the PAP in the eyes of the people of Africa and the world.

SCENE (*Applause*)

6. Facilitating a people's grassroots movement that will unite African people, especially the youth.
7. Building relations with international bodies in general.

Hon. Members, in order to have a strong Parliament, we must work together to eradicate wasteful expenditure, [...]
[(Applause)]

[...] ensure a clean audit of accounts, maintain the assets of the Parliament and develop clear and transparent accountability systems.

We must also encourage the employment of the right people for the right purpose in the administration.
(Applause)

All of us, especially the staff, must inculcate the culture of service to the Members of Parliament and the people of Africa in general.
(Applause)

Hon. Members, the secretariat, especially the Clerk in collaboration with the Bureau, must build good relations between the PAP and organs of the AU and other regional Parliaments. All organs of the AU must pull in the same direction.

I believe also that the PAP, through the Clerk, must play a coordinating role of the Africa geo-political group in its involvement at international parliamentary fora.

I believe also that the Office of the Clerk must facilitate donations to the PAP from member states' governments, corporate firms doing business in member states and other sources with the caveat of not compromising the independence of the Parliament.
(Applause)

Hon. Members, a lot still has to be done to mobilize the peoples of Africa to know each other through arts, sports, music, education and so on. The peoples of Africa must be made to know that the PAP is their common platform towards a common destiny.

In conclusion, I would like to refer to Nelson Mandela's vision of a new South Africa which he prophesied at the Rivonia Trial in 1964, that in which no race will dominate the other. In 1994, Nelson Mandela, himself, had an opportunity, as the first democratically elected President of South Africa, to implement his vision and he did.

We too, hon. Members, have an opportunity now to implement the AU vision of a strong, united and integrated Africa.

To achieve this, we must mercilessly destroy the demon of domination of one African by another.
(Applause)

We must destroy the demon of seeking office for personal gain.
(Applause)

We must also destroy the demon of subservience caused by the slavery mentality.

Hon. Members, I avail myself to you irrespective of your regions to serve you and the peoples of Africa.

God Bless Africa.

Une Afrique, une voix. Shukran.

(Applause)

LE PRÉSIDENT:

S'il vous plait, Honorables membres du Parlement panafricain, conformément à l'article 17, il n'y a pas de débat, ici! Conformément à l'article 17 du Règlement intérieur, le Bureau vous propose Zwelethe Madasa, comme Secrétaire général du Parlement panafricain.

(Applaudissements nourris)

Merci beaucoup. Je constate que la plénière a [...].

(Interruptions)

UN HONORABLE:

C'est du forcing. Ce n'est pas bon! C'est nul!

LE PRÉSIDENT:

...élu Monsieur Madasa, comme Secrétaire Général.

UN HONORABLE:

Monsieur le Président, vous avez très mal débuté et cela va [...].

UN HONORABLE:

Monsieur le Président, je demande un point d'ordre, s'il vous plait!

LE PRÉSIDENT:

Honorable Amadi [...].

UN HONORABLE:

Monsieur le Président, je demande un point d'ordre, s'il vous plait!

LE PRÉSIDENT:

Au nom de la démocratie [...].

UN HONORABLE:

Quelle démocratie? C'est du forcing.

LE PRÉSIDENT:

La majorité a [...].

UN HONORABLE:

Mais quelle majorité? Quelle majorité?

UN HONORABLE:

Je demande un point d'ordre! Quelle majorité?

UN HONORABLE:

Je demande un point d'ordre sur la procédure du vote.

Nous sommes tous des parlementaires, vous n'avez pas le droit de nous imposer! Il va falloir qu'on évolue dans la transparence.

(Interruptions)

UN HONORABLE:

Monsieur le Président, je demande un point d'ordre. Vous avez terminé la procédure, maintenant, donnez-nous le droit de faire des points d'ordre.

LE PRÉSIDENT:

Laissez-moi finir! Vous aurez la parole après.

UN HONORABLE:

A quelle heure, Monsieur le Président?

LE PRÉSIDENT:

S'il vous plait, laissez le Vice-président nous éclairer sur le second poste.

HON. AMADI BETHEL [NIGERIA]:

Hon. Colleagues, may I present to you the process for the selection of the Deputy Clerk Legislative Business that was carried out through the same process by the Bureau and the panel of experts.

The process started with the advertisements. They were placed on the website of the AU and PAP. Applications were received and the process of short-listing was done based on the criteria that I enumerated earlier. We received a total of forty-one applications and the criteria for short-listing included the issues of the countries of origin; if they are under sanctions from the AU for non-payment of dues and for the purpose of those countries under sanctions.

At the end of the first short-list process, we had short-listed ten candidates based on work experience. We had the following candidates invited for interviews for the post of Deputy Clerk Legislative Business: Mr. Mbaiammadi Beain Joel from Chad who had 75 points; Mr. Eric Owusu Mensah from Ghana who had 75 points; Mr. Godfrey Haantobolo from Zambia who had 74 points; Ms. Helen Dingani from Zimbabwe who had 72 points; Mr. Vincent Matomola Mwangi from Namibia had 72 points and Mr. Oscar Okoyo Chukwumah from Nigeria had 70 points.

The six of them were short-listed for interviews which were held between the 8th and 9th April, 2010. The candidates were also subjected to a written examination, an oral interview and the gradings were done as I had enumerated earlier. The written examination carried forty-six points, the oral interview carried forty points, presentation by the candidates had ten points and language carried four points.

At the end of the process, the following results emerged for the post of Deputy Clerk Legislative Business. First was Ms. Helen Dingani from Zimbabwe with 77.2 points; second was Mr. Joel Beain Mbaiammadi from Chad with 61.6 points and third, Mr. Oscar Okoro Chukwumah from Nigeria with 57.4 points. Mr. Eric Owusu Mensah from Ghana had 56.1 points; Mr. Godfrey Haantobolo from Zambia had 55.1 points and Mr. Vincent Matomola Mwangi from Namibia had 50.0 points.

Mr. President and Hon. Colleagues,

That was the outcome of the exercise.

LE PRÉSIDENT:

Merci beaucoup, Honorable vice-président.

A présent, j'appelle Hélène BANWANGUE DINGANI, qui est venue en tête des candidats pour le poste de Secrétaire général chargé des affaires législatives, à se présenter devant la plénière.

(Applaudissements nourris)

MS DINGANI BWAWANGE HELEN [ZIMBABWE]:

Mr. President, Hon. Members of the Bureau and Hon. Members of the Pan-African Parliament, may I, from the outset, thank you all for the honour of being considered for the position of Deputy Clerk Legislative Business of the Pan-African Parliament.

(Applause)

I am, as the President said, Helen Bwawange Dingani, an African woman of Zimbabwean origin [...]

(Applause)

[...] and a mother of two and a grandmother of two.

(Applause)

It would be an honour to be appointed the first woman Deputy Clerk of the Pan-African Parliament. Such appointment will not only be a befitting recognition of my capabilities as an individual, but will bear testimony that African women have, indeed, "something to contribute in charting the future of the continent.

(Applause)

Mr. President, from the inception of the Pan-African Parliament in 2007, I have worked as support staff providing procedural services to this Parliament. I have, therefore, been close to the proceedings and practices of this Parliament. I believe that this experience prepared me well for the position of Deputy Clerk Legislative Business. I enjoy legislative business work and consider myself one of the very few women experts in the field.

(Applause)

As some Hon. Members here know, I have worked for the Parliament of Zimbabwe for twenty-eight years and spent thirteen of these working as Deputy Clerk Legislative Services. This experience keeps me in good stead to understand the responsibilities of the job and its magnanimity.

Hon. Members, if confirmed in this position, I will strive as much as possible to execute my duties professionally, diligently and efficiently without fear or favour as I have always done over the years.

(Applause)

Mr. President, if I am offered this job, I am aware that my key mandate will be to assist the Bureau and the Clerk in ensuring that Parliament legislative, deliberative and advisory functions are carried out in compliance with the protocol establishing the Pan-African

Parliament and rules of procedure.

(Applause)

Finally, Hon. Members, I would like, once again, to thank this Parliament for considering me for the position of Deputy Clerk Legislative Business. I shall long cherish the memories of today and will strive to live up to the expectations that inspired it.

I thank you, Mr. President.

(Applause)

LE PRÉSIDENT:

Honorables membres, je vous demande de vous prononcer, en tant que plénière, sur la candidate qui est venue en tête, Madame DINGANI.

Je demande à la plénière de se prononcer, s'il vous plaît, par acclamation.

(Bruits dans la salle)

Merci beaucoup, je considère que la majorité de la plénière a entériné la candidature de Mme DINGANI.

(Applaudissements)

[The First Vice-President in the chair]

THE PRESIDENT:

May I call upon the President of the Pan-African Parliament, Hon. Dr. Moussa Idriss Ndelé, to present his report on the activities of the Pan-African Parliament.

Mr. President, you have the floor.

(Applause)

4.0 RAPPORT D'ACTIVITÉS DU PARLEMENT PANAFRICAIN PENDANT LA PÉRIODE ALLANT DE NOVEMBRE 2009 À MARS 2010 HON. NDELE MOUSSA IDRIS [TCHAD]:

Honorables membres du Parlement panafricain,

Distingués invités,

Il est de tradition qu'à chaque session ordinaire de notre illustre institution, le Bureau vous donne un aperçu des activités du Parlement panafricain pendant la période d'intersession.

Le rapport que nous soumettons à votre bienveillante attention couvre la période allant du mois de novembre 2009 au mois de mars 2010, en respectant un ordre chronologique des événements qui se sont déroulés durant cette période.

Aussi, nous nous sommes assignés des missions, en menant plusieurs activités, en prenant des décisions importantes pour respecter le contrat qui nous lie désormais à la plénière.

C'est dans cette perspective que nous avons confié au Comité ad hoc la mission de faire une analyse de la situation institutionnelle, politique et administrative du Parlement et de faire au Bureau des recommandations conséquentes.

Ce Comité a produit un rapport en faisant des recommandations et des suggestions dont l'objectif est de trouver des solutions pour améliorer la situation administrative et financière du Parlement. À cet effet, le Bureau s'emploie à mettre en œuvre les recommandations.

Les actions menées à ce jour sont les suivantes:

Le Bureau a demandé le gel du fonds fiduciaire à la banque.

Un nouvel audit a été lancé et les auditeurs de l'Union africaine y ont travaillé avec pertinence. Ce dossier connaît une avancée notable et le rapport nous sera transmis dans les tout prochains jours.

Nous avons fait une demande d'une équipe d'auditeurs à la Commission de l'Union africaine pour la vérification des comptes du Parlement panafricain de 2004 à 2009. Les auditeurs ont séjourné durant le mois de mars au Parlement, et un rapport nous sera transmis très bientôt.

Nous avons fait une demande en personnels d'appui à la Commission de l'Union africaine, en matière de ressources humaines, juridiques et financières. Nous avons déjà parmi nous le Directeur-adjoint des Ressources humaines de l'Union africaine qui nous conseille dans ce domaine. La Conseillère juridique et les financiers sont attendus dans les prochaines semaines.

Nous avons lancé des appels à candidature pour le poste de Secrétaire Général et Secrétaire Général Adjoint, chargé des Affaires législatives et le processus vient d'avoir son couronnement.

Le Parlement panafricain a organisé du 14 au 17 novembre 2009 deux séminaires visant à renforcer les capacités des membres du Parlement panafricain, aux fins de les familiariser avec la nouvelle vision sur la transformation du Parlement panafricain. Le but était d'explorer les voies, les moyens et les modalités relatives au passage du Parlement panafricain d'un organe consultatif à un organe doté de pouvoirs législatifs. Les conclusions de ces séminaires vont servir de contribution pertinente que nous allons exploiter pour le processus de révision.

En application du Protocole au traité instituant la Communauté Économique Africaine relatif au Parlement panafricain, nous avons organisé une réunion avec la Communauté Économique Régionale de l'Afrique de l'Ouest les 23 et 24 novembre 2009 à Abuja, au Nigéria, en collaboration avec l'Assemblée Parlementaire de l'Afrique de l'Ouest. Ce séminaire qui est le quatrième à être organisé avait pour objectif d'élaborer un cadre visant à harmoniser les Communautés Économiques Régionales et les organes parlementaires, dans le but ultime de créer un cadre de réflexion pour une intégration continentale, comme prévu par l'Union africaine.

Lors des travaux, nous avons débattu des points suivants:

- L'évolution du Parlement panafricain et sa vision de l'intégration continentale;
- Le rapport sur le gouvernement de l'Union africaine et les Communautés Économiques Régionales comme structures indispensables pour l'intégration africaine;
- La transformation du Parlement panafricain en un organe disposant de prérogatives législatives;
- L'évolution et la compétence du Parlement de la CEDEAO et les enseignements à tirer;
- Les Accords de partenariat économiques en Afrique de l'ouest et leur impact sur l'intégration de la région;
- Un rapport sur les activités du NEPAD en Afrique de l'ouest et en Afrique en général;
- Et enfin le cadre pour réaliser l'harmonisation des politiques de l'Union africaine au niveau régional.

La réunion d'Abuja a connu la participation de 56 parlementaires du PAP et 21 membres de la CEDEAO. Elle était co-présidée par le Président du Parlement panafricain et Son Excellence Mahamane Ousmane, Président du Parlement de la CEDEAO. Y ont également pris part l'honorable Bankole, Président de l'Assemblée Nationale du Nigéria, le Président du Parlement régionale de l'Afrique de l'Est, EALA et les représentants de la Commission Économique pour l'Afrique et du NEPAD. Le dernier séminaire concernera la région d'Afrique du Nord; le Parlement entend l'organiser, cette année, dans un des pays de la région Nord.

Conformément à son mandat, et sur invitation de la Commission électorale de la République de Namibie, le Parlement panafricain a dépêché une mission d'observation électorale, composée de 18 membres du Parlement et de 11 membres du personnel d'appui. La mission a été dirigée par l'Honorable Ambrose Dery, membre du Parlement du Ghana et, bien-sûr, membre du Parlement panafricain.

Les objectifs sont conformes à l'article 2 (g) et (h) de l'Acte constitutif de l'Union africaine et l'Article 3 (3) du Protocole relatif à la création du Parlement panafricain.

Répondant à une invitation de Son Excellence Blaise Compaore, Président de la République du Burkina Faso, le Président du Parlement panafricain a pris part aux travaux du premier colloque sur le travail décent en Afrique qui s'est tenu du 1^{er} au 2 décembre 2009 à Ouagadougou, Burkina Faso.

Cette invitation est une marque de confiance et de reconnaissance à l'endroit du Parlement panafricain et le Président du p*Parlement panafricain était accompagné par la Présidente de la Commission Permanente de la Santé, du Travail et des Affaires sociales, l'Honorable Rose Effa Nguini et des membres du staff.

La 15^{ème} session de la Convention-cadre des Nations Unies sur les changements climatiques a eu lieu à Copenhague, en décembre, comme tout le monde le sait, et le Parlement panafricain a été accrédité à cette réunion à travers la Commission de l'Union africaine.

Toutefois, en raison de la limitation du nombre de participants des organisations intergouvernementales et non gouvernementales, la participation de certains membres du Parlement panafricain a été soutenue par leurs pays respectifs. Cette mission a été conduite par l'Honorable Mary Mugenyi, 2^{ème} vice Présidente, accompagnée de 8 parlementaires du PAP.

Les 15 et 16 décembre 2009, le Parlement panafricain était invité à Londres par le Centre des Études Parlementaires, dans le cadre d'une conférence sur « Les Commissions Électorales: Assurer la légitimité démocratique ». Pour coïncidence de calendrier, le Président du Parlement panafricain s'est fait représenté brillamment par l'Honorable Mama Kandeh.

À cette conférence, l'honorable Mama Kandeh a parlé des mandats et des objectifs d'observation des élections qui répondent aux dispositions de l'Article 3 de l'Acte constitutif de l'Union africaine, de l'Article 3 (4) des principes et de l'Article 21 des élections démocratiques de la Charte de la démocratie.

Sur l'invitation du Parlement Arabe Transitoire, l'Honorable Hammi Laroussi, 3^{ème} vice-président, a représenté le Parlement panafricain aux travaux de « la journée sur Jérusalem », organisée au Caire, le 26 décembre 2009. Les participants ont passé en revue les voies et moyens à même de contribuer à l'allègement des souffrances du peuple palestinien et ont appelé à la nécessaire reprise des négociations pour une solution durable dans la région.

Du 25 janvier au 2 février le Parlement panafricain a pris part aux travaux de la 19^{ème} Session ordinaire du COREP, de la 16^{ème} Session ordinaire du Conseil Exécutif et de la 14^{ème} Session ordinaire de la Conférence de l'Union africaine à Addis-Abeba, Ethiopie. La délégation du Parlement était conduite par le Président du Parlement panafricain.

Faisant suite aux propositions du COREP, quant à la réduction des budgets, l'Honorable Tidjani Serpos, Président de la Commission des Règlements, Privilèges et Discipline, a tenu à attirer l'attention des membres du COREP sur l'inadéquation d'une telle proposition qui risque de bloquer les activités du Parlement panafricain, en rappelant que l'inflation est annuelle, d'où l'augmentation des coûts de la vie économique dans nos différents pays.

S'agissant de l'observation des élections en Afrique, une recommandation a été avancée par le COREP et entérinée, par la suite, par le Sommet des chefs d'Etats qui demandent à ce que la mission d'observation de l'Union africaine soit unique et, à ce sujet, il est demandé à la Commission et au Parlement panafricain d'harmoniser de manière à ce que cette décision soit appliquée.

Les travaux de la 16^{ème} Session ordinaire du Conseil Exécutif ont été ouverts par Son Excellence Jean Ping, Président de la Commission de l'Union africaine. Selon l'ordre du jour, l'examen du budget de l'Union a donné lieu à un très long débat mais, en définitive, l'objectif croissance zéro a été retenu. Et c'est le budget 2009 qui a été reconduit au Parlement panafricain et avec, là également, une réduction de 320.000 dollars.

Le rapport d'activités du Parlement panafricain pour la période de juillet 2009 à décembre 2009 a été présenté par l'Honorable Bethel Amadi, 1^{er} vice Président. A travers ses propos, le 1^{er} vice Président a retracé les importantes activités entreprises par le Parlement durant ladite période.

La séance inaugurale de l'Union africaine a été marquée par la passation entre Son Excellence Mouammar Kadhafi et Son Excellence Bingu wa Mutharika, Président du Malawi et nouveau Président de l'Union africaine et la présentation du nouveau drapeau de notre institution continentale.

Le 14^{ème} Sommet de la Conférence a consacré ses travaux sur le thème « Technologie de la communication et de l'information en Afrique: défis et perspectives»

Aussi la Conférence a, par la suite, examiné et adopté les points inscrits à l'ordre du jour dudit Sommet et le Parlement panafricain qui avait organisé, en son temps, l'éparlement, a eu l'opportunité d'y apporter sa contribution.

À la suite de l'adoption, par la plénière, d'une Résolution portant création d'une Commission d'Évaluation Administrative —et Financière du Parlement panafricain, les membres de ladite Commission se sont réunis à Midrand, les 19 et 20 janvier 2010, pour élire les membres de leur Bureau et les élections se sont déroulées conformément à l'article 22 du Règlement intérieur. A l'issue des travaux, la Commission a élu son Bureau composé comme suit:

- Honorable Jatta Fabakary, Président (Gambie)
- Honorable Nouganga Jean-Baptiste, vice-président (République Centrafricaine)
- Honorable Wubneh Emiru, Rapporteur (Ethiopie)

Le Bureau du Parlement panafricain a tenu sa quatrième réunion du 20 au 22 janvier 2010, sous la présidence de l'Honorable Bethel Amadi, Premier vice-président, en lieu et place du Président, retenu dans son pays pour des impératifs de calendrier. L'ordre du jour comportait 16 points.

Les 22 et 23 janvier 2010, les bureaux de la Commission permanente de l'Égalité en genre, de la Famille et de la Jeunesse et des personnes handicapées et de la Commission permanente de la Santé, du Travail et des Affaires Sociales se sont réunis avec la Fédération Internationale pour le Planning Familial. Le but de cette rencontre initiée par le Président du Parlement panafricain était d'établir une coopération entre le Parlement panafricain et la Fédération internationale de planning familial - région Afrique.

À l'invitation du Président de l'Assemblée nationale de l'Afrique du Sud, le Président du Parlement, accompagné du deuxième vice-président ont pris part au séminaire consultatif entre le Parlement d'Afrique du Sud et ses partenaires, notamment l'Union européenne du 17 au 19 mars 2010 à Cape Town, en Afrique du Sud.

Sur la coopération entre le Parlement panafricain et le Parlement européen, une importante réunion s'est tenue les 22 et 23 mars à Bruxelles, et y ont pris part le premier vice-président, le second vice-président et 8 présidents de Commissions permanentes.

Honorable Parlementaires, Mesdames et Messieurs, ce sont là, résumés, les événements qui ont marqué la vie de notre Parlement entre le mois de novembre et le mois de mars 2010.

Je vous remercie.

(Applaudissements nourris)

THE PRESIDENT:

Thank you, Mr. President of the Pan-African Parliament.

Hon. Colleagues, based on Article 32 of the Rules of Procedure, we cannot sit beyond 6 O'clock. Therefore, the debate on the presentation on the report will be done at tomorrow's sitting. Hon. Members, we have come to the end of our Business for today.

The House accordingly adjourned at 6.02 p.m. until 9.00 a.m. on Wednesday, 14th April, 2010.

Mercredi 14 avril 2010. OPRESTATION DE SERMENT THE PRESIDENT:

Hon. Members, it is now time for the administration of Oath in accordance with Rule No.9 of the Rules of Procedure. I, therefore, invite the Hon. Members to come forward for the Administration of Oath.

AN HON. MEMBER:

On a point of order, Mr. President.

THE PRESIDENT:

Hon. Colleague, we have not commenced the business of the day. Once we do that, we will take your point of order.

Let us proceed with the Administration of Oath.

The following Hon. Members took Oath of Solemn Declaration, signed and took their seats.

(a) Hon. Isaac Stephen Mabiletsa

(b) Hon. Dikgang Phillip Nakgalemele

(Applause)

THE PRESIDENT:

May I now invite the Clerk to read the second order of the day.

THE ACTING CLERK:

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THE PRESIDENT:

We shall now allow continuation of the Debate on the report of the President of the Pan-African Parliament.

2.ODÉBAT RELATIF AU RAPPORT D'ACTIVITÉS DU PARLEMENT PANAFRICAINHON. TOSKIN JOHNSON

BARTILE [UGANDA]:

Thank you, Mr. President, for giving me this opportunity. First and foremost, I want to thank the President of the Pan-African Parliament and the Bureau for the report that was presented yesterday. It is gratifying that we are able to get these reports early so that we keep track of what is happening at the Pan-African Parliament.

Mr. President, one will not lose sight in seeing the enthusiasm of the new Bureau in trying to see that we move this Parliament in the right direction. This is very encouraging. Those of us who have been behind you are very encouraged that we are seeing a change.

Mr. President, one thing that we must understand is that this Parliament belongs to us. It is our responsibility to ensure that it moves in the right direction. One of the principles of success of any organization is to believe in ourselves. We should really believe that we are the people who have been elected to be here at this very time. Therefore, we have the responsibility of pushing this Parliament in the right direction.

There is no other way.

Mr. President, one of the principles of success is that we cannot hire people to come and do things for us. We must be ready to do things ourselves. It is no longer time for us to look back and wait for the African Union Commission (AUC) to come and do things for us. We must do things for ourselves.

Yesterday, Mr. President, —we witnessed a very important function in the life of this Parliament. That is when we were introduced to a new team of workers who are coming to work with us. We are very happy. I was personally impressed by the detail which was followed. This showed openness and frankness. It further showed transparency in the appointment of workers for this Parliament. This must continue. I am happy with the new team and we pray that they will carry this Parliament forward.

Mr. President, I cannot forget to say that we still have a lot to desire in terms of personnel and the working of this Parliament. The working of the Committees is still a problem. Committees must get permanent Clerks so that we can carry forward the work of the Committees. Otherwise, without Permanent Clerks, it is not possible for us to do our work.

Mr. President, I would like to, once again, thank the Bureau for the report that we got. I pray that we will continue up to the end of this Session and move forward.

I thank you very much, Mr. President.

HON. RAKUOANE LEKHETHO [LESOTHO]:

President. Let opportunity to congratulate the Bureau for a job well done. It is, indeed, impressive that the new culture, especially of accountability and transparency has been manifested by the Bureau. Maybe, the English idiom that a new broom sweeps clean is applicable here.

Mr. President, it is also a very good coincidence that yesterday we witnessed the employment of the head of the Secretariat. This is good for the PAP and we really congratulate the team and hope that the Bureau and the Secretariat are going to work as a team. That is a very important signal that the hon.

Members would like to see. course, there is a saying in language, "Seeta sa khale ha lahloe" which means you dothrow away an old shoe because you might need to cut a piece off it, at one stage, and use it. In other words, we will still need the material and experience of the old Bureau Members and our ex-staff. This is why we should not just throw away the old shoe. Of course, we are all very happy with the new team that we have.

Mr. President, I think we must also have a serious internal retrospect in terms of the way PAP is operating, especially as regards our relationship with the Commission on anything that is being envisaged.

I am happy, Mr. President, that the representative of the Chairperson, Dr Maxwell Mkwezalamba, was here. That relationship and accountability by organs of the African Union to Parliament is symbolic to some of us. This is because we felt that even before PAP could venture into its oversight role in our different countries, the most important thing was that it should have an oversight role over the organs of the AU. I am impressed that we have started on the right footing and I think the relationship between the PAP and other organs of the AU, especially the Commission, should be strengthened. I think some of us are very happy.

I thank you, Mr. President and Hon. Members for your attention.

HON. KANTENGWA JULIANA [RWANDA]:

Thank you, Mr. President, for giving me the Floor to make my contribution.

Firstly, I also wish to congratulate the Bureau for the good work and a well presented report. Like my colleagues, I also wish to congratulate the Bureau for the transparent process that was reported to us yesterday, especially the fact that they took their time to record the details of how they went about the recruitment process. I pray that they continue like this. Like they dealt with the issue of recruitment of the head of the Secretariat, I hope the same process will apply even for the lowest level of staff. I do not mean the involvement of the Bureau, but that spirit of transparency, inclusiveness and the participation of a broad spectrum of people. There is also the idea of being able to give an account of what happened. If you are able to explain what you have done, I think that matters in terms of accountability. That is good practice that was started and I hope that it becomes a practice of the PAP.

Having said that, Mr. President, I also wish to congratulate the Bureau for the fact that the Commission has come to understand that it is important for them to follow some parts of the protocol like the PSC understanding that it is necessary for them to give their reports to the PAP. The Commission, for instance, understands that they need to submit their activity reports to the PAP. However, more needs to be done, not just on some parts of the protocol. They need to adhere to the different parts of the protocol. For instance, bringing their budget to us for debate and consideration.

Mr. President, secondly, it does not make much sense for us to listen to an account of what they have done when we do not know what they were supposed to do. We need to understand the projection of what was expected of them before we can understand their report. Then, we can make sense of whether they have or have not performed well before we understand how challenging it was. Yesterday, for instance, the issue of finances was cited as a challenge. This is an issue we all understand. We are aware of the global financial meltdown. However, we did not have an understanding of what had been projected.

Mr. President, it is a good practice if we continue maintaining this link. It is very good for them to report to us. However, we also need to see a reflection of what we do in their work. When the Permanent Representatives' Committee (PRC) is presenting its reports to the Executive Council and when the Executive Council reports to the Heads of State Summit, PAP is treated as a different entity which is good, but we do not see the inclusiveness of PAP in the general picture of it being part and parcel of the AU. If we could see that, we would very happy. We have not seen the work that PAP has been doing over the years being reflected. We do not know whether we have been making an impact or not. No wonder, at times, it was said that the impact of the PAP is not felt. We want them to understand what we have been doing just as we want to understand what they have been doing. We do not want to come here and make a show of it and praise ourselves and that is the end of it.

Once again, I wish to congratulate you and hope that it picks pace and continues on the same trend.

Mr. President, I thank.

HON. IYAMUREMYE AUGUSTIN [RWANDA]:

Je vous remercie, Monsieur le Président, de m'accorder la parole. Je n'ai pas beaucoup de choses à dire, sauf m'associer à ceux qui m'ont précédé pour féliciter le Bureau, pour le travail accompli.

Lorsque le Président a été élu, il a fait une déclaration dans laquelle il assurait la transparence et le partage des responsabilités. On pouvait croire, en ce moment, que c'était un slogan mais, à l'arrivée, il a montré que cela est passé dans la réalité.

Je voudrais donc le féliciter personnellement et particulièrement pour la visibilité qu'il commence à donner au Parlement panafricain, au vu des réunions auxquelles les membres du Bureau, même des membres du Parlement ont participé depuis l'élection de ce Bureau.

Ce qui reste, Monsieur le Président, c'est, comme vous l'aviez promis, de visiter les différents pays d'où nous provenons pour augmenter encore cette visibilité. Je pense que ce sera possible.

Quelqu'un a parlé aussi de la facilitation du travail des Commissions permanentes. Je pense que c'est le point faible de notre Parlement. On ne peut pas travailler si on n'a pas une permanence ou si on n'a pas la mémoire de nos délibérations; parce que, chaque fois que nous venons ici, étant donné le changement permanent des chargés de Commissions, des techniciens qui sont mis à notre disposition, souvent on ne trouve même pas les dossiers.

Le dernier point sur lequel je voudrais revenir est un effort de planification et de prévision de nos activités, car souvent nous recevons des invitations, quelques deux ou trois jours avant la tenue des réunions auxquelles nous sommes invités. Cela nous donne quelques difficultés avec l'administration de nos pays.

Bref, je félicite le Bureau et je prie que le progrès continue à aller de l'avant. Je vous remercie.

HON. DERY AMBROSE [GHANA]:

Thank you Mr. President. Firstly, let me congratulate the President of the PAP on an excellent report. It is an indication that the Bureau is up and running. I only expect that they maintain the tempo.

Mr. President, at our last meeting, we demanded for the substantive appointment of the Clerk and Deputy Clerk. The Bureau has accordingly responded. There was an exhaustive report yesterday on the interview process. I find that what came out of the process were appointments based on merit and within the rules of the African Union (AU). Professional appointments, as decided by the Executive Council at its 3rd Ordinary Session of 4th to 8th July, 2003, in Maputo, Mozambique, dictated that there should be four professional appointees per country. These appointees were within those limits. That is very welcome.

Mr. President, furthermore, the appointment of a lady as Deputy Clerk, in my opinion, is in consonance with the activities that the AU has declared; declaration on gender equality in Africa and a roadmap on the programme on the African Women's Decade (2010-2020). The women of Africa represent more than 50 percent of the population. So, we really need to catch up to rectify the situation. The appointment of a woman as Deputy Clerk is very encouraging. However, we should let them understand that they are not coming for a tea party, but are coming to join a team to make sure that we establish an image that will be respected within the continent and beyond.

Having said that, Mr. President, let me now go to one of the decisions that was reported, which stated that the AU wants a Joint Election Observer Mission with the PAP. In principle, I respect that. That is Decision EX/CL/DEC. 534(XVI). However, there are challenges. The first challenge has to do with the report. It is stated by that decision that the plenary can discuss the report after it is approved by the Chairman of the Commission. I find that difficult to appreciate because, first of all, it means that if the Chairman of the Commission does not approve the report, the plenary cannot discuss it. We need to look at that.

Secondly, I agree that we should organize orientation courses for missions before they travel out in advance. However, the material conditions, where PAP Members are going to be given different conditions from those of the AU officers, becomes very difficult. If we have a team from the AU and it is consolidated, so should the material conditions. But if we have a House divided against itself, operating at two different levels, that is not healthy. These are the things we should point out to the AU.

Mr. President, finally, if the AU thinks that it is good to have a joint mission, it is also good to have joint delegations when the AU is dealing with the outside world. Why do we not have PAP because we represent the grassroots? That is where the process of integration will be enhanced. In my country, that sort of process has been given some room and is yielding some results.

Mr. President, these are the comments that I have to make within the three lean minutes you have given me. I hope that it will help enrich the debate.

Thank you very much.

HON. HAJAIG FATIMA [SOUTH AFRICA]:

Thank you, Mr. President. Thank you also for the excellent report for the period under review. It shows that the PAP has done meaningful and extensive work. It is like a breath of fresh air. We are maturing as a Pan-African Parliament because since its inception in 2004, we have had a number of teething problems. We thank the Bureau for the good work and especially the transparent and accountable way they are functioning. We pray that the new Secretariat will work well together with all staff and work efficiently.

We now need to ensure that we, as the Pan-African Parliament, link constructively with the other organs of the AU because the Constitutive Act requires that of us, especially interaction with the Assembly, the Commission, ECOSOCC, the APRM process and of course the Peace and Security Council among others. This is important because when we do acquire legislative powers, it is this organization, that is the Pan-African Parliament, that will debate and pass legislation for the smooth working of all organs of the AU to make sure that its objectives are met.

I thank you, Mr. President.

HON. SHEBESH RACHEL [KENYA]:

Thank you, Mr President. Let me add my voice to those who have congratulated the President and Bureau for the good work that they are doing. From the Report of the President, I would like to highlight a few issues.

Firstly, PAP now needs to critically look at the programmes that are in place. The programmes that are running within PAP must be able to have visibility, be transformational and must give us credibility. Therefore, I do not think it is necessary to engage in programmes that continue to give other sectors, for example, our partners, visibility but not PAP and the Members of PAP. I am especially concerned about programmes that will directly impact the African people through these Members of Parliament seated here.

Mr. President, you know very well that I have been championing the issue of climate change. I would like Members of Parliament here to champion the issue of programmes in their countries. New ideas that are coming up within the world should be piloted through PAP. These are programmes that are available. But the programmes we are now dealing with seem to be mainly about capacity building and not about real programmes that can impact the lives of the African people, whowould like to see programmes that Parliamentarians can take to the grassroots; to their constituencies.

Mr. President, on the conferences that we hold, we thank PAP for continuing to facilitate women to hold a women's conference every year. However, the young people of Africa have been feeling left out of PAP. Therefore, I would like to ask the PAP Bureau to consider holding a youth conference every year as well, to bring together the voices of the African youth. There should also be a conference for people with disabilities and also to bring up the minority voices that need to be heard through PAP.

Lastly, Mr. President, I would like to speak about rthe visibility and credibility that PAP is getting, especially amongst the Speakers of National Assemblies. I thank you for the Speakers' Assemblies.

We also need to be recognized within the Executive Council through our Foreign Affairs Ministers. It is also important that you start giving us credibility in our national assemblies and eventually in the Summit so that even our Heads of State realize that we do not come here to shop, but to do serious work. As such, when we raise issues on the Floor of the House, as PAP Members, we will be taken a bit more seriously.

I thank you, Mr. President.

(Applause)

HON. LASSANE SAWADOGO [BURKINA FASO]:

Merci, Monsieur le Président.

Hier, le Président du PAP m'a interdit la parole. Le Président du PAP, en me refusant la parole, craignait que les interventions remettent en cause les choix, du fait de l'existence de nombreux vices de forme et de fond. Tout était planifié pour arriver aux résultats qu'on nous a présentés. Mais, en me refusant la parole, il a non seulement violé des droits parlementaires individuels, mais aussi des droits collectifs, dans la mesure où j'étais le porte-parole de mon groupe parlementaire, celui de l'Afrique de l'Ouest.

Hier, j'ai entendu parler de l'Afrique du Sud, de l'ANC, de Nelson Mandela. Nous avons beaucoup de respect et de considération pour l'Afrique du Sud, qui fait honneur à tout le continent africain.

Concernant l'ANC également, nous avons beaucoup de considération pour ce parti qui a brillamment mené le combat contre l'apartheid et qui dirige l'Afrique du Sud sur la voie de la démocratie et de l'égalité raciale.

Quant à Nelson Mandela, c'est une icône pour l'Afrique entière. Il est un patrimoine à nous tous, il est un modèle pour nous tous. S'il était dans cette salle, il serait du côté de la justice et de la démocratie.

Si le PAP veut avancer dans la bonne direction, pour sa transformation en organe législatif, il faut que nous améliorions la démocratie interne et la transparence dans la gestion du PAP.

Il faut aussi qu'on ait beaucoup plus de respect pour nous, parlementaires, parce qu'en nous manquant de respect, on manque aussi de respect à l'ensemble des peuples africains que nous avons l'honneur de représenter, ici.

J'espère que ce qui s'est passé, hier, n'est qu'un simple incident de parcours et que le leader du PAP va pouvoir se ressaisir et réhabiliter son image qui est en même temps l'image du Parlement panafricain.

Nous avons tous l'obligation de faire honneur aux charges qui sont les nôtres. En tant que représentants des peuples africains, nous n'avons pas le droit de faillir dans l'exercice des missions qui sont les nôtres.

concerne l'Afrique de l'Ouest, vous nous trouverez toujours prêts à brandir le flambeau du panafricanisme et à porter le combat qui doit mener le peuple africain vers son unité véritable, dans l'égalité et le respect mutuel.

Je vous remercie.

HON. GAMALELDIN ABDELAHAD [EGYPT]:

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HON. SHEKU B. DUMBUYA [SIERRA LIONE]:

Mr. President, I thank you [...].

HON. SIRMA MUSA [KENYA]:

On a point of Order, Mr. President. Which list are we following because I was supposed to be before the previous speaker? It seems that is not the list that we have.

THE PRESIDENT:

Who is speaking?

HON. SIRMA MUSA [KENYA]:

Hon. Musa Sirma, Mr. President.

THE PRESIDENT:

Hon. Member, I am sorry. Your name is listed last on the first page. I must have omitted it. You will speak after Hon. Sheku Dumbuya.

Hon. Dumbuya, you may continue.

HON. SHEKU B. DUMBUYA [SIERRA LIONE]:

Mr. President, I would like to thank the Bureau for the presentation of what I would describe a very comprehensive report. It is good that the activities undertaken by the Bureau be reported to the plenary. That was precisely what was done yesterday.

Mr. President, I, however, will not commend the Bureau for the way the recruitment of the two Clerks was done. I do not want to question the way the interviews were conducted. I feel almost everything that is expected to be done was done. However, when it comes to the issue of selection, it was, indeed, said by the President yesterday that the presentation of the two candidates was part of the selection. Before the two candidates were presented, one would have expected that according to what conventionally obtains in other Parliaments, before the physical presentation of the two candidates, perhaps, Hon. Members of Parliament would have been given time to say a word or two about the choice of the people.

I was not in a position to question the choice of the Bureau. I am sure there was nobody who wanted to question the choice of the Bureau. As a matter of fact, we, as Hon. Members of Parliament, have every reason to be grateful to South Africa. But what we would insist on, as Hon. Members of Parliament, is that the rules be followed to the letter.

(Applause)

As Hon. Member of Parliament, we have to stick to what is right, appropriate and correct. Where there is any deviation from this, there is cause for concern. That is why I thought that yesterday the President was not right in denying the points of order that were to be raised by Hon. Members.

What is a point of order? It is a point of clarity. If procedure is not being followed, then, you raise a point of order. A point of order should be allowed. The President has the right to reply to a point of order. If he is not convinced as to its legitimacy or relevance, then he can rule it out. However, once an Hon. Member rises on a point of order, he or she should be allowed to give his or her point of order. This is what we must realize.

Mr. President, on the question of the Election Observation Missions, I commend the Bureau in particular for sending an election observation mission to Namibia. But, I am against the idea of giving something separate to the people from the AU and something less to the people that are representing the PAP. For all I know, we who are here at the PAP are elected by our people, but those in the AU are only selected as officials. Therefore, we represent the people. What has to be given to them has to be given to the Hon. Members of the PAP. I am of the view that when it comes to election observation missions, the PAP Members do better than some other people.

I thank you, Mr. President.

(Applause)

HON. SIRMA MUSA [KENYA]:

Thank you. Mr. President. First and foremost, I would like to laud the work which has been done by the Bureau so far. Your promise on your election on the platform of reform and transformation of this Parliament into a legislative body and also transparency are on course. We want you to move on and not look back and ensure that the goals you set from the word go are achieved.

Mr. President, I know that many people would not be singing the same song all the time. However, unless we move forward, because procedures are there - and I want to say, the hiring of the Clerk and the Deputy Clerk were actually so transparent that I wonder what kind of transparency we are looking for.

(Applause)

Was this not an extension of the politics we have in this House? Let us support the Bureau so that they can concentrate on giving us more services than we have been getting.

The problem we had was the lack of confidence by the Assembly and the Council of Ministers in PAP. When you hear the AU now wants to join PAP in observer missions, you should know that they have no confidence in you. This is because of your past misuse of funds and lack of transparency. You want to come and debate your report, which you have doctored, and nobody is aware whether you participated or not. Gaining the confidence of the AU should be your first priority if this Parliament is to progress.

Mr. President, we want you to move ahead and implement whatever you promised us.

Thank you, Mr. President.

HON. OUADDADI CHEIKH AHMED EL-HEIBA [SAHARAWI REPUBLIC]:

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HON. MUKABARANGA AGNÈS [RWANDA]:

Merci Monsieur le Président, pour le rapport très concis, très clair et complet que vous nous avez soumis, hier.

Monsieur le Président,

Je voudrais aussi féliciter le Bureau pour avoir érigé en politique d'action la transparence et, ce, depuis son entrée. Ceci est un début parmi d'autres aspects qui ont été déjà constatés, expérimentés depuis le mois de mai. S'il y a encore des clarifications qui sont nécessaires, je conseille que la Commission des Règlements nous en fasse des propositions.

Monsieur le Président,

Je voudrais néanmoins attirer votre attention sur le recrutement. Le Bureau s'attend à voir accordée une attention à d'éventuels déséquilibres régionaux, ceci pour le corriger dans le recrutement pour les positions ultérieures et, si besoin est, que des mécanismes de discrimination positive soient mis en place.

Maintenant que les chefs de Secrétariat sont recrutés, nous conseillons, Monsieur le Président, que les contrats soient clairs, afin que les droits et les obligations de ces agents soient clarifiés et que l'évaluation soit faite après la période d'essai. Et cela a été à l'origine de litiges dans le passé. Que la fin de ces contrats nous soit soumis, dans le même contexte qu'ils ont été signés, que nous sachions que ces employés ne sont plus employés du PAP et qu'on n'ait pas l'information dans la rue, comme c'était le cas, la fois passée.

Monsieur le Président,

Nous devons nous embarquer dans un nouveau départ pour la gestion de fonds de cette institution. Cela, nous en payons le prix encore, puisque les activités de nos Commissions sont maintenant suspendues par les partenaires.

Je saisis l'occasion pour féliciter les Acting Clerks qui ont quand même pu faire un travail qui nous a aidés à continuer sans interruption.

Monsieur le Président,

En ce qui concerne la coopération avec l'Union africaine, notamment, en ce qui concerne les élections, il faut garder notre indépendance. Les résolutions que nous avons toujours prises ont contribué à la visibilité de notre institution, comme organe de contrôle de l'Exécutif. Cela doit être reflété. Coopération ne veut pas dire négation de votre identité et de votre mission. Cela donc doit être sauvegardé.

C'est ce que je voulais dire, Monsieur le Président et c'est sur cette note d'encouragement que je voudrais terminer mon propos.

Je vous remercie!

HON. KPARKAR EUGENE [LIBERIA]:

Mr. President, thank you for giving me the floor. I would like to start by thanking the President and the Bureau for the fortitude and tenacity that they have brought to this Parliament. I would also like to commend the Bureau for having recruited new members of the Secretariat. Owing to the fact that they were selected on the basis of merit and competence, I am of the firm conviction that their contributions will add dynamism to the work of this Parliament.

Mr. President, one of the cardinal reasons the progress of most African countries has been held back is the mere fact that employment is done on the basis of favouritism. If your brother cannot measure up to the task, do not hire him. If you do hire him, you will be doing disfavoured to not only yourself, but society as well.

Mr. President, what you have done is, in my candid opinion, a hallmark of transparency, accountability and fair play, which (¿)are universal benchmarks for performance.

Mr. President, I am quite baffled at the sharp reduction in the 2010 budget for PAP. In Column 26 of your report, you indicated that the Council also proposes to provide NEPAD and the Anti-corruption Commission with financial resources for their operations to be charged to the budget of the organs. On account of this, the budget of PAP underwent a further reduction of US\$320 000. It is quite unfounded, unfair and inimical for our budget to be reduced because of NEPAD and the Anti-Corruption Council. This unwarranted reduction has the proclivity to render us impoverished and dormant.

I would like to end my intervention by challenging you to invigorate your strength, lobby and charisma so that we can get an incremental budgetary allocation in order for the PAP to be more functional.

Thank you, Mr. President.

HON. LAHAI BERNADETTE [SIERRA LEONE]:

Thank you, Mr.

President. It is a pleasure for me to identify myself with the sentiments raised by the speakers before me on the good work that the Bureau and the President have been doing. I want to commend them. I also want to commend the Acting Clerk and those in the Bureau, who have held the fort. I hope that we will continue to cherish their good work and also call on their expertise as and when it is needed.

Mr. President, I want to congratulate the two appointees for the post of the Clerk, but most especially the Deputy Clerk. Her appointment is a crack in the glass ceiling of gender equity. I hope that she will bring both her professional experience and unique maternal instincts to PAP in that things will be done in a proper way.

Mr. President, let me congratulate PAP on their participation in the Copenhagen Summit, but most especially on the responsibility given to PAP to drive the African Conference on Climate Change, which is to be convened, maybe, this or next year. That is a clear manifestation of the confidence this regional world body has in PAP. It is now four months since the Copenhagen Summit, and I would like to know how far this responsibility has been carried out.

Mr. President, next is the issue of the budget. Yesterday, we spoke a lot on the deficiency of the budget of PAP. I think that is especially so on the budget lines relating to staff expenses and missions and holding of sessions which have been reduced to that of the 2009 level. This is unacceptable because the achievement of the PAP objectives have much to do with these sittings and the work of the Clerk. We must not accept this because this budget has not taken into account inflation because 2009 is quite different from 2010 in terms of inflationary activities.

Mr. President, last but not the least, is the membership of the attendance to the Copenhagen Summit. In as much as the Copenhagen Summit was on climate change, there are other committees in Parliament whose activities are related to climate change such as transport. We cannot talk of climate change without talking of transport, industry and energy, which are the major contributors of carbon-dioxide emissions in the atmosphere. So, in future, when such conferences are being held and they are cross-cutting, Hon. Members from other Committees should also be considered for attendance.

I thank you very much, Sir.

(Applause)

HON. JATTA FABAKARY TOMBONG [GAMBIA]:

Mr. President, let me also commend the Bureau for the detailed, concise and well presented report on the activities of PAP. I also hail them for implementing the recommendations of the ad hoc committee.

Mr. President, the selection of the Clerk and the Deputy Clerk was done yesterday. The detailed process in the selection is commendable. I have no business as to who becomes Clerk or Deputy Clerk of this institution. We demanded that the Bureau propose to Parliament the most qualified of all the applicants.

Mr. President, however, I am of the serious opinion that yesterday's process was flawed in that while a detailed selection process was tabled, Members had comments or questions to ask, but were denied the opportunity to raise them. The question was put to Parliament and the selection was done without comments from Parliamentarians. I am of the opinion that the Parliamentarians, here, are the ones asking for good governance, rule of law and due process.

Parliament should be the one break the abuse of power. I cannot understand when we cannot express this opinion in Parliament today. It is not a matter of who is the Clerk. We have acknowledged that the process, as we were told, was wholly transparent, but the process in Parliament was definitely flawed. I cannot understand when people say that it was very transparent. I had questions to ask, comments to make and issues to be cleared by you. I always have comments to make. Why should we be denied the opportunity to make these comments? Yet, we say that it is a good process.

I want to single that out. Despite the hard work that you put into the process of selecting the Clerk and Deputy Clerk, it is unfortunate that yesterday, the process was definitely flawed in my candid opinion.

I thank you for everything, Mr. President.

HON. BOUDINA MOSTEFA [ALGERIA]:

Merci, Monsieur le Président.

Je ne voudrais pas être complaisant, parce que d'un côté, le Président, notre Président du Parlement présente un rapport positif des activités du Bureau qu'il a conduites durant cette étape et de l'autre, j'ai eu le regret d'enregistrer un point noir au cours de la plénière d'hier.

La polémique que nous avons vécue hier a créé un faux clivage au sein de la plénière et un précédent très grave qui porte préjudice au fonctionnement réglementaire et démocratique de notre Institution dont vous avez la charge et la responsabilité, Monsieur le Président. Il vous était possible de conduire le processus à son terme, sans dégâts et en respectant les dispositions réglementaires.

Sachez, Monsieur le Président, qu'avec mes collègues du caucus de l'Afrique du nord, nous avons décidé de ne pas nous opposer au candidat de l'Afrique du sud, pour une motivation très politique. Son élection pouvait se faire sans problème, conformément au Règlement intérieur et d'une manière démocratique.

En rejetant les demandes des points de procédure, d'ordre et de clarifications, vous avez dépassé vos prérogatives et privé la plénière des siennes. C'est ainsi que la procédure que vous avez pratiquement imposée a créé la confusion et n'a pas permis à la plénière d'effectuer un vote responsable. Le mode d'élection utilisé relève de l'anarchie.

Vous avez pris en compte le tapage sur les tables - certains tapaient des deux mains - alors que notre Règlement intérieur prévoit le mode de vote à bulletin secret pour les membres du Bureau du PAP, des Commissions statutaires et, en plénière, le vote à main levée.

Monsieur le Président,

Pouvez-vous nous dire combien de voix ont été enregistrées « pour », combien de voix ont été enregistrées « contre », combien de voix ont été enregistrées « abstention » pour l'élection de ces candidats?

Je suis membre du PAP depuis 2004 et je n'ai rien appris de plus, pour renforcer ma longue expérience de parlementaire, que de taper sur la table pour approuver. Ce n'est pas sérieux! Moi, je viens d'un pays où, lorsqu'on tape sur la table, c'est pour protester.

Monsieur le Président,

Si vous aviez écouté les points de procédure, d'ordre et de clarifications, vous auriez eu connaissance des véritables préoccupations que voulaient vous exprimer les intervenants qui étaient d'avis qu'il fallait un certain équilibre, en matière de répartition des cadres du personnel d'encadrement et d'exécution entre les régions et les blocs linguistiques. Autrement dit, un Secrétaire général que nous avons accepté et que nous accepterons, qui est l'anglophone que vous avez présenté hier, un Secrétaire adjoint qui est arabophone et qui est en poste et un secrétaire général adjoint qui serait francophone. De cette manière, l'équilibre et la satisfaction seront donnés à tout le monde.

D'un autre côté, il y a d'autres personnels qu'il va falloir aussi répartir de la même manière, et selon les mêmes principes.

HON. BOCAR SADIKH KANE [SÉNÉGAL]:

Merci Monsieur le Président.

Monsieur le Président,

À l'instar de mon collègue qui vient de terminer, je ne veux pas faire dans la langue de bois. Je pense que les députés que nous sommes, ici, nous avons tous une égale dignité et nous représentons l'Afrique, au-delà du fait que nous provenons des parlements, avec plus ou moins d'avancées démocratiques.

Le parlement national auquel j'appartiens, m'a appris à faire les choses de manière démocratique et transparente.

Monsieur le Président,

L'incident qui a eu lieu hier m'a peiné, dans la mesure où j'avais une appréciation très positive du Bureau qui vient de s'installer.

Monsieur le Président,

Nous sortons des soubresauts; le Parlement a connu des moments difficiles, nous avons eu des blocages, nous avons eu des malentendus avec la supposée hiérarchie, avec l'Union africaine; tant de choses qui ont fait que, lorsqu'il y a eu ces changements-là, nous avons tous repris espoir, l'espoir de voir une équipe conduire le Parlement panafricain aux destinées que nous avons voulues, aux destinées que les pères fondateurs ont voulues.

Monsieur le Président,

L'incident d'hier est regrettable, et je pense que c'est une parenthèse que nous allons fermer. Il est inadmissible de vouloir priver la parole aux parlementaires. Le parlementaire est là pour parler et il faut qu'il parle car, c'est à travers les échanges que nous allons trouver un consensus.

Hier, moi, personnellement, j'ai vu depuis la matinée certains parlementaires s'agiter dans la salle, faire du lobbying. Ce n'est pas bon! Nous sommes tous embarqués dans la même barque. Nous devons travailler pour les résultats. Ce sont nos résultats à nous.

Monsieur le Président,

Vous n'avez personne contre vous, ici! Mesdames, messieurs, les membres du Bureau, vous n'avez personne contre vous, ici! Mais, travaillez et communiquez avec tout le monde, et à partir de ce moment, s'il y a des points divergences, nous allons les dépasser.

Moi, je voulais évoquer des points, hier: l'équilibre régional, je voulais l'évoquer. L'équilibre linguistique, je voulais l'évoquer.

Un Secrétaire général, je pense qu'il doit parler au minimum deux langues. Et, tout cela, c'étaient des choses que je voulais souligner pour attirer votre attention, pour qu'on n'ait pas les mêmes problèmes par la suite. Mais, ce n'était pas pour remettre en cause les décisions qui sont déjà prises, parce que nous ne sommes pas là pour vous bloquer, nous sommes là pour vous aider à aller de l'avant.

Ceci étant dit, je vous félicite pour les nouvelles approches que vous avez mises en place, pour la bonne marche du PAP, pour les activités que vous êtes en train de mener. Je pense, notamment, à la granderéunion que nous avons eue à Abuja, avec le Parlement de la CEDEAO, qui a été un grand moment d'échanges entre parlementaires. Ces échanges nous ont beaucoup appris. Nous avons compris que nous devons continuer dans cette dynamique d'échanges entre les parlements régionaux.

Un autre point, Monsieur le Président, ce sont les Commissions techniques. Il faut qu'elles soient bien « achalandées » en termes de ressources humaines d'appoint. Je pense, notamment, aux secrétaires permanents. Il faut qu'il y ait une mémoire.

L'autre jour, au niveau de notre Commission, nous avons eu des problèmes, parce qu'à chaque fois que nous nous réunissons, nous avons un nouveau secrétaire. Donc, travaillons à avoir des secrétaires permanents.

Le dernier point, c'est la transcription des documents dans toutes les langues de travail du PAP. L'autre jour, au niveau de notre caucus, nous n'avons pas pu examiner les procès-verbaux, puisque les documents n'ont pas été transcrits en portugais. Et, je pense que ce sont là des points extrêmement importants sur lesquels vous devez travailler.

HON. NJOBVUYALEMA JOSEPH [MALAWI]:

Thank you very much, Mr. President, for allowing me to raise my point of order. The House is right now dealing with an Activity Report which covers a specific period of up to March 2010. So, the issue being discussed took place yesterday and is not a subject of debate as of today. If you check item No. 6. of the report, it is simply saying...

(Interruptions)

HON. NJOBVUYALEMA JOSEPH [MALAWI]:

Mr. President, can I be protected? We have to be professional in the way we handle matters here.

THE PRESIDENT:

Hon. Colleagues, allow him time to complete his point of order. Please, there must be democracy.

HON. NJOBVUYALEMA JOSEPH:

Mr. President, item No.6 of the report, and I will proceed to read it, bullet No.4 says: "We advertised vacancies for the positions of the Clerk and Deputy Clerk in charge of Legislative Business. The short-listing and interview of applicants has been carried out."

There is no further information. It would be unprofessional for Members to discuss the results of the interviews because it is not part of the report. This is more so because parliamentary democracy demands that Members should confine their focus to matters on the floor. What is being discussed here is not on the floor.

I am surprised that the Chair is not guiding the House accordingly. So, I would urge members to desist from repeating what transpired yesterday.

AN HON. MEMBER:

Thank you. I would like to respond to my colleague.

THE PRESIDENT:

Hon. Colleague, you can only raise your point of order. You cannot respond to his.

AN HON. MEMBER:

Mr. President, the point of order that was mentioned right now is relevant to all the reports that were presented to us to discuss in Parliament. However, what is happening right now is that we are discussing something that happened yesterday in front of all the Parliamentarians. There is consent among Parliamentarians that what happened here yesterday was not addressed adequately and we need to discuss it.

Mr. President, Parliamentarians should set what they need to discuss as an urgent matter. We do not want to come for the next session to find a report about what happened here yesterday and start discussing it. I would

rather we stopped all discussions and discussed this point right now and got it over and done with because it concerns a problem that occurred in Parliament.

Thank you, Mr. President.

THE PRESIDENT:

Honorable colleagues, my ruling is that Members are in order to discuss the issue because it was raised in a report. Any follow-ups on the issues raised in the reports can be discussed during Members' contributions.

May we continue.

(Applause)

HON. NKODO DANG ROGER [CAMEROUN]:

Merci, Monsieur le Président, de me passer la parole.

Monsieur le Président,

Lorsque vous avez présenté, vous-même, les critères de choix relatifs au rapport des activités, c'est avec grande euphorie que nous avons appris les activités qu'a menées le Bureau, ces cinq derniers mois.

Malheureusement, Monsieur le Président, nous sommes, ici, tous des hommes politiques. Nous avons besoin d'un technocrate et vous nous avez défini les critères qui ont prévalu à la sélection du technocrate devant nous assister. Mais, Monsieur le Président, nous ne pouvons pas passer sous silence ce qui s'est passé, hier, bien que certains pensent que ce n'est pas dans l'ordre du jour.

Vous nous avez présenté deux candidats. C'était, encore, à mon sens, des candidats que vous avez sélectionnés, avec des critères bien établis. Mais, hier, lorsque le premier candidat au poste de Secrétaire général a pris la parole, j'ai cru comprendre qu'il est sorti de la mission que nous attendions de lui. Il s'est présenté comme un homme politique, alors que nous n'avons pas besoin d'homme politique au Secrétariat général, et c'est là où le problème se pose, Monsieur le Président.

Nous avons besoin d'un technocrate pour nous assister, nous, les politiciens. Voilà le premier point.

Lorsque la dame a pris la parole, vous avez vu une dame qui, avec toute l'élégance et avec humilité, nous a dit: « si vous m'acceptez, si vous m'acceptez, voilà ce que je vais faire ». C'est ce que nous attendons de notre Secrétaire général.

Cessons de faire de la politique dans cette maison! Nous ne pouvons pas aller contre les décisions du Bureau. Nous supportons le Bureau mais, quand vous choisissez les gens, dites aux gens ce que sont leurs missions. Le Secrétaire général est un secrétaire général administratif! Premier point!

Deuxième point! Monsieur le Président, lorsque vous présentiez les critères et le panel, hier, je n'ai pas bien compris le rôle du Directeur du Cabinet dans le panel. Le Secrétaire général est supposé être le chef de l'administration. Le Directeur du Cabinet est en dessous.

Comment le Directeur du Cabinet peut assister dans un panel où on recrute un Secrétaire général? Soyons sérieux! Faisons les choses pour que nous ne puissions pas être attaqués demain.

Je crois, Monsieur le Président, que ce que nous disons est clair: vous avez fait le travail, vous avez débordé d'énergie, mais ce travail avait besoin que nous ajoutions de petits points de notre expérience. Voilà ce qui s'est passé et je voudrais dire: dorénavant, écoutez aussi les autres.

Nul n'a le monopole de la sagesse! Nul n'a le monopole de l'intelligence! Nous assumons tous des responsabilités politiques. Quand il y a un problème, essayons de nous écouter, pour que nous puissions dissiper tous les malentendus. Voilà ce que je voulais dire.

Je vous remercie, Monsieur le Président.

HON. CONIQUET RADEMBINO RENÉ [GABON]:

Merci Monsieur le Président.

Je vous remercie de me passer la parole. Je crois que tout a été dit et je suis satisfait du fait que, pour la première fois, le Bureau fasse un rapport de ses activités. La période était courte, mais nous savons ce qui s'est passé. Rien n'est parfait, c'est pour cela qu'il y a des critiques et cela fait partie de la politique que nous faisons ici.

Je suis particulièrement satisfait du fait de cette volonté de renforcer la capacité en ressources humaines du Secrétariat et je souhaite que cela se poursuive au niveau des Commissions; qu'il y ait un secrétariat permanent, quelqu'un l'a dit, pour qu'il y ait la mémoire de la Commission. Nous vous encourageons dans ce sens-là.

En ce qui concerne les finances, nous avons lu qu'il y a un audit de la gestion du Fonds spécial. Nous souhaitons que cela se fasse très vite et que le Fonds spécial continue à fonctionner, parce que le budget du Parlement panafricain n'est pas un budget qui peut nous permettre d'avancer un peu plus et d'en arriver à être un organe législatif. Il faut donc une certaine y«autonomie financière. Nous sommes là pour vous encourager à ce que cela se fasse le plus rapidement possible, et nous pourrions intervenir, chacun en ce qui le concerne, au niveau du Parlement de son pays.

Quelqu'un a dit que le budget a augmenté, ce n'est pas vrai. Le budget n'a pas augmenté.

C'est dommage que le secrétariat de la Commission de l'UA ne soit pas là, tout au moins le Président de la Commission. Un Parlement, c'est l'organe principal de décision dans une organisation comme l'Union africaine. Donc, nous méritons, je crois, de la part de la Commission de l'UA et des institutions les plus élevées, la plus grande considération. On doit nous faire confiance!

Maintenant que la transparence apparaît, je pense qu'il faudrait que toutes les institutions sachent que le Parlement panafricain est en train de franchir une étape et que nous méritons plus que ce que nous avons actuellement.

Voilà, ce que j'avais à dire, Monsieur le Président, avec mes félicitations, pour la marche que vous voulez imprimer pour l'avenir de notre institution.

Je vous remercie!

HON. MOHAMED MUSTAFA BEDREDDINE [MAURITANIA]:

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HON. MOHAMED RAJAB [EGYPT]:

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HON. CHITIKA MOLOBEKA ELIZABETH [ZAMBIA]:

Thank you, Mr President. From the outset, I would like to thank and commend you for a very informative activity report covering a period of five months. After going through this report, one is left with the impression that the Bureau is not sitting idle, but is active in ensuring that the activities and programmes we set ourselves to achieve are attended to. I congratulate you and, please, keep it. I can assure you that I do not regret voting for you and your team.

Mr. President, looking at the time allocated, it may not be possible for me to comment on most of the issues in the report. I will, therefore, confine my remarks to a few issues. The Members are aware and concerned that some cooperating partners who have been supporting us have withdrawn their support believing that their monies have not been accounted for properly. We anxiously await the auditor's findings and recommendations to clear the name of the PAP from any wrongdoing.

Mr. President, allow me to come to matters relating to the administration of the PAP. I would like to thank you and your Bureau for the bold decision taken to employ the Clerk and Deputy Clerk in a transparent manner. What happened yesterday is historic. We, as a Parliament, have set standards that we cannot compromise the principle of meritocracy for anything else and we want to commend you.

(Applause)

The low levels of staff at senior level made it difficult for the current hardworking staff to perform their duties efficiently as they were overloaded with work. The appointment of the two senior staff who are professionals will, therefore, alleviate the burden from the current staff and also answer the concerns of our development partners who always insisted on seeing a strong administration at PAP since the departure of the former Clerk and his Deputy.

Lastly, Mr. President, regarding the evolution of the PAP into a legislative organ by 2011, it is my belief that PAP can make use of the regional caucuses which should be given financial support to solicit for this PAP goal through the creation of focal points at all national Parliaments and meeting of Ministers of Foreign Affairs in their respective countries. If this programme is sold and supported by our development partners, it is going to achieve our goal of becoming a legislative body by 2011.

I thank you, Mr. President.

(Applause)

HON. MAMDOUH HOSNY KHALIL [EGYPT]:

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- a été validée après que tout le monde ait apporté sa contribution, et c'est une des activités contenues dans ce plan stratégique. La difficulté viendra probablement des finances.

Le Sommet des chefs d'État a pris une décision à laquelle nous sommes assujettis, malheureusement, celle d'unifier l'observation des élections en une seule équipe qui ne relève pas de la Commission africaine, mais une équipe de l'Union africaine avec des parlementaires du Parlement panafricain, des membres de la Commission de l'Union africaine et quelques membres des autres organes.

Toutefois, lors de nos échanges, nous avons bien dit que le Parlement panafricain, même étant membre d'une mission mixte, doit présenter son rapport à la plénière du Parlement panafricain, indépendamment de la destinée du rapport du chef de mission ou des autres composantes. Pour nous, il n'est pas question que des parlementaires panafricains participent à une mission d'observation et ne déposent pas de rapports devant la plénière. On a donc convenu, avec la Commissaire aux Affaires politiques, que les parlementaires déposeront leurs rapports au Parlement panafricain et s'en suivra un débat, comme par le passé.

Il y a des contributions très importantes par rapport à des nouveaux domaines dans lesquels le Parlement panafricain peut également apporter sa contribution. Nous avons institué une conférence annuelle des femmes, une conférence annuelle des Présidents des Parlements. Il y a aussi la proposition de faire une rencontre des jeunes et des personnes handicapées qui est une idée très importante. Si nous ne sommes pas limités par les moyens, le Secrétariat nous aidera à l'organiser.

Le rapport succinct que je vous ai présenté et pour lequel vous avez adressé vos encouragements - je vous en remercie, encore une fois - est la synthèse de nos activités. Beaucoup de points ressortant de cette synthèse présentée en plénière font l'objet de rapports détaillés qui accompagnent cette synthèse. Certains des rapports, comme la mission d'observation d'élections, vont être présentés, en plénière. Pour d'autres, ils sont compilés et mis à la disposition des parlementaires dans les différentes langues de notre organisation.

Les finances constituent l'épine dorsale d'un Parlement. Grâce aux capacités de persuasion de l'équipe du Parlement panafricain à Addis Abéba, le Vice-président en charge des Finances, le Président de la Commission Finances, le Président de la Commission Règlements et le Secrétaire général intérimaire ont pu convaincre la Commission technique, et nous sommes le seul organe à obtenir pour 2010, 9% d'augmentation du budget. Je félicite les parlementaires et le Secrétariat qui ont pu faire augmenter notre budget 2010 de 9%, par rapport à celui de 2009.

Quand ce budget est arrivé au Comité des représentants permanents, après un long débat, il a été décidé que la croissance soit zéro pour l'ensemble des organes de l'Union africaine. Nous qui avons eu 9% d'augmentation, ceux qui ont eu 2%, 5%, tout le monde a été ramené à zéro.

Quand on est allé à l'étape suivante - le Conseil exécutif -, on s'est rendu compte que les fonctionnaires du NEPAD ont été transférés à la Commission de l'Union africaine. Et, ce faisant, le budget du NEPAD a été réduit à un million de dollars symbolique. Il y a eu un débat, et il a été décidé que, quand bien même, le personnel du NEPAD est maintenant à la charge de la Commission et payé par la Commission, on ne peut pas laisser le NEPAD avec un million de dollars; il nous faut aller en trouver trois millions de dollars à ajouter pour le NEPAD.

Le nouveau Conseil de lutte contre la corruption, tout nouveau, n'avait aucun budget, et il a été décidé de trouver également un million de dollars pour le Conseil de lutte contre la corruption. Donc, il fallait faire une coupe sombre de quatre millions sur l'ensemble des organes.

L'organe, considéré comme le plus heureux est celui de la Commission africaine qui n'a pas connu, du tout, de coupe. Le second organe qui peut s'estimer heureux, c'est le Parlement panafricain qui n'a connu que trois cent vingt mille dollars de réduction, par rapport au budget 2009 et c'est cela le résultat, notre budget de 2009 amputé de trois cent vingt mille dollars.

La participation des parlementaires de la Commission Transport aux conférences sur les changements climatiques, c'est un sujet technique. Je le renvoie à nos experts qui sont les présidents des Commissions techniques, pour qu'ils s'asseyent et nous en disent la pertinence. Je suis d'accord, mais je ne veux pas me prononcer à leur place sur la pertinence que les parlementaires de la Commission Transport participent aux activités du changement climatique qui, en fait, est une activité transversale.

C'est le lieu de rappeler et de féliciter notre initiative qui est la création du groupe d'intérêt sur les changements climatiques, qui permet maintenant à tous les parlementaires de toutes les Commissions de se joindre afin d'apporter leurs contributions.

Nous avons demandé, de manière expresse et particulière, un audit, autre que celui régulier de la Commission, et des auditeurs internes de ladite Commission sont venus auditer l'ensemble de notre financement, aussi bien que les fonds venant de la Commission, mais surtout ceux mis à notre disposition ou gérés pour nous par nos partenaires. Le rapport, comme je vous l'ai dit, est attendu incessamment.

Honorables parlementaires,

Vous avez apporté beaucoup de mots de sagesse, et certainement que la manière de conduite de la plénière d'hier, par ma modeste personne a heurté certaines sensibilités. Je le lis à travers vos propos et je m'en excuse sincèrement.

(Applaudissements).

Je suis heureux que vous n'ayez pas mis en cause notre bonne foi, ni la transparence dans laquelle le choix nous a conduit à des personnes hautement qualifiées.

Je voudrais, également, avec votre permission, vous rappeler que ce n'est pas la première fois, dans cette Chambre, qu'on présente un candidat pour le poste de Secrétaire général et les comptes-rendus du Parlement panafricain font foi, avec plus ou moins de brouhaha. Cela s'est passé exactement. Je dis bien que les comptes rendus de nos séances faisant foi, cela s'est passé également de cette manière.

Le Secrétaire général du Parlement panafricain et les Secrétaires généraux du Parlement sont des personnalités très importantes pour la bonne conduite de notre Parlement. Il est indéniable qu'à ce niveau, trouver une bonne répartition géographique serait l'idéal. Trouver des personnes parlant, maîtrisant plusieurs langues de l'Union africaine, c'est l'idéal.

Toutefois, au-delà de la répartition géographique que les textes ne disent pas - les textes disent, par rapport au Personnel, qu'il faut qu'il y ait une répartition nationale, au niveau des différents États de notre continent -, au-delà de la répartition par État et de la connaissance des langues, le premier choix doit se baser sur les qualités managériales de la personne. Une personne qui a l'expérience et qui peut conduire le Secrétariat à bon port, je suis sûr, c'est la personne que le Bureau et les parlementaires veulent pour ce Parlement.

N'oubliez pas aussi que le nouveau Secrétaire général et la nouvelle Secrétaire générale adjointe chargée des Affaires législatives ont une année pour faire leurs preuves.

Au mois d'avril prochain, nous parlementaires, ce Bureau ou d'autres personnes à nos places, vont évaluer les Secrétaires généraux, vous rendre compte des résultats de leur évaluation. S'ils sont à la hauteur, ils reconduiront leur mandat, sinon, au bout de l'année, ils devront quitter. Cela aussi est contenu dans nos procédures.

Je voudrais dire, ici, que le staff qui est assis derrière moi, comme certains d'entre vous et comme le troisième vice-président l'ont dit, n'ont pas failli à leur mission, et ils ont cumulé plusieurs positions, pendant plus d'une année. Moi qui travaille, au quotidien, avec eux, je sais qu'ils ont le moral très haut et je sais aussi qu'ils vont continuer davantage à servir le Parlement panafricain et de servir mieux d'autant qu'ils vont avoir de nouveaux collègues qui vont partager avec eux les responsabilités.

Je me proposais de leur rendre hommage, à la fin de notre session mais, comme vous m'avez pris de cours, je suis tenu de le faire, en ce moment précis, et je vais demander à la plénière de rendre hommage à Monsieur Mourad et Madame Wawa qui ont fait de leur mieux, pour mener la maison.

(Applaudissements nourris)

Merci beaucoup, ce n'est pas un exercice de rattrapage, mais je l'avais prévu et, une fois de plus, à la fin de la session, on leur rendra encore hommage et on leur présentera cette distinction.

Je vous remercie sincèrement, du fond du cœur, pour toutes vos contributions, quel que soit l'accent, je sais que vous le faites de bonne foi, pour l'intérêt de la bonne gouvernance et dans l'esprit de la confiance que vous avez placée en ma modeste personne et au Bureau, j'en suis très reconnaissant.

Croyez-moi, nous tiendrons compte, en tant que Bureau, de toutes les observations que vous avez apportées.

Je vous remercie!
(*Applaudissements*)
THE PRESIDENT:

Thank you, Mr. President. I would like to thank all my colleagues for their comments, contributions and words of advice.

Like Mr. President said, we, in the Bureau, will continue to do whatever we can to justify the confidence that the Members of this Parliament have reposed in us. We still continue to seek your support and cooperation in achieving a greater Pan-African Parliament for a greater Africa.

I thank you.

May I now call upon the Clerk to read the third order of the day which we will take as our second order in order to allow our august visitor to attend to other assignments.

THE CLERK:

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THE PRESIDENT:

Honorable

Members, in accordance with provisions of Rule 38(1)(h), of the Rules of Procedure, may I now invite the International Labour Organization Director for Africa, Mr. Charles Dan, to enter the Chamber.
(*Mr. Charles Dan entered the Chamber*)

Hon. Colleagues, I call upon the International Labour Organization Director for Africa, Mr. Charles Dan, to make his presentation to the Pan-African Parliament.

Mr. Dan, please take the stand.

3.0PRÉSENTATION ET DÉBAT DE LA COMMUNICATION DU BUREAU INTERNATIONAL DU TRAVAILMR.
CHARLES DAN P. [REPRÉSENTANT DU DIRECTEUR RÉGIONAL DE L'OIT POUR L'AFRIQUE]:

Monsieur le Président,

Honorables membres du Parlement panafricain,

Mesdames et messieurs,

Au nom du Directeur général de l'OIT, Monsieur Juan Somavia, permettez-moi de vous dire combien nous ressentons votre invitation à faire une présentation sur « La situation du travail décent en Afrique » comme un privilège et un plaisir.

Merci pour cet honneur. Merci pour cette opportunité.

Pour nous à l'OIT, l'Afrique est un acteur clé et le Parlement Panafricain est un partenaire essentiel.

Félicitations, Monsieur le Président Moussa Idriss Ndele, pour votre leadership politique. Merci pour votre appui à l'action de l'OIT.

Et nous voudrions vous dire bravo à tous - honorables représentants des peuples de l'Afrique. Favorisant toujours le dialogue social, nous sommes fiers de voir en vous des pionniers de l'unité africaine par la concertation et le consensus.

Ce que nous voyons dans cette salle, c'est l'expression du potentiel politique de l'Afrique pour une croissance équilibrée - un développement partagé - une plus grande justice sociale - des entreprises durables - une main d'œuvre qualifiée - une économie verte - une mondialisation équitable - un travail productif et décent pour tous - Aujourd'hui, réunis dans cette assemblée, nous voyons une volonté commune africaine de vivre et de réussir ensemble.

Cette ambition vous honore et vous engage car vous représentez les rêves, les espoirs, les attentes de nos peuples; et nous savons tous que les hommes et les femmes d'Afrique, les citoyens, les électeurs, ne demandent pas la charité. Ce qu'ils demandent, ce sont des opportunités. Ce qu'ils demandent c'est un accès à l'emploi, des opportunités de travail pour avoir un revenu décent - pour nourrir et loger leurs proches - pour éduquer leurs enfants - pour offrir un avenir d'espoir à leurs familles, à leurs communautés, à leurs pays, à notre continent.

Dans cette perspective, le plus grand défi politique auquel nous sommes confrontés à l'heure actuelle est la crise mondiale de l'emploi et le déficit africain de travail décent. Ceci devrait être selon nous, un domaine prioritaire de coopération entre les parlements, l'OIT, les Nations Unies et les institutions de Bretton Woods.

C'est pourquoi, je suis heureux de rappeler ici, la participation du Président du Parlement panafricain au Colloque de l'OIT sur le travail décent, pour la mise en œuvre du pacte mondial pour l'emploi en Afrique, qui s'est tenu à Ouagadougou les 1^{er} et 2 décembre 2009.

Dans son allocution, en présence de leurs Excellences, Monsieur Blaise Compaoré, Président du Faso, Maître Abdoulaye Wade, Président du Sénégal, Faure Gnassingbé, Président du Togo et des mandants tripartites de l'OIT - gouvernements, employeurs et travailleurs -, le Président Ndele a rappelé avec force que « les parlements et leurs membres ont des responsabilités clés en matière de travail, d'emploi et de justice sociale. Leur participation est essentielle pour que se concrétise le principe du travail décent, au service d'une mondialisation juste ».

En effet, l'agenda de travail décent de l'OIT repose sur quatre objectifs stratégiques et interdépendants qui sont au cœur de votre mandat pour la paix et le développement en Afrique, à savoir: la création d'emplois, le respect des droits des travailleurs, l'extension de la protection sociale et la promotion du dialogue social.

L'on me demande souvent si le concept de travail décent n'est pas un luxe pour l'Afrique, si l'essentiel pour les Africains n'est pas seulement d'avoir un travail, n'importe quel travail, mais un travail. Non! Non, le travail décent n'est pas un luxe pour les Africains! C'est une aspiration universelle, car le travail n'est pas une marchandise, pour nous, en Afrique. C'est aussi une revendication politique.

L'Afrique a suffisamment souffert de la traite des esclaves, de la colonisation et du travail forcé, pour revendiquer, aujourd'hui, pour ses filles et ses fils, le respect de la dignité au travail.

Un travail, oui! Mais, un travail décent qui vous permette un revenu, en fonction des réalités de votre économie et de votre pays.

Un travail, oui! Mais, un travail qui vous autorise à dialoguer et à négocier pour faire valoir vos droits.

Un travail, oui! Mais, un travail qui vous permette de cotiser pour votre protection sociale, qui vous permette à la fin de votre vie professionnelle, d'avoir une retraite et de voir venir les choses, sans l'angoisse des lendemains imprévus.

C'est cela l'agenda du travail décent tel que défini par l'OIT, et c'est, aujourd'hui, un instrument international de justice sociale pour une mondialisation équitable. Et cette avancée doit beaucoup à l'Afrique, grâce au Sommet extraordinaire des chefs d'État et de gouvernement de l'Union africaine sur l'emploi et la lutte contre la pauvreté, tenue à Ouagadougou, en septembre 2004, qui a reconnu l'agenda du travail décent de l'OIT comme un agenda de développement.

Mais nous voyons, dès aujourd'hui, que, partout dans le monde, les retombées de la crise financière et économique globale représentent un défi pour l'aspiration à un travail décent pour tous.

Sommes-nous en mesure de relever ce défi, en Afrique? Oui! Oui, mais, pour cela, nous devons faire, avec réalisme, les analyses et des études pertinentes et engager avec courage les changements économiques nécessaires.

Mr. President and Hon. Members, decent work is at the heart of people's lives. There can be no political election without employment promises and no possible re-election without employment delivery. This is the political message of our peoples today.

To respond quickly to the call for more jobs is a priority in Africa in order to escape the trap of jobless growth. Indeed, Africa achieved relatively high growth rates in the last ten years culminating in a continent wide average of 6.4 per cent in 2007. Despite the high economic growth rates, Africa is still home to the largest number of

working poor in the world. ILO statistics show that the overall official unemployment rate in Africa has remained around 8 per cent for many years. This is less than the average unemployment rate in the Euro-Zone which reached 10 percent last month. Does this mean that Africa is better off than Europe in terms of employment? No. Our people simply do not appear in labour market statistics, whose validity is questionable anyway. They are forced, by circumstances, to work in the informal economy. This is also valid for Africa's youth. The youth unemployment rate in Africa increased from 14 percent to 14.4 percent in 2009 and the youth make up to 45 percent of the total unemployed of the continent. I submit to you that the official unemployment rate is politically meaningless in the current African context.

Much more telling is the rate of vulnerable employment. Vulnerable employment means that a worker, despite toiling for long hours under hard conditions, still does not earn enough to meet his most basic needs and those of his family. About 258 million men and women in Africa were in vulnerable employment in 2009 representing 70.3 percent of the total employment in Africa.

The ratio of women in vulnerable employment was 82 percent in 2009 against 63 percent for men. As a group, African women are still mostly concentrated in low paid and low skilled jobs in the service sector in the informal economy and in agriculture. This employment situation has been aggravated by the impact of the global economy and financial crisis.

The average economic growth in sub-Saharan Africa slowed down sharply from 5.4 percent in 2008 to 1.2 percent in 2009. According to many analysts, economic activity in Africa is expected to recover in 2010 to an average of 4.1 percent. Does this mean that Africa is coming back on track? No, because there will be no sustainable recovery without job creation in Africa.

The problem is that the major part of the inability of African economies to generate jobs can be attributed to the inadequate growth and lack of growth in labour absorbing sectors. The key policy issue at stake here is the sectoral composition of output growth. If employment is to grow fast enough to absorb the increasing labour force in African economies, we will need, with courage, to diversify the structure of our economies. Job creation cannot be perceived by policy-makers as a by-product of growth anymore, but rather as a primary objective of national development policies.

In the ILO, we strive for open economies and societies, but we have to acknowledge, with frankness, that the drivers of Africa's development are out of our hands. This is because commodity export revenues are outside driven, foreign direct investment (FDI) is outside driven, tourism is outside driven, official development assistance is outside driven and remittances for migrant workers are also outside driven. The reality, for instance, is that whenever we export our commodities as raw materials, we are exporting our potential for job creation.

In essence, we should work to ensure that our different economic sectors are integrated and mutually sustaining and supporting. What does this mean? Today, Africa needs a development paradigm shift to policies grounded in Africa's realities and interests. It means more utilization of African economies, more intra-African trade and more regional integration because globalisation begins at home.

Of course, there is no single answer or magic recipe, but we should never forget that there is no development without investment in human resources. It is the key role of leadership in Africa to put in place governance structures that ensure peoples empowerment. This is because whenever you empower people, you empower Africa. I would like, here, with great humility, to propose five policy directions to empower Africa's people.

Firstly, we should create opportunities for both women and men with specific reference to total gender equality and address any legal discrimination against women. This will require strategic policy directions to invest in education and workers' skills development, skills upgrading and re-skilling, productivity and sustainable enterprises. This means recognising the contribution of small and medium enterprises and micro-enterprises to job creation.

Secondly, we should establish a basic social protection flow by ensuring access to basic social services by the poor and vulnerable. According to the Chief Executive Board of the United Nations (UN) who took that decision on the 4th April, 2009, this basic social protection flow should consist of two main elements. The first of these is the services. This means geographical and financial access to essential public services such as water and sanitation and health and education. The second of these is transfers. This means a basic set of essential social transfers in cash and in kind paid to the poor and vulnerable to provide a minimum income security. This is a great ambition that the UN is going to undertake in the coming months. We will be organising a major conference on the 5th and

7th of October, 2010, in Yaounde, Cameroon, on the role of African leadership in promoting these basic social protection flows. We will, of course, extend, once again, an invitation to PAP.

Thirdly, we should guarantee workers' rights. I am proud to salute you all as African Parliaments as a vast majority of African countries have already ratified the ILOs eight core conventions on fundamental principles and rights at work. Together, we need to do more in enforcing their effective application. We should also promote other relevant international labour standards.

Fourthly, we should encourage organisation. Our poor and vulnerable people can gain voice and influence by joining forces with each other. This means encouraging social economies such as cooperatives, micro-credit institutions, mutual benefit associations and local development and community based initiatives as a connective bridge to bridge the formal and informal economy, which we have been opposing for too long.

Fifthly, we must engage in social dialogue at all levels as a strong basis for building commitment and confidence in our societies.

Mr. President and Hon. Members of PAP, we share all these values. That is why as the ILO Regional Director in Africa, I am so proud to address your Assembly today. We are also proud, as the ILO in Africa, to be associated with your great Pan-African ambition. We look forward to continuing this cooperation, including at the level of your technical Committees. We are at your service and disposal. Your role is key in the creation of opportunities, protection of rights, organisation of the people and dialogue at all the various levels. Your role is key in the empowerment of the African people. Empowering the people, once again, is unleashing Africa's enormous development potential in order to move ahead, win the fight against poverty and achieve our common goal; decent work for all in Africa.

Thank you so much for your kind invitation and attention.

(Applause)

THE PRESIDENT:

I thank you, Director of the International Labour Organization, Mr. Charles Dan, for your presentation. You may, please, take your seat.

The Pan-African Parliament remains the voice of the voiceless millions of Africans who suffer undue hardships at the work place; who are not sure of job security and equal pay for equal work. The PAP will work with you to protect the rights of the African workers.

Hon. Members, we will now begin debates on the presentation. I have a list of those who are interested to speak. Permit me to, please, reduce the speaking time to two minutes because our guest speaker has other pressing commitments.

I will, therefore, call on the first speaker on my list, Hon. Kparkar Eugene, from Liberia to make his comments in two minutes.

HON. KPARKAR EUGENE [LIBERIA]:

Thank you, Mr.

President. First and foremost, I would like to thank the representative of the ILO for his excellent presentation on the issue of labour and employment in Africa.

As we all know, the ILO is one of the organs of the UNs which is charged with the responsibility of looking into issues of labour. I would like to know what the ILO is doing to mitigate the appalling work situation in Africa since the issue of employment is one of its core responsibilities.

Mr. President, the second aspect has to do with the safety of the worker. I would like to pinpoint a particular issue, the safety of the worker at sea. As we all know, there is the issue of piracy at sea, especially on the Coast of Somalia and the Gulf of Aden. I would like to find out, from the perspective of the ILO, what measures have been taken to mitigate some of those works at sea.

Mr. President, thirdly, the ILO representative said that Parliamentarians need to work seriously to help address some of the employment issues facing the African continent. Often times, we parliamentarians enact laws [...].

HON. NJOBVUYALEMA JOSEPH [MALAWI]:

Thank you, Mr.

President for according me this opportunity to contribute to this important issue, which is on the floor. Before I say anything, let me commend the presenter for ably and explicitly presenting the report. It is unfortunate that I failed to get a hold of an English version, but I have just received it. However, I will raise one or two issues for the attention of the presenter.

When we talk about labour, we are talking about working collectively. It could be physical or mental labour. In this case, we are talking about all wage earning workers. However, the bottom-line is that the purpose is to alleviate poverty. Africa, as rightly mentioned, suffered a lot at the hands of the colonialists. However, there are concepts which are coming up like organizational or functional reforms which are resulting in phasing out some positions, so much so that Africans are experiencing redundancies or retrenchments. I do not think the report talks about what strategies the ILO is trying to undertake to address this issue.

Mr. President, there is also the issue of privatization of parastatals. I do not think there is serious mention about this. But if we go round member states in Africa, privatization is taking place all over, resulting in a situation where employees are being laid off.

I am very interested in item No. 39, which is the very last one. It talks about creation of employment...
HON. KANE BOCAR SADIKH [SÉNÉGAL]:

Merci Monsieur le Président.

Monsieur le Président, en deux minutes, il est très difficile de faire un développement assez intéressant.

Je remercie le représentant de l'Organisation Internationale du Travail, pour son exposé.

De cet exposé là, c'est une vieille habitude en Afrique, il ressort les problèmes criards auxquels nous sommes confrontés dans le domaine de l'organisation du travail, la sécurité des travailleurs, notamment les problèmes des Africains qui sont dans la diaspora et qui sont confrontés à des problèmes de droit et de sécurité.

Il y a quelques années, nous étions confrontés au phénomène d'émigration clandestine, et vous savez que ces travailleurs-là également sont laissés à la merci des employeurs qui le font également de manière clandestine, que ce soit en Europe ou un peu partout dans le monde. Je pense que ce sont des questions fondamentales sur lesquelles l'OIT doit se pencher. Je sais qu'ils sont en train d'y travailler, mais ils gagneraient, en tout cas, à divulguer les résultats de leur travail et à intégrer l'ensemble des données au niveau de nos différents pays, pour que cette problématique puisse être partagée.

On parle de l'organisation du travail en Afrique. Moi, je pense qu'avant d'organiser le travail, il faut qu'il y ait d'abord du travail. Or, en Afrique, je suis désolé de le dire, il n'y a pas de travail. Pourquoi il n'y a pas de travail? Parce qu'il n'y a pas de qualification.

Moi, j'ai fait mes études en Allemagne. J'ai constaté qu'au niveau de ce pays-là, à partir de la neuvième année de scolarité, 60% des jeunes sont orientés dans des filières de formations professionnelles. Donc, ce sont des gens qui sortent avec des qualifications. Et quand on a une bonne qualification, soit on est embauché par l'Etat, soit on s'installe pour son propre compte, soit on est dans une entreprise et on monnaie son talent.

Le problème fondamental de l'Afrique, c'est un problème de management des ressources.

HON. DERY AMBROSE [GHANA]:

Thank you, Mr. President. The way forward is the relationship between labour and Parliament and an effective regulatory framework.

Mr. President, firstly, we the global financial crisis because the United States of America relaxed their regulations and, therefore, trading derivatives went so high and there was a dichotomy between real economy and fiscal economy and in the end what we had was a collapse. So, like China and the other countries which survived, we should be very clear on regulations, but of course within an integrated African context.

We must also change our attitude in favour of investment against aid. If you have been following the recent events, you will be aware that Greece is in a crisis. The European Union (EU) tried to help, but abandoned it and it went and sold bonds. That was the right direction. In 2007, Gabon and Ghana started and that is the direction we should go; to private sector investment.

Finally, Mr. President, we cannot ignore China and the emerging powers in the economy and the consequences they have for workers' rights. Just this morning, if you listened to the South African Broadcasting Corporation (SABC), they are bringing in fake jerseys for the World Cup. They are becoming powerful and workers' rights are not respected in that situation. So, workers and Parliament need to work together to see how we will survive in this crisis. This is the way and we have to do that within an integrated African economy. This is a cry that we must all send to our various countries, but it is no easy task. Workers must be prepared to work and look forward to the challenges because, unfortunately, we do not run our own economies.

This is what I can do within your oppressive two minutes. Thank you, Mr. President.

HON. BAHARI ALI [KENYA]:

Thank you, Mr. President. I want to join my colleagues in thanking the presenter for a job well done. He covered almost all aspects of labour.

Mr. President, because of time, I will be very brief and, perhaps, raise my concerns.

Firstly, I did not hear the presenter mention the issue of urbanization and how rural-urban migration contributes to unemployment and lack of growth in Africa.

Secondly, Mr. President, I have not seen emphasis on medium and small enterprises as an engine of growth for Africa. I would have liked him to bring statistics on how these enterprises can move forward.

Thirdly, I would have liked him to mention the issue of income inequalities in Africa as an impediment to growth and employment.

Mr. President, finally, I would have liked him to raise the issue of the free labour movement within Africa or how unfree it is vis-à-vis, perhaps, the needs in Africa. He came out very well on the issue of inter-African trade. We were told yesterday that it is only at the level of 10 per cent. With the integration and improved infrastructure that is being put in place, I have no doubt that this will increase employment in Africa. The ILO is encouraging [...].

HON. MATAMISA ERIMENZIAH EDITOR [ZIBAMBWE]:

Thank you, Mr. President. I want to thank the presenter for his elaborate speech.

Mr. President, I believe that labour is the backbone of production, be it skilled, unskilled or semi-skilled; they all contribute to the national economies. Rightfully, these people should be paid accordingly for their sweat.

Mr. President, I believe that a living wage is one that is above the poverty datum line. This is a right for the worker. However, exploitation of men by men continues unabated. The ILO representatives are present in all our countries, but they are silent. The undemocratic governments in some of the countries in Africa disallow strikes and demonstrations. Workers are heavily punished for asking for what is due to them.

Mr. President, undemocratic governments exist, and PAP and the ILO should, together, continue to make noise and advocate for the implementation of international labour laws in protection of the downtrodden.

Mr. President, we talk of a living wage, but how many of us, as Parliamentarians, have thought of finding out how much farm labourers are being paid in our countries? Remember, we are the voices of the voiceless and the proponents of social justice. Our mandate is to stand up for social justice and ensure dialogue between employees and employers and that collective bargaining is not taken with suspicion, but that parties act in good faith. A healthy body equals a healthy mind and it also equals...

Mr. President, just allow me to go a bit further. I will finish very soon.

Mr. President, I would like to urge national governments to show political will in ensuring that workers are provided with a platform to lobby for their conditions of service. Indigenization in some countries should be a positive move towards controlling the national economy by nationals, but this has not helped. Instead, it is driving out would-be investors. In my country, for example, there is 51 percent ownership by indigenous Zimbabweans. This, in itself, is not a positive policy for would-be investors. Empowerment

programmes for the people are riddled with corruption. Only those at the top are benefiting from the national programmes in the name of empowerment. These programmes have been politicized to benefit only those from the ruling party.

Mr. President, governments are not working towards increasing jobs in industries, especially in my country where they continue to close shop due to bad policies. Zimbabwe has nothing to contribute to intra-African trade.

Mr. President, I thank you for increasing my time.

Thank you.

HON. SHEBESH RACHEL [KENYA]:

Thank you, Mr. President. I would also like to congratulate the speaker for giving us such a good insight. However, I would like to raise a few issues. I think the ILO should be in the forefront of creating new innovative employment opportunities in Africa.

Mr. President, there are new ways of creating jobs in Africa that our governments are failing to look at critically. I speak simply about issues such as the fibre optic technology and the opportunities it creates. We need to integrate this kind of job creation so that Africa can have more opportunities for its young people.

When we speak about young people, Mr. President, we must be aware that because of illicit cheap brews, we have a young population that is unable to be a productive workforce. Therefore, on the social aspect, we must restructure the social norms in our countries because our young people are becoming a labour force that cannot be depended on due to the illicit brews. As a result, they are joining militias where they are making money through illegal means. This is something that Africa must look at critically because it is a crisis in many countries and will soon be a crisis for Africa.

Mr. President, I would also like to talk about workers' rights. The workers' rights in Africa are deplorable. It is about time that more energy was put into this. Labour ministers from different countries must be brought together so that the rights of workers in countries such as Kenya where, for example, farm workers are not allowed to be visited by their wives during the week, can be upheld. It is archaic, colonial and unbelievable that this can happen in an African country up till today. This must really be looked into in the framework of Africa speaking for Africa and the African people.

I thank you.

HON. TOSKIN JOHNSON BARTILE [UGANDA]:

Thank you very much, Mr. President. I also join my colleagues in thanking the Director of the ILO for this very detailed report.

Mr. President, as we speak about unemployment in Africa, we must address ourselves to the question of industrialization. Unless we industrialize, there is no way we can create jobs for our people. So, the first way is to look at industrialization. Together with this is the question of what type of education to give to our youth. The education that we give to our youth must be oriented towards skills development. This should be the route we should take. As has already been mentioned, we must be creative in the way that we bring up our youth. The question of education is still very archaic and traditional and we just prepare our people for white collar jobs, even up to university level. If we continue like this, there is no way we are going to address the question of unemployment.

Mr. President, we have already noted that the majority of our people are in the agricultural sector. But how are we training people in this area? Do they have the skills? People still use very rudimentary methods of farming and, therefore, it makes agriculture not an employing sector yet this should be the right way for our people. The land is available and our people are able to use it without a problem.

Mr. President, as has been said, the youth must be guided properly. The issue of drug abuse, alcoholism and other forms of social diversions which are coming into Africa are killing the youth. We must guard our people and prepare them with the right skills.

I thank you, Mr. President.

HON. MUKABARANGA AGNÈS [RWANDA]:

Thank you, Mr. President. I want, first of all, with congratulations, to express a wish that we should have this paper so that the relevant committees can follow-up the crucial issues which have been raised.

Monsieur le Président,

Je pense effectivement que le travail et le droit au travail sont un droit économique important dans le monde moderne et je proposerais même que les institutions en charge du travail travaillent avec les commissions des droits de l'Homme. Le travail, c'est un droit et c'est un droit de l'Homme important.

Monsieur le Président,

Je pense que la corrélation entre le travail et l'éducation est évidente, mais souvent les statistiques nous manquent.

Pendant que l'Europe a des statistiques actualisées, l'Afrique traîne les pieds en donnant des statistiques adaptées.

Monsieur le Président,

La question du travail soulève beaucoup de choses:

- la création du travail;
- la disparité en ce qui concerne le genre;
- la gestion de la sécurité sociale;
- le fonds de la sécurité sociale, avec son corollaire du droit à la retraite; et surtout
- l'obligation pour les partis politiques d'exposer leurs stratégies de création de l'emploi.
- C'est vraiment important que tous les partis donnent des stratégies pour la création de l'emploi.

Enfin, Monsieur le Président, je regrette que le présentateur d'aujourd'hui n'ait pas parlé de la fuite de cerveaux qui quittent nos pays vers les pays européens. Je pourrais, certainement m'étendre un peu plus mais, le temps nous fait défaut.

HON. KANAGBARO III BAI KURR [SIERRA LEONE]:

Mr. President, I would like to thank the presenter of this thought provoking presentation.

Mr. President, when we talk of the ILO, I am sure we talk of development of the nations of the world, particularly the nations and people of Africa. When we talk of the ILO, we think of useful and gainful employment.

I want to ask the presenter, since the ILO is a UN organization, how the UN can synchronize the ILO with the policies of the International Monetary Fund (IMF), World Bank, Africa Caribbean Pacific-European Union (ACP-EU), and international financial corporations if they are going to think of a new economic order? How are we going to relate to foreign aid? The presenter mentioned various issues such as donor-driven policies, economies, survivors, opportunities, development, peace and democracies that fit the donors and world powers that lead to the brain-drain of the Third World.

Mr. President, when we talk of political economy, we have the reserved army of the unemployed. So, obviously, the capitalist system will have to create unemployment, so that they can tap from there. How can we build and develop our financial institutions? How can the ILO support banks, insurance companies, pension funds, mutual funds, securities exchange commissions and industrialization that will lead to an education that will fit the African people? These are issues that, we, the Africans, have to address. Without building our financial institutions, we can never survive as an industrial continent. They said that the United States of America's economy had collapsed, but what did they do? The Government of the United States is borrowing money from the American people to prevent the banks from collapsing and to provide money for the insurance companies [...].

HON. CISSE MOUSSA [SÉNÉGAL]:

Merci Monsieur le Président.

Monsieur le Président,

Je voudrais, à mon tour, remercier l'intervenant pour la clarté de son exposé et l'interpeller aussi sur les travailleurs ruraux.

Nous savons que la très grande majorité des peuples africains vivent dans les campagnes. Et, ce sont les seuls qui partent à la retraite, après plusieurs années de dur labeur, sans pension. Cela doit nous interpeller tous, parce

que ces personnes qui sont en âge avancé quittent leur emploi, non pas parce qu'elles partent à la retraite, mais parce qu'elles n'ont plus la force de travailler. Elles abandonnent leur travail sans être soutenues, sans protection sociale.

Aujourd'hui, dans certains pays africains, les acteurs ruraux sont en train de s'organiser en syndicats, pour défendre leurs intérêts, pour essayer de corriger certains manquements. Qu'est-ce que l'OIT, en relation avec les États, est en train de faire ou peut faire pour aider ces organisations à atteindre leur objectif qui est d'assurer une meilleure protection sociale aux travailleurs ruraux?

Je pense que si cela n'est pas fait, dans quelques années, nous risquons de perdre beaucoup plus de bras, de jeunes valides qui doivent faire le développement de l'Afrique et, qui aujourd'hui ont opté d'émigrer ailleurs, parce que l'emploi est précaire en milieu rural. À mon avis, ce qu'ils rapportent à l'Afrique, sous forme de devises qu'ils nous envoient, ne peut pas remplacer ce qu'ils auraient pu produire, si on les avait aidés à rester en Afrique. Donc, je voudrais savoir ce que l'OIT est en train de faire pour que problème soit résolu.

THE PRESIDENT:

Thank you very much Honourable Colleagues. I will now call upon the Director of African of International Labour Organisation Mr Charles Dan to quickly briefly respond to the comments from the Honourable Members.

Yes, you can do from your seat if you like.

Mr. CHARLES DAN [THE ILO REGIONAL DIRECTOR FOR AFRICA]: Thank you so much, Mr. President. I will try to be brief. First of all, I would like to thank sincerely and, as I said, with humility all the Hon. Members of the Pan-African Parliament for their comments.

One thing is sure, nobody can do it alone. Neither the ILO nor the UN can do it alone and that is why it is so important for us to interact with the leadership in Africa either at the legislative or governmental level and also at the level of our social partners and peasant workers and society.

I will reply briefly to the Hon. Members' questions. I will begin with the question from the Hon. Member from Liberia who asked what the ILO was doing to mitigate the employment issues in Africa. The ILO is advising and working with the Tripartite Consultative groups; the employers, workers and governments. Firstly, to create the movement. In politics, it is important to create the movement. That is why we are organizing a series of meetings. The last one was the meeting which took place in Ouagadougou on the implementation of the Global Jobs Pact in Africa. For the first time in June, 2009, in Geneva, all the countries of the world, from the biggest to the smallest decided to adopt the Global Jobs Pact. We are implementing it in Africa, hence, creating the movement.

Secondly, we have to create examples to show that it is possible and this is the importance of our technical cooperation. Of course, the ILO is not a financing agency so we have to try to prove to technical cooperation...

I will now comment on the question raised by the Member from Malawi. I will refer to the issue of privatization. What the global financial and economic crisis showed us was that the external policy advisers who come to our countries to advocate for the liberalization of our economies and structural adjustment are the same people who, when the global financial crisis came to their country, were asking for government support. What this means is that as Africa, it is time for us to develop our own African driven solution.

The Honorable Member of Parliament from Senegal

Je voudrais ici lui dire que oui, en effet, l'OIT gagnerait à distribuer les résultats de son travail sur l'émigration. Malheureusement, nous souffrons d'un déficit de communication auquel nous entendons remédier. Cependant, cette communication, encore une fois, sur le problème de l'emploi, sur le problème du travail et particulièrement du travail décent, je voudrais dire que nous devons la faire ensemble avec nos mandats tripartites dans les pays, car c'est eux qui tiennent le leadership pour régler les problèmes. Pas seulement l'OIT, mais à travers ses représentations dans chaque pays, avec ses mandats tripartites, le ministère du travail en premier lieu, les organisations d'employeurs, les organisations de travailleurs, qui méritent toutes d'être soutenues pour pouvoir réussir dans leurs tâches.

I wish to come to the question raised by the Hon. Member from Ghana. Yes, the ILO agrees about the dichotomy between the real economy and the financial economy. We have been told for so long that Africa's financial economy was not connected to the global financial economy. This may be so, but the reality is that the African

Real economy is directly connected to the global real economy. We can even say that Africa's real economy is even fueling the global real economy through our commodities.

Concerning the Hon. Member of Parliament from Kenya's question, a lot remains to be done in agriculture. The issue of urbanization is of concern to all of us, but, once again, it is only together that we will be able to address the issue, but, as I said earlier, the first point is to make the right diagnosis collectively.

As far as the Hon. Member of Parliament from Zimbabwe's question is concerned, I will take up the issue of the silence of ILO representatives on the ground. Sometimes, maybe, we are silent, but it does not mean that the ILO is not working. I will give the example of Guinea where we have been helping and supporting our constituents, starting with Mrs. Rabiyo Jalo who is a member of the ILO governing body and who is chairing the transition in Guinea. Next month, we will organize, a major meeting on social dialogue in the Development and Stability and Transition Process in Guinea with all the key actors. Sometimes, we are silent, but it does not mean that we are not striving and working with our constituents. Sometimes, we go public and we will do it. Therefore, it is just a question of political timing.

Concerning the other Hon. Member from Kenya's question, yes, the key issue here is more opportunities for young people. It is key for the social stability of our countries. We all know that there are huge decent work deficits in Africa, but, once again, we have to address these issues together.

As far as the Hon. Member from Uganda's question is concerned, all we can say is that we agree with him. Yes, industrialization is key, but we will have to move up the value chain and, of course, put emphasis on education and skills development.

Very quickly, I would like to end with the Member of Parliament from Rwanda and the Member of Parliament from Senegal's questions.

En effet, vous avez soulevé des problèmes importants, en particulier, la nécessité de reconnaître le travail comme un droit, à la fois, un droit humain et un droit économique. La question de l'importance de nos statistiques sur lesquelles nous travaillons avec les différents pays et du rôle, non seulement, —des gouvernements, des employeurs et des travailleurs, mais aussi, sujet très important, des partis politiques car, aujourd'hui, il n'y a aucune élection, aucune élection présidentielle en particulier, qui peut être gagnée sans articuler clairement, sans promettre un chiffre sur la création d'emplois; que ce soit vingt mille, cinq cents mille, un million ou cinq millions d'emplois. Ce qui veut dire, effectivement, que l'emploi est un sujet au cœur de la politique de nos pays.

Vous me permettez de terminer, Monsieur le Président, sur l'importance des sujets qui ont été soulevés par l'honorable membre du Parlement du Sénégal, concernant l'importance de l'agriculture, l'importance des travailleurs ruraux, mais surtout l'importance de l'extension de la sécurité sociale.

L'important ici, selon nous, est qu'on a trop considéré en Afrique la sécurité sociale comme un coût, au lieu de la considérer, avant tout, comme un investissement; un investissement dans la sécurité, mais aussi un investissement dans la productivité. Et c'est surtout sur ce sujet que nous travaillons dans énormément de pays à une échelle qui, bien sûr, mériterait d'être agrandie à l'extension de la sécurité sociale, non pas seulement dans l'agriculture, mais également dans l'économie informelle.

Si je n'ai pas répondu à des questions, Monsieur le Président, c'est par souci du temps. Mais, encore une fois, je voudrais dire, en remerciant le Parlement panafricain, en remerciant son Président, son Bureau et les Honorables membres, que nous considérons ce premier échange à l'OIT comme un début et certainement pas comme une fin.

Nous savons tous que, non seulement au niveau des Parlements nationaux, mais aussi des Parlements sous-régionaux et du Parlement panafricain, un tel débat sur les questions de l'emploi devrait se tenir chaque année, étant donné que le développement, la création d'emplois, de travail productif et décent sont avant tout un processus et un processus de longue haleine qui demande l'implication de tous les acteurs.

Merci infiniment, Monsieur le Président.

THE PRESIDENT:

I thank you very much on behalf of the Pan-African Parliament, the Director for Africa, International Labour Organization (ILO). I want to re-assure you that labour issues are on the front banner of discuss in this Parliament. Even in our proposals towards the transformation of the PAP as a legislative body, we have looked at

one of the domains as the free movement of labour and skill within the African Continent, as a domain of second legislative authority in the Continent. We thank you for your very beautiful submission.

Thank you very much.

I will now ask the Clerk to make some announcements.

THE ACTING CLERK:

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La séance est suspendue à douze heures trente minutes et reprise à quatorze heures quarante-et-un minutes sous la présidence de l'honorable Bethel Amadi, Premier Vice-président du PAP.

THE PRESIDENT:

Mr. Clerk, please read the fourth order of the day.

THE CLERK:

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THE PRESIDENT:

Thank you.

Hon. Colleagues, in accordance with the provisions of Rule 38 1(h) of the Rules of Procedure, I invite the Chairperson of the African Commission on Human and People's Rights, Her Excellency, Mrs Reine Alapini-Gansuo, to enter the Chamber. Okay, she is already in.

4.0 PRÉSENTATION ET DÉBAT SUR LA SITUATION DES DROITS DE L'HOMME EN AFRIQUE. S.E. MRS. ALAPINI-GANSOU REINE [PRÉSIDENTE DE LA COMMISSION AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES]:

Excellence Monsieur le Président, honorables députés,

Je voudrais avant toute chose, vous présenter toutes mes excuses, pour n'avoir pas été présente aux cérémonies d'ouverture de votre 2^{ème} session, qui s'est ouverte ce lundi 12 avril 2010. Cela a été indépendant de ma volonté, dans la mesure où moi-même, je devais présenter une allocution à l'occasion de la conférence sous-régionale, qu'organise en ce moment même la Commission africaine des droits de l'homme et des peuples, dans mon pays, le Bénin.

J'aurais d'ailleurs bien aimé être là au début, pour profiter de l'expérience du Parlement panafricain dans ce domaine, mais hélas!

Je profite alors de l'occasion qui m'est offerte pour vous présenter à vous tous, et à votre Bureau toutes mes félicitations pour la tenue à la bonne date de votre 2^{ème} session.

La Commission africaine a toujours privilégié la coopération avec les autres organes de l'Union africaine.

Je voudrais donc au nom de celle-ci et en mon nom personnel, vous garantir son soutien et sa disponibilité pour tout ce à quoi le Parlement panafricain sera amené à l'associer.

Ceci dit, Monsieur le Président, je m'en vais faire œuvre de ce qui m'a été demandé de faire au cours de cette 2^{ème} session de votre législature.

Permettez-moi de partager avec vous une petite préoccupation. Lorsque j'ai parcouru le programme de travail de votre session, en même temps que l'invitation qui m'a été adressée, j'ai compris qu'on me suggérait de faire une présentation sur les droits de l'homme en général, et déjà j'avais émis la réflexion sur l'immensité et l'importance du thème, sachant que nous sommes entièrement dans le temps de parole, et que par ailleurs le programme en lui-même ne pourrait jamais permettre d'appréhender la question. Je me suis aussi dit que c'est une question qui pourrait même faire l'objet de toute une thèse, parlant de la situation des droits de l'homme en Afrique.

Je pensais non seulement au cadre normatif des droits de l'homme sur notre continent, sachant que le texte fondamental qui sert de base au processus africain de promotion et de protection des droits de l'homme est la Charte africaine des Droits de l'Homme et des Peuples adoptée en 1981 et entrée en vigueur en 1986.

Cette Charte reconnaît les droits de l'homme et des peuples comme valeurs fondamentales et sacrées. En plus du rôle fondamental qu'a joué l'OUA dans l'abolition de la colonisation et de l'apartheid sur le continent, cette Charte a ouvert la voie à une évolution normative appréciable.

Je pensais aussi aux organes de mise en œuvre des droits garantis par les divers instruments juridiques de promotion et de protection des droits de l'homme sur notre continent et les diverses actions que ces organes entreprennent. Il est vrai que la CADHP reste l'organe que je connais le plus;

Je pensais aussi aux nombreux défis que pouvaient rencontrer ces organes dans l'accomplissement de leur mission et des opportunités qui pourraient leur être offertes dans le cadre des stratégies à mettre en œuvre pour leur donner plus de visibilité et d'effectivité.

Mais depuis hier, je me suis rendue compte à la lecture du nouveau programme qui a circulé que je devais plutôt m'entretenir avec vous de la situation des droits de l'homme sur notre continent.

Le sujet tel qu'il apparaît dès lors relève d'une obligation statutaire de la part de la CADHP qui, à la fin de chaque session extraordinaire doit présenter un rapport d'activités à la conférence des chefs d'État et de gouvernement. Et là, c'est l'article 54 de notre Charte qui le prescrit, appuyé par l'article 41 de notre règlement intérieur.

Ce rapport comprend aussi bien les activités de promotion, les activités de protection que les activités des divers mécanismes qui évoluent au sein de la Commission.

Ce que je ferais intégrera donc les conclusions de ce que la CADHP venait de présenter à la conférence des chefs d'États lors du 14^{ème} sommet des chefs d'État et de gouvernement, mais aussi une analyse globale de la situation des droits de l'homme sur le continent.

Mais avant cela, je trouve qu'il serait important de présenter tant soit peu la CADHP elle-même; quel est son fondement juridique? Quelle est sa composition et /quelles sont ses fonctions réelles?

Il faut aussi se poser la question de savoir quels sont les outils qu'elle a mis en place pour donner effet aux dispositions de la Charte qui nous confie sa mission.

Ainsi, je parlerai dans un premier temps de la CADHP, puis dans un second temps, je présenterai la situation des droits de l'homme sur notre continent du point de vue de notre CADHP.

Il sera fastidieux de faire le bilan des missions de la Commission mais pour les besoins de l'exposé, il y a lieu de s'attarder sur sa double mission de promotion et de protection, surtout en tant que mécanisme de mise en œuvre de la Charte.

C'est l'article 45 de la Charte qui donne à la Commission toute la dimension de sa double mission de promotion et de protection des droits de l'homme et des peuples. Il y est en effet dit ceci:

La Commission a pour mission de promouvoir les droits de l'homme et des peuples et notamment:

- a) Rassembler de la documentation, faire des études et des recherches sur les problèmes africains dans le domaine des droits de l'homme et des peuples, organiser des séminaires, des colloques et des conférences, diffuser des informations, encourager les organismes internationaux et locaux s'occupant des droits de l'homme et des peuples et le cas échéant, donner des avis ou faire des recommandations à la promotion et la protection de droits de l'homme et des peuples; S'agissant de la Commission africaine des droits de l'homme et des peuples, les dispositions pertinentes de la Charte qu'il faut retenir, ce sont d'abord les articles 30 et suivants de cette Charte, qui gouvernent;
- b) Formuler et élaborer, en vue de servir de base à l'adoption de textes législatifs par les gouvernements africains, des principes et règles qui permettent de résoudre les problèmes juridiques relatifs à la jouissance des droits de l'homme et des peuples et des libertés fondamentales;
- c) Coopérer avec les autres institutions africaines ou internationales qui s'intéressent à la promotion et la protection de droits de l'homme et des peuples;

- d) Assurer la protection des droits de l'homme et des peuples; dans les conditions fixées par la charte.
- e) Interpréter toute disposition de la charte à la demande d'un Etat partie, d'une institution de l'OUA ou d'une Organisation africaine reconnue par l'OUA;
- f) Exécuter toutes autres tâches qui lui seront éventuellement confiées par la conférence des chefs d'états et de gouvernement.

Quand ont lit l'article 45 de la Charte africaine des droits de l'homme et des peuples, Son retient deux missions fondamentales pour la Commission africaine des droits de l'homme et des peuples: promouvoir et protéger les droits de l'Homme.

Nous avons ainsi deux missions, mais ces missions me paraissent un peu secondaires, parce que, par rapport au quotidien de la Commission africaine des droits de l'homme et des peuples, c'est cette double mission de promotion et de protection que nous exerçons tous les jours.

La Commission africaine a aussi pour mission d'exécuter toutes les tâches qui lui sont confiées par la conférence des Chefs d'Etat et de gouvernements.

Pour donner effet à ces dispositions, s'agissant surtout de l'article 45 (1) et (2) de la Charte africaine des droits de l'homme et des peuples, la Commission africaine s'est faite une vision: d'abord, elle engage le dialogue constructif avec tous les acteurs, avec les États-partie, surtout au regard de l'article 62 de notre Charte qui fait obligation aux États-partie de présenter à la Commission africaine des droits de l'homme et des peuples, des rapports initiaux et périodiques, et aussi souvent que cela est possible.

Avec les membres de la société civile, le forum des ONG reste le creuset où la CADHP prend le pool pour mieux apprécier la situation des droits de l'homme et qui comble, si besoin est, des actions adéquates.

La CADHP s'est aussi engagée à créer une coopération avec ses homologues tant au plan régional, sous-régional africain, qu'au plan international. Elle entreprend à ce titre des réunions avec ces organes, mais aussi des activités de promotion avec eux. C'est d'ailleurs dans le cadre de cette coopération inter-organes que nous nous sommes fait le devoir d'honorer la présente session.

Mais pour en venir aux dispositions de l'article 45 de la Charte, la Commission africaine exécute de façon permanente sa double mission de promotion et de protection.

Pour l'économie de la mission de promotion de la Commission, il faut retenir qu'au titre même de la Charte, mais aussi au titre du Règlement intérieur de notre Commission, les membres de la Commission sont désignés sur la base d'une répartition linguistique, et sur la base d'une tradition juridique. Ces membres sont désignés pour entreprendre des activités de promotion dans les États-partie selon des calendriers établis de commun accord avec le pays hôte, et ceci, sous la supervision de la Commission de l'Union africaine.

Les membres de la commission peuvent aussi entreprendre des activités de promotion à l'extérieur des États parties. Et sur ce plan, la société civile nous aide à le faire.

Les membres de la Commission ont la charge de présenter un rapport écrit sur leurs différentes activités notamment, les pays visités et les organisations contactées durant l'inter-session. Ils ont en effet la charge de faire connaître la Commission dans son rôle de mise en oeuvre des droits garantis par la Charte.

Au titre du chapitre 15 de son Règlement intérieur, la Commission donne effet à l'article 62 de la Charte en recevant les rapports des Étatsparties sur la situation des droits de l'homme dans leurs pays .En effet, selon l'article 62 de la Charte, les États-parties doivent présenter des rapports et la Commission est en droit de les y contraindre.

Mais je dois avouer qu'à ce niveau, à peine depuis 1987 que la Commission africaine des droits de l'homme et des peuples a été créée, et a trouvé son siège à Banjul, nous avons, à ce jour, à peine 25 États qui sont à jour avec leurs rapports.

Il y a des États qui n'ont jamais présenté de rapport à la Commission africaine, et cela fera bientôt 25 ans pour la Commission africaine des droits de l'homme et des peuples. Il y en a qui sont en retard, mais ce qui est frustratoire, c'est que des États partie n'aient jamais produit de rapport initial à cette Commission là.

Pour parler de la mission de protection de la Commission africaine des droits de l'homme et des peuples, on peut retrouver cette mission dans certaines dispositions de la Charte africaine des droits de l'homme et des peuples, (article 46 et suivants). Mais ce qu'il faut retenir c'est que la Commission africaine peut recevoir des textes de la part d'un État-partie, contre un État partie.

La Commission africaine peut également recevoir des textes de la part des ressortissants des États partie sur des cas de violations des droits de l'homme perpétrées contre eux. Cette communication est prévue dans les articles 55 et 56 de la Charte, en relation avec les articles 102-120 de notre Règlement intérieur pour la procédure de cette communication.

Mais ce que nous retenons par rapport à cette communication que nous appelons par habitude des cas individuels, c'est que la Commission a déjà rendu, à ce jour, plus de 450 décisions dont les dispositifs ne sont que des recommandations. D'ailleurs à la dernière session, nous avons relevé que la Commission africaine des droits de l'homme et des peuples a examiné 79 communications, parmi lesquelles elle en a examiné 8 sur la saisine, 7 sur la recevabilité, et une sur le fond, et une autre en révision. Et ces décisions d'habitude sont attachées au rapport d'activités que la Commission africaine des droits de l'homme et des peuples est tenue de déposer à la conférence des Chefs d'État, au titre de l'article 54 de la Charte, et de l'article 41 de notre Règlement intérieur.

Ceci m'amène alors à présenter les moyens que la Commission africaine des droits de l'homme et des peuples met en œuvre pour donner effet aux dispositions de la Charte, et en rappelant aussi que, parlant des activités de protection de la Commission africaine des droits de l'homme et des peuples, nous détenons aussi ce que nous appelons les missions d'établissement des faits.

Et pour ma petite expérience, depuis mon arrivée à la Commission africaine des droits de l'homme et des peuples, nous avons seulement eu l'occasion d'effectuer une seule mission d'établissement des faits. Et quand nous parlons de mission d'établissement des faits, il faut retenir que les missions d'établissement des faits sont effectuées à la source d'allégations de cas avérés de violations graves ou de violation massives des droits de l'homme dans un pays.

Je le dis parce que depuis 2005 où nous avons effectué cette mission d'établissement des faits à la suite des événements qui se sont produits au Togo, nous n'avons pas vu à ce jour, des événements similaires dans d'autres pays.

Mais, le constat est que la Commission africaine des droits de l'homme et des peuples n'a pas pu effectuer des missions d'établissement des faits, eu égard à d'autres faits plus graves qui se sont produits dans certains pays en Afrique.

Il faut avant tout rappeler que pour prendre en compte certains droits spécifiques et pour pouvoir leur accorder plus d'attention, la Commission a créé des procédures spéciales en son sein depuis déjà plus de 15 ans. Ces procédures spéciales couvrent les domaines où la nécessité se fait sentir.

Cela ne voudrait pas dire que ce sont seulement ces domaines-là qui sont importants; surtout lorsque nous voyons combien de procédures il y a au sein des Nations unies par exemple. C'est que là aussi il y a des défis à relever liés aux moyens humains et financiers.

Retenons déjà qu'à ce jour, il y a 12 procédures spéciales fonctionnelles au sein de la CADHP qui couvrent les domaines suivants.

- Les droits des femmes en Afrique;
- Les droits des réfugiés, des personnes déplacées et des demandeurs d'asile;
- Le droit à la liberté d'expression à l'information;
- Les droits des défenseurs des droits de l'Homme;
- Les droits des personnes âgées et des handicapés;
- La question de la peine de mort;
- Les droits économiques, sociaux et culturels;
- Les questions liées aux) U (détentions et aux prisons;

- Les droits des populations autochtones;
- Les droits de l'homme et les industries extractives;
- Les questions liées à la torture, aux traitements humiliants et dégradants;
- Les questions spécifiques de la CADHP qui intègrent les questions administratives;
- les questions liées aux ressources financières et humaines de la Commission africaine.

La CADHP, ses groupes de travail et ses mécanismes spéciaux remplissent leur mandat par divers moyens selon que nous sommes dans un cas de promotion ou dans un cas de protection des droits de l'Homme.

S'agissant des activités de promotion, nous retenons les missions de promotion et les activités programmes de la CADHP, compter les activités pour lesquelles nous sommes appelés à participer de façon spontanée.

Parlant des missions de promotion, le grand défi est celui du refus tacite, je dirais, des États-partie, à recevoir les missions de la Commission africaine des droits de l'homme et des peuples, et à ce jour, il n'existe aucun moyen pour contraindre les États-partie à accueillir une mission de promotion de la Commission africaine des droits de l'homme et des peuples.

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s'agissant des activités de protection, nous avons comme outils de travail:

- des communications lettres;
- des appels urgents;
- des résolutions;
- les communiqués de presse;
- les déclarations.

Je ne vais pas rentrer dans les détails de ces moyens, mais je voudrais juste conclure à ce niveau, que c'est avec ces différents outils, en relation avec les États-partie, les ONGs, et les partenaires techniques, comme je l'ai indiqué tantôt, que la Commission arrive à se faire une idée de la situation des droits de l'homme sur notre continent.

Ceci m'amène à aborder la deuxième partie de mon exposé qui porte sur la situation des droits de l'homme sur le continent. Et comme je l'ai dit, je présenterais cette situation de façon globale, mais aussi par rapport aux thématiques que je viens d'indiquer tout à l'heure.

Au cours du dernier sommet, la Commission a fait noter que pendant la période qui couvrait son rapport, la situation des droits de l'homme est restée une source de préoccupations dans certaines parties de notre continent. Elle a relevé qu'elle a été particulièrement préoccupée par l'escalade des violations des droits de l'homme, et de la situation de ces droits dans certains pays comme la République Démocratique du Congo, la Gambie, la Guinée Conakry, le Soudan, le Niger et la Somalie, pour que nous ayons un peu une idée des causes profondes de ces violations des droits de l'homme.

Les rapports qui nous sont parvenus, de juillet à novembre 2009, et même après, nous permettent d'allonger cette liste et de conclure que les violations des droits de l'homme sur notre continent se présentent en dents de scie, et selon que nous sommes dans des situations de conflit, de post-conflit, ou dans des situations de difficultés politiques.

Nous avons aussi noté que les violations des droits de l'homme sont beaucoup plus perpétrées là où se posent des problèmes de démocratie et de bonne gouvernance, et là où se posent des questions d'alternance démocratique. Et cela est beaucoup plus exacerbé pendant les périodes d'élections.

Cela a été dit et redit hier. Il faut alors trouver des solutions courageuses à ces situations. Et à ce titre, je pense pour ma part que la Charte sur la démocratie, les élections et la gouvernance en Afrique sera un atout pour le continent et pour les populations africaines, si nous parvenons à avoir les ratifications qu'il faut.

J'ai aussi compris, par ailleurs, qu'une décision de la conférence des Chefs d'État semble déjà devancer les choses.

Parlant de cette Charte sur la démocratie des élections et la gouvernance, je puis dire que la Commission africaine des droits de l'homme et des peuples se fait à chaque fois le devoir de rappeler aux États-partie, surtout dans le cadre de cette visite de promotion, et dans le cadre de l'examen des rapports, leur devoir de ratifier les conventions de paix qu'ils ont eux-mêmes signées.

Sur les cas de violations manifestes des droits de l'homme, la Commission africaine des droits de l'homme a, par la passé, adopté des résolutions qui ont déjà fait tâche d'huile, et qui ont provoqué le tolet général. Mais cela ne lui a pas empêché de poursuivre sa mission. Tel fut encore le cas pour ce qui concerne la Guinée, le Niger, et tout dernièrement la Gambie.

La Commission a même lancé un communiqué de presse sur la situation des défenseurs des droits de l'homme au Maroc, connaissant très bien la situation de ce pays. Nous l'avons fait en toute connaissance de cause, en relation avec la situation des Sarahawi.

Au niveau de la Commission africaine des droits de l'homme et des peuples, nous pensons que les droits de l'homme restent un défi permanent, et qu'ils sont au carrefour de tout développement pour ne pas répéter que les droits de l'homme sont indissociables et inter dépendants. Il faudrait alors que les institutions en charge des droits de l'homme aient des mécanismes de veille.

La question qui me vient à l'esprit à cet égard est de savoir si la Commission africaine a aujourd'hui les moyens matériels, humains et financiers, pour mettre un tel mécanisme en place, et ceci de façon judicieuse.

Lorsque nous parlons de rôle de protection de la Commission africaine, les outils que celle-ci utilise sont déjà énoncés plus haut. Mais les décisions qu'elle rend continuent de poser des problèmes.

La Commission africaine des droits de l'homme et des peuples n'étant pas une juridiction, la Commission africaine des droits de l'homme et des peuples n'étant pas une Cour, cette décision ne se solde que par des recommandations, mais qui n'ont aucune force exécutoire.

Une étude a d'ailleurs démontré que seulement 14% des recommandations que notre Commission arrive à faire dans le cadre de cette décision sont mises en œuvre. Ce qui pose un réel problème des droits de l'homme. Alors, que faire lorsque les décisions de la Commission africaine n'ont pas force exécutoire.

Pour parler de la situation des droits de l'homme à travers les différentes thématiques, je dirais que cette partie de mon propos est importante, parce que nous devons avoir à l'esprit que les violations des droits de l'homme ne sont pas seulement perpétrées en tant de guerre, et que même dans des situations de paix relative, il existe des cas de violation des droits de l'homme.

Comment se présente donc la situation dans nos pays à ce jour? L'on pourrait tenter la réponse à travers chaque procédure spéciale au sein de la Commission africaine des droits de l'homme et des peuples.

Dans le domaine des droits des femmes, je pense qu'il y a encore un grand fossé entre les décisions politiques qui sont prises et le quotidien de la femme africaine. Il faut aussi noter que bon nombre de pays n'ont pas encore ratifié le Protocole de Maputo qui a aujourd'hui 13 ans.

De même, des droits des réfugiés, des personnes déplacées et des demandeurs d'asile, nous retenons que cette thématique existe du fait des conflits en Afrique, et que ce sont les populations qui restent les victimes innocentes de cet état de choses.

Dans tous les cas, notre continent reste le continent où l'on compte le plus de réfugiés qui viennent dans des conditions humainement acceptables.

Dans le domaine du droit à l'information et à la liberté d'expression, les mécanismes sur les droits des journalistes s'attèlent à dialoguer avec les parties prenantes, notamment avec les États partie.

Au cours de ces derniers mois, plus d'une vingtaine de communications ont été adressées à des États, dans le cadre d'arrestations arbitraires de journalistes incarcérés dans l'exercice de leurs fonctions. Ces cas ont été enregistrés par exemple en Gambie, en Érythrée, au Niger. On note aussi que par l'adoption de lois liberticides, les acteurs étatiques musèlent dangereusement ce droit fondamental. La Commission africaine est aussi en train d'entrevoir l'adoption d'un instrument juridique sous cette question.

Dans le domaine du droit des défenseurs des droits de l'homme, nous avons malheureusement enregistré trop de violations de droits de l'homme, liées à la liberté d'association et à la liberté d'expression.

Durant l'année écoulée, nous avons adressé plus de 96 communications lettres à des États partie sur des cas de violation, allant des arrestations abusives, des cas de tortures et de traitements inhumains et dégradants, des cas de refus de subventionner, des harcèlements judiciaires, jusqu'aux assassinats. Et ceci dans plus de 14 États partie. Ces violations sont perpétrées, aussi bien par des acteurs étatiques, que par des acteurs non étatiques.

Dans le domaine des droits des populations autochtones, le groupe de travail de la Commission a entrepris plusieurs travaux de recherches sur les formes de violation des droits de l'homme dont sont victimes ces populations, et indépendamment des autres droits fondamentaux les plus élémentaires. La Commission africaine retient entre autres préoccupations, les droits économiques sociaux et culturels de celles-ci, en relation avec la préservation de leur mode de vie.

Dans le domaine des détentions et des prisons, la Commission africaine retient que la situation en général est alarmante. Les centres de détention sont vétustes pour bon nombre d'entre eux et ne sont pas en phase avec la croissance démocratique et l'accroissement du monde carcéral. Les procédures sont aussi trop longues pour les détentions préventives et ce ne sont là que quelques exemples.

Dans le domaine de la peine de mort, le groupe de travail sur cette question réitère, à chaque session, la nécessité d'adopter des lois plus humaines en Afrique, en d'autres termes, des lois d'abolition de la peine de mort.

Pour nous, le temps des moratoires est révolu. Il faudrait passer à une étape supérieure. Il faudrait que les États prennent des décisions courageuses et respectueuses des engagements qu'ils ont pris au plan international et au plan régional. À ce sujet, la Commission a déjà rendu des décisions de condamnation contre certains États. Nous n'avons pas encore enregistré des lois abolitionnistes dans beaucoup d'États partie.

Dans le domaine des questions liées à la torture, aux traitements inhumains et dégradants, le comité qui travaille sur cette question œuvre à la vulgarisation des textes de la Charte et des lignes directrices de Robin Island.

Ce qui est clair, c'est qu'à ce jour, on note que les cas de tortures sont identifiés dans les centres de détention et dans les postes de garde à vue, dans nos commissariats de police.

Dans le domaine des droits des personnes âgées et des handicapés, le groupe de travail s'attèle à mettre en place une étude sur ces deux questions. Mais déjà un travail est effectué sur des projets de textes juridiques pour ces cibles-là.

Ce que nous retenons par rapport à ces cibles, c'est qu'aujourd'hui, nous mettons sous le couvert de la solidarité africaine, ces personnes n'ont pas besoin d'une attention particulière. Mais moins s'en faut, surtout les personnes handicapées aussi, surtout quand on connaît la relation avec le problème culturel dans nos pays.

Dans le domaine V-des droits économiques, sociaux et culturels, les comités installés sur cette thématique viennent d'élaborer des directives pour les États partie, et à ce titre, des activités sont en train d'être déroulées à l'endroit des parties prenantes pour la proposition desdites directives.

S'agissant des cas spécifiques des droits de l'homme, voilà ce que je peux dire, sachant que chaque question reste entière, et pourrait faire l'objet de longs débats et entretiens.

La grande question qui reste en suspens est de savoir quelles sont les stratégies que la Commission africaine devrait mettre en œuvre pour prendre efficacement en charge ces questions.

Nous avons tantôt parlé de moyens humains, matériels et financiers. Je ne reviendrais pas là-dessus, mais pour conclure, s'agissant surtout des relations que la Commission africaine devrait et pourrait entretenir avec le Parlement panafricain en tant que organe de l'Union africaine, je voudrais juste retenir en guise de conclusion, que nous pouvons exploiter quelques opportunités, et quelques opportunités spécifiques à ce que nous représentons au sein de l'Union africaine.

D'abord, sur la mission de promotion des droits de l'homme de notre Commission, je pense que la grande opportunité aujourd'hui, c'est la coopération qui se crée entre les organes de l'Union africaine eux-mêmes, et entre les organes de l'Union africaine et d'autres organes des autres régions et des Nations unies. En tout cas, l'expérience a démontré que l'Afrique a à donner, mais qu'elle a aussi à recevoir. En parlant de coopération, je pense à ce que nous pourrions faire sur la question des élections.

Une autre opportunité que j'entrevois et qui est d'ailleurs une obligation pour nous, c'est la mise en œuvre du principe de complémentarité, avec la Cour africaine des droits de l'homme et des peuples dans le domaine de la protection des droits de l'homme et des peuples. Donc, j'imagine que pour l'instant, s'agissant des relations que nous devons tisser, ces deux opportunités me paraissent importantes.

Monsieur le Président,

Honorables membres du Parlement panafricain,

Voilà, ce que j'ai à vous dire sur ce qui m'a été demandé de présenter s'agissant de la situation des droits de l'homme sur notre continent.

Je vous remercie.
(Applaudissements)
THE PRESIDENT:

Thank you very much Madam Chairperson of the African Commission on Human and People's Rights. Madam you may take your seat.

Hon. Members, you may now debate the presentation of the Chairperson of the African Commission on Human and People's Rights. I have before me a list of speakers. Each speaker will be allowed to speak for three minutes only.

HON. ZROUG BRAHIM SALEH [SAHARAWI REPUBLIC]:

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THE PRESIDENT:

Hon. Member, please, hold on. I think there is a problem with the interpretation.

AN HON. MEMBER:

There is no problem.

HON. ZROUG BRAHIM SALEH [SAHARAWI REPUBLIC]:

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HON. SOUEILMAN EL KAID [SAHARAWI REPUBLIC]:

Gracias Sr. Presidente.

Gracias a la Sra. Presidenta de la Comisión de Derechos Humanos de la Unión Africana.

Expreso también mi preocupación por la situación que citó mi compañero que habló antes que yo.

Es una situación en la que verdaderamente lo que se ha presentado en el informe de la Sra. Presidenta de la Comisión de los Derechos Humanos en África no expresa la situación de lo que está pasando actualmente en las zonas ocupadas del Sahara Occidental, por eso es una preocupación que hacemos un llamamiento primero por lo menos a los parlamentarios africanos a que sepan y a que estén con nosotros y vivan lo que vivimos en carne propia, la situación la que se está viviendo actualmente en las zonas ocupadas del Sahara Occidental.

Y que sepan también que su único delito es haber dicho que quieren una autodeterminación. Quieren ser libres y quieren vivir en paz y en prosperidad como cualquier pueblo.

Y esto es un derecho básico de todos los pueblos y de todos los humanos y por tanto la lucha de estos activistas, los últimos que citó mi compañero que llevan más de un mes en huelga de hambre y corren peligro sus vidas, es por el simple hecho de haber visitado a sus familiares, a sus familiares mas allegados, a sus padres, a sus abuelos,

a sus tíos que llevan más de treinta y cinco años sin poderlos ver y cuando pudieron hacerlo se meten presos y son víctimas de las represiones de todo lo que está hacienda Marruecos violando los Derechos Humanos y lo más básico. Y entre estos activistas habéis vivido, pienso y creo y espero que hayan vivido la situación que vivió Aminetu Haidar durante treinta y dos días de una huelga de hambre por haberla sacado a la fuerza de su ciudad natal del Aaiún separándola de sus dos hijos, de su madre y de todos sus familiares.

Y estuvo esta... Esta situación conmovió al mundo entero, al mundoentero y se solidarizó todo el mundo, desde los Estados Unidos a través de su Secretaria de Estado de Exteriores, desde las Naciones Unidas, desde África. Desde todo el mundo, desde Amnistía Internacional, desde los pueblos de África, de Europa.

Desgraciadamente no los pueblos del mundo Árabe, que ningún Estado, ninguna organización demostró su solidaridad con esta situación.

Por tanto esta es una activista de la que estoy hablando, es una activista que por su lucha por reconocimiento de los derechos los saharauis, Aminetu Haidar sido galardonada [...].

DUMBUYA SHEKU B. [SIERRA LIONE]:

Thank you, Mr. President.

Mr. President, we cannot talk competently or authoritatively about democracy ""without reference to human rights. I, therefore, submit that human rights and democracy are two sides of the same coin. Democracy cannot be truly delivered where there is no respect or regard for human rights. True democrats must ensure, therefore, that the rights of those whom they rule are not violated, jeopardized in any way or unduly interfered with.

Those who are guilty of flagrant violations of human rights are mostly dictators or those who do not have the legitimate mandate of the people, but have imposed themselves on the people by some foul or questionable means. There are instances of this in Africa.

Human rights violations are normally resorted to by those who want to prolong their rule or perpetuate themselves in office. The strategy here is that, by resorting to systematic brutalization of their people, the subject people will be afraid to oppose certain things they do which are not in conformity with traditional human rights norms.

By intimidating people in this way, opposition to tyrannical regimes is silenced. The AU must not allow this situation to continue. I would, therefore, suggest, here, that, those leaders guilty of consistent human rights violations must be ostracized, expelled from the AU and, where necessary, the AU must back any move by any powerful force, be it the army or not, to remove these errant leaders from power.

The removal of such leaders may be unconstitutional, but expedient and justified in the circumstances. As I said yesterday, it is at times necessary to do evil where good is the most desired outcome.

Mr. President, it is disheartening to hear that some state parties to The Human Rights Charter have never submitted reports on the state of human rights in their countries. This may well be explained by the fact that nothing positive has happened on that front.

What is more abominable, Mr. President, about human rights violations is to see how badly or cruelly women are treated by ruthless leaders. This is particularly deplorable because, in some cases where men, out of cowardice, have refused to point out certain wrongs in a political administration, women have stood up gallantly to call things by their right names. There arecases where such action by them has resulted in changing many an atrocious development.

For instance, it was the women in Guinea under Sekou Toure who called him to order by their sustained agitation. This was how Sekou Toure was made to soft-pedal on many a potentially explosive issue.

Thank you very much.

(Applause)

HON. OUADDADI CHEIKH AHMED EL-HEIBA [SAHARAWI REPUBLIC]:

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HON. OULD MOHAMED EL [MAURITANIA]:

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HON. LAHAI BERNADETTE [SIERRA LEONE]:

Thank you, Mr. President. Let me appreciate the presentation of the Chairperson of the African Commission on Human and People's Rights. Indeed, human rights are about development and are holistic in the sense that they deal with every aspect of a human being's existence. Therefore, there is a direct relationship between the observance of human rights by a country and the country's level of development.

Mr. President, I want to bring to the attention of this House a situation in Sierra Leone where ...

THE PRESIDENT:

Hon. Member, I think there is a problem with the system so just hold on. Is there an interruption with the system? Can you, please, switch off your mobile phones to ensure that we do not have a continued interruption.

Hon. Member, may you proceed.

HON. LAHAI BERNADETTE:

Mr. President, I want to bring to the attention of this Parliament the situation of the Guinean occupation of a part of Sierra Leone, Yenga, which has not augured well with the people of Sierra Leone. In as much as we appreciate the assistance of the Guinean troops in the Sierra Leone war, I think the war has ended and the disarmament, demobilization and reintegration (DDR) programme has ended as well. However, up to now, Yenga is occupied. Efforts at the regional level, through the Economic Community of West African States (ECOWAS), and the sub-regional level, through the Mano River Union, are yet to yield fruit in terms of the vacation of Sierra Leone by the Guinean troops. Those under this occupation are going through immense human rights abuses in terms of non-access to land for farming and economic activities. I wonder whether the Commission has any idea of this occupation and what has been done about it.

Mr. President, I agree with the Commission that the violation of human rights is pervasive during conflicts and elections. We have seen how, in various countries where there have been conflicts, women have been particularly targeted emotionally, sexually and so forth. Even in elections, women are sometimes abused by being denied the opportunity to contest or when they contest, the playing field is not level at all. So, this is important. In that regard, we have Resolutions 1325 and 1820 and recently Resolutions 1888 and 1899 of the UN which seek to protect, promote and prevent atrocities against women be it in times of war and conflict. I would like the Commissioner to tell us the relationship with the Commission and how they are effecting these resolutions.

Finally, individuals can report to the Commission as well as their governments. However, even in countries where there are human rights' commissions, it has been very difficult for individuals to take their cases to these commissions and for them to be effectively dealt with. So, one can wonder, at the continental level, how individuals who are poor, highly illiterate and may not necessarily know that these commissions exist and their role, can access justice at the continental level. These are my contributions and I hope I will have a reaction from the Commissioner.

I thank you, Mr. President.

HON. NJOBVUYALEMA JOSEPH [MALAWI]:

Thank you, Mr. President. I want to congratulate my colleague who presented this report. Without wasting much time, I will quickly raise my concerns.

Mr. President, my major concern is on cultural rights. I will be talking about something concerning our customary beliefs. In Africa, we have our own beliefs. When we talk about human rights, we are talking about a behaviour which is related to human beings as opposed to animals. In this case, we are talking about behaviour which is related to character and human behavior.

Mr. President, there are some issues which are happening in Africa that are against our customary beliefs. For example, the issue of gay marriages, which is not in accordance with the cultures of Africans. In Africa, we regard this as something which is not according to human behaviour. If animals do not do it, why should we do it?

Mr. President, we are aware that some countries are tolerating this on the basis of human rights. I do not know what the African Commission on Human and People's Rights is doing about this, but it is very disgraceful. I wish the Commission could give a statement about this issue because it is so disturbing.

Mr. President, the other issue I will point out concerns the freedom of dress and the way our young girls dress on the African streets. They are practically half naked, showing us their contours and valleys; for what purpose? If we go to our villages, we will not find our mothers dressed the way these young girls dress. That is happening on the basis of human rights. I wonder what the African Commission on Human and People's Rights is doing about this because it is changing the behaviour of Africans, who are copying the Western kind of behaviour. This raises a lot of concern.

Mr. President, Africans have their own values and these values have to do with traditions. If we do not maintain our traditions and simply sign charters without maintaining our customary beliefs, then the Commission is wasting time. It is not providing any good service to the member-states in Africa unless their mandate is redesigned. Otherwise, I am very concerned about what is happening morally to African girls, men as well as boys. It is so unbecoming!

Mr. President, those are the few comments that I had to make. I thank you.

HON. HAKAYE HAIKELLA [NAMIBIA]:

Thank you very much, Mr. President. I would also like to add my voice to those who have contributed before me in thanking the Commissioner for bringing information to this august House, which is wide, lengthy and deep as regards issues of human rights in Africa.

It is saddening that most of the human rights violations in African today are perpetuated by Africans themselves, against their fellow Africans, being women, children or the youth. It is high time that we addressed these issues as far as they are concerned.

I did not just enjoy listening to what the Commissioner brought to this august House, but would love to hear more on what the Commission is doing in trying to deal with those who are guilty of perpetrating some of these activities.

Mr. President, the human rights abuses in our continent are not far away from George Orwell's Animal Farm. It is about time we made laws to check those people who have, as their duty, always, to abuse others and get off scot-free.

I thank you, Mr. President.

(Applause)

HON. DERY AMBROSE [GHANA]:

Thank you, Mr. President. Let me thank the Chairperson of the African Commission on Human and Peoples' Rights for giving us a panoramic view of our record as far as human rights are concerned on this continent. The result is quite straightforward. Our performance, as a continent, in respect of human rights, has been abysmal.

A few indicators would support this. Since 1987, only twenty-five states are up to date with their reporting to the Commission and only 14 percent of the recommendations have been implemented. In the case of the protocol with respect to refugees, within thirteen years, we are still struggling to bring it into effect. So, clearly our performance has been poor.

Yes, some questions have been directed to the Chairperson and I believe she has an obligation to answer them. However, as far as I am concerned, it appears we are making her a hostage for our collective failure. We should begin to ask ourselves what we can do. I see this as a signal of worse things to come. When human rights are not respected and we do not meet our obligations, it is an early warning system that should set us into action.

Mr. President, what should we do? In my view, we, as PAP, should work very hard to promote the African Charter on Democracy, Elections and Governance, which was adopted at the 8th Ordinary Session of the African Union in Addis Ababa in January 2007. This is because it consolidates all the attempts at good governance and the rule of law. Until we have democracy, good governance and the rule of law, we cannot talk realistically about the implementation of human and people's rights on the continent.

So, what do we do? Here we are as PAP. With respect to the Commission, their budget has been slashed and they have no financial support to do what they are supposed to do. The question that we sometimes ask ourselves is how can we go to some of the offenders and ask them to contribute monies for us to solve their problem? Clearly, they will not contribute the monies.

I think, PAP, that this is one area where we need to appeal to our development partners. We need to educate our people and involve the civil society and our citizens in the various countries. After all, the Commission is a superstructure at continental level. How can we [...].

HON. RASHID ABDUL PELPUO [GHANA]:

Thank you, Mr. President. I advocate inclusion in our Standing Orders that when Hon. Members are about to speak, they should rise.

Mr. President, I want to preface my presentation with a quotation by a renowned African writer, who said: "It is no longer the foreign hawk on our alien chicken prey, but we on ourselves". He said that the foreigner is no longer the one who is oppressing us, but that it is ourselves. I am saying this because we have come a very long way, from slavery and colonialism until we said that we wanted to liberate and take care of ourselves. I remember what Kwame Nkrumah said. He said: "It is better to be in freedom in danger, than to be in bondage in peace". So, I believe, very strongly, that we need to do something about this.

Mr. President, the characteristics of countries that are found to be violators of human rights are that the people there are docile and they cannot raise a finger against the leadership. The people are always praising their leaders and support them even when they are wrong.

There are also certain characteristics of the people in leadership. They want to extend themselves into the future beyond recognition. They, therefore, breed children who will take over from them. They are people who are corrupt and who will stamp the ground to crush any opposition against them and we, as a continent, just keep quiet on this. After the report has been debated, we have to take a decision. We have to advise the AU that we need to do something about this issue. We can no longer tolerate countries which will not present reports and accept them as part and parcel of us. Human rights violation of every single person is a violation of the totality of Africa. We have to ensure that this does not occur in our life time.

Mr. President, as I said, we have come a long way. It is important that this idea is drummed home to every single African that it is unacceptable that in every single continent where people are violated, Africans form the majority of the people. We cannot agree to subject ourselves to these problems. We must rise from the situation of under privilege to that of privilege, where we can enjoy the inalienable rights that everybody is given by God. No man should determine the rights of anybody. The rights are determined already by God and we have to insist on them.

(Applause)

HON. HAJAIG FATIMA [SOUTH AFRICA]:

Thank you, Mr. President.

First of all, I would like to thank my sister from the Commission for her report.

Secondly, I would like to endorse the concern of the Saharawi. The right to self determination is unquestionable and the violation of the rights of the protesters is unacceptable going by what is happening in Morocco.

The report from the Commission is actually quite disturbing. It appears that human rights violations continue with impunity on our continent. My brothers and sisters, this is completely unacceptable. When we were under colonial rule, we raised our voices very loud and clear on violations of human rights. Why are we now silent?

We have serious challenges ahead. The Human Rights and Justice Committee of this Parliament must liaise constructively with the Commission and also go on some fact-finding missions to ascertain the gravity of these violations.

I also agree with most of what one of my brothers said on the issue of cultural practices. However, we do have, on our continent, good and bad practices. We need to weed out the bad practices and confront those issues because no traditional practice is cast in stone; it evolves.

Mr. President, in terms of challenges ahead, the AU has high expectations regarding making a real difference in human rights in Africa. It has already started by plugging the gap occasioned by the lack of a well articulated gender framework on women's rights and gender, which was lacking in the African Charter.

This has now been corrected with the adoption of the Women's Rights Protocol. A few concerns regarding the AU's ability to fulfill its mandate relate to the following:

1. The human rights mechanisms that lack the necessary resources and political backing to make a difference by compelling respect for human rights.
2. Organizational and financial challenges. That is a big issue.
3. Endemic poverty, unemployment, disease, corruption and ongoing conflicts.
4. Varying levels of development and governance by African states.
5. Very important [...].

HON. BUNDU KOMBE FLORENCE [SIERRA LEONE]:

Mr. President, I would like support the resolution on the human rights situation in Africa where the African Commission on Human and People's Rights, inspired by the principles within the Africa Charter on Human and Peoples' Rights, express appreciation that all member states of the AU are parties to the Charter. They decided to send a mission to Sierra Leone, my country, to seek information about the current situation there, and to undertake a dialogue with the existing Government, political parties and other structures in the country, and to make recommendations as appropriate. Such steps towards conflict resolution should be upheld.

Mr. President, today, in most African countries, there are very shaky reports of human rights abuse. Sadly, in all these reports, the most vulnerable people are women and children. In Africa, human rights violations come in various forms such as mass disappearance, slavery, torture and the denial of freedom of speech and the press.

Mr. President and Hon. Members, a debate of this nature is very important as we look forward to transforming this Parliament into a body with full legislative powers. Progress has been made to ensure that policies are upheld. Africa needs to develop constructive strategies, work with issues of violence, reconciliation, interest groups and devise mechanisms for sustainable solutions.

Mr. President, I want to emphasize that when we talk about human rights, this does not mean that we should lose our cultural identity. This is very important [...].

HON. MUKABARANGA AGNÈS [RWANDA]:

Je vous remercie, Monsieur le Président.

Je crois que l'intérêt du sujet aurait dû plaider pour qu'on ait quatre minutes, au moins, surtout que la liste est courte.

Monsieur le Président,

Je voudrais remercier le Bureau qui a pensé à inviter la Commission des droits de l'Homme.

La Commission Justice et droits de l'Homme avait déjà initié un partenariat avec cette Commission, parce que c'est un organe de bonne gouvernance et d'État de droit au service du continent. Le rapport de la Présidente confirme que certaines allégations qui nous ont été soumises sur certains pays reflètent une certaine réalité.

Monsieur le Président,

Je pense qu'il sied de recommander que cette Commission qui fait un bon travail, dans des conditions difficiles, devrait quand même rechercher des mécanismes de collaboration avec les autres organes de l'Union africaine, tel que le Conseil de paix et de justice.

Nous avons déploré que cette Commission n'ait pas assez de visibilité, sans doute à cause du manque de moyens. Elle a été absente dans certaines circonstances de violations flagrantes massives des droits de l'Homme, notamment, en Guinée, quand les gens étaient tués au stade. Quand on a entendu sa voix, c'était un peu tard, après l'intervention des ONG dont la crédibilité est douteuse, comme Human Rights Watch ou bien d'autres institutions internationales, qui ne sont pas continentales, comme la Cour Pénale des Droits de l'Homme. La Cour Pénale Internationale s'est exprimée, disant qu'elle est compétente pour faire des investigations sur la question.

C'est vrai que la Commission manque de moyens, mais elle peut utiliser des mécanismes simples, notamment, participer à des missions conjointes, quand d'autres organes qui ont des moyens ont commencé des investigations. Comme l'ECOWAS qui s'est promptement embarquée dans des questions du Niger et de la Guinée, je pense qu'elle peut se joindre à ces missions et faire des déclarations, en temps utile.

Monsieur le Président,

Quant à la question de promotion des droits de l'Homme, je pense que la Commission peut faire des recommandations sur le minimum de provisions standard dans nos constitutions et dans nos codes de procédures pénales.

Monsieur le Président,

Avec votre permission, je peux conclure et dire qu'il est, par exemple, normal que la Commission recommande que, dans nos constitutions et dans nos codes de procédure pénale, il y ait un minimum de temps pour garder une personne en détention, qu'il faut qu'elle soit assistée par un avocat, qu'il y ait un minimum de temps pour rendre justice. Comme le disent les Anglais, « Justice delayed is justice denied ».

Je m'arrête là, avec regret.

HON. TOSKIN JOHNSON BARTILE [UGANDA]:

Thank you very much, Mr. President, for giving me this opportunity to air my views.

First and foremost, I join my colleagues in thanking the Chairperson of the African Commission on Human and People's Rights. It is a big concern that throughout the report, there is an indication that we are not doing well in the area of human rights in Africa. This is very clear, both from the statistics and the practice. Even those countries which have assented to this Charter have not taken the initiative to do anything. Therefore, what we should be debating here is: What should we do in order to make this Commission do the work that it is supposed to do? Otherwise, this continuous lamentation of our failures to do what we are supposed to do will not take us anywhere.

Mr. President, I also want to hear from the Chairperson and the presenter of this paper, much as she has said that the Commissioners sometimes visit some countries where human rights have been violated, about an issue regarding Uganda where I come from. For 20 years we had a war in the Northern part of Uganda, which was orchestrated by the leader of the Lord's Resistance Army (LRA). He abducted young people in the hundreds of thousands and constituted them into the forces of the LRA. These children's rights were completely violated. Young children were taken and sexually abused. Others were involved in real war activities. This continued for so long, but, to my dismay, I am not aware of a time when the African Commission on Human and People's Rights has ever visited Uganda or even come to try to assist trace these children. Right now, the leader of the LRA, Joseph Kony, is said to be in the Sudan, Chad and many other countries with these young children. This is a big concern.

Mr. President, the other issue I want to comment on has been talked about by some Hon. Members. It is true, as the Hon. Member from South Africa has said, that not all our cultures are good for our people. Indeed, this year, the Parliament of Uganda came up with a law against female genital mutilation and one on domestic violence. However, recently, we came up with a law to outlaw homosexuality in our society.

HON. GBONE YAWOVI HONAM HENRI [TOGO]:

Merci, Monsieur le Président.

Monsieur le Président,

Je voudrais remercier Madame la Présidente pour son exposé. Le sujet est fort intéressant et préoccupant, s'agissant de nos pays, où dans la plupart des cas, nous ne sommes pas des champions du respect des droits de l'homme.

Je constate que la situation est aggravée par le fait que la Commission africaine n'a aucun pouvoir de coercition et qu'il y a lieu, à cet égard, d'agir pour lui conférer plus de pouvoirs.

Abordant quelques points particuliers, j'ai noté, Monsieur le Président, en premier lieu, que Madame la Présidente a indiqué que la Commission rend des décisions, même si celles-ci sont rarement appliquées.

Je voudrais savoir les textes sur lesquels se fonde la Commission pour rendre ses décisions. S'agit-il de textes supranationaux et acceptés par les États membres?

Deuxièmement, Monsieur le Président, Madame la Présidente a également fait l'apologie de la coopération avec les organisations sœurs des États membres. Je voudrais savoir les types de coopération dont il s'agit.

Ma préoccupation est surtout de savoir si la Commission fait quelque chose pour renforcer la capacité d'investigations et d'actions de ces organisations sœurs.

En troisième lieu, nous avons noté aussi que la plupart des États membres n'envoient pas leurs rapports périodiques à la Commission.

Monsieur le Président,

Je suis tenté de dire que c'est bien ainsi, car quelle crédibilité accorder aux rapports élaborés par les États eux-mêmes. Je crois fermement que pour faire un travail fiable et utile, la Commission doit s'organiser pour recueillir elle-même les informations sur la situation dans les États membres.

Je vous remercie.

HON. DLAMINI KUSA PRINCE [SWAZILAND]:

Thank you, Mr.

President. I think one should start by thanking the Chairperson of the Commission for the presentation. It was a real eye-opener.

Maybe, one should start by registering a general concern on the situation of human rights in Africa and the lack of commitment by member states to submit reports and further rejection. It is a pity, Mr. President, that financial resources are a challenge to the Commission. We would like to urge our developing partners to assist Africa in this regard.

Furthermore, Mr. President, may I call upon the Commission to be more visible in member states and go beyond in sending messages to be seen interacting at the grassroots level.

Mr. President, one further would call for an intense process of civic education on human rights in member states, particularly in countries like Swaziland that have a new constitution and have established a Human Rights Commission. As a country, we need and appreciate whatever support from the Commission.

Maybe, further, one should call on other member states to entrench Bills of Rights in their constitutions and establish bodies such as human rights commissions.

Mr. President, lastly, maybe, one should also echo support to other members that have raised the issue of integrating human rights in our traditional and cultural practices with a view to reviewing what we, as Africa, detest and encouraging what would assist Africa in its development.

Thank you Mr. Chairperson.

HON. JATTA FABAKARY TOMBONG [GAMBIA]:

Thank you, Mr. President. Let me also thank the Chairperson of the African Commission on Human and Peoples' Rights for her presentation.

Mr. President, promoting and enhancing human rights is indispensable if, we, as a continent, are to achieve our set objectives, especially in this globalised world. Serious human rights violations may sometimes degenerate into conflict and instability. The most vulnerable in cases of conflict and instability are women, children and the old. In the circumstances, it is, therefore, important that we cherish and nurture our tested and enviable African norms and values that promote and encourage tolerance, love, care and respect of our fellow human beings.

Mr. President, if our human rights institutions must serve as the watchdog of human rights violations in the continent, then, they must be strengthened in all aspects and necessary mechanisms put in place to enforce their decisions and recommendations.

Mr. President, the right to self-determination by the Saharawi Arab Democratic Republic is sacrosanct. The AU and, indeed, the entire international community must fast-track all their efforts, to ensure the full realization of this dream sooner than later. It is our moral obligation.

Thank you.

HON. ABDUSELAM AHMED HASSEN [ETHIOPIA]:

Thank you, Mr. President, for allowing me to say some words on the issue of human rights in Africa. PAP is, in fact, fortunate to have the Commissioner in front of us presenting a very detailed activity report.

Mr. President, it is obviously encouraging to know that such an institution exists in Africa because it helps advance the cause of human and people's rights in Africa. It is known, as we have been informed, that it focuses on the promotion and protection of human rights. Of course, we should be concerned that it has no powers to legally enforce the observance of human rights.

Mr. President, even though the domain of human rights is wide, our main and immediate concern, as parliamentarians, are, of course, political rights. We obviously expect the minimum norm in the African continent on the upholding of these rights, particularly since we all seem to appreciate the drawing up of the Convention on Democracy, Elections and Governance which we, as parliamentarians, want to popularize throughout Africa. Therefore, the onus is on us to assist the Commission by making sure that human rights issues are at the forefront of our agenda all the time. Of course, the Commission, itself, has certain powers that it can exercise. It did obviously hope, as most of us would rightly expect, that the integration of Africa would advance the cause of upholding human rights. There is no question about that.

The New Partnership for Africa's Development (NEPAD) peer review mechanism is another instrument that I feel would help achieve this. I would insist that it somehow has to maintain its independence. I know that it is difficult in these early days to be independent when financially it is so constrained to carry out its extensive activities. I would expect the Commissioner, before she leaves, to say something about the inhuman treatment of the people of the Western Sahara, at least in the media, once more, to try [...].

HON. MASEBO TEMBO SYLVIA [ZAMBIA]:

Thank you very much, Mr. President, for giving me this opportunity to add my voice to the debate on the floor. As a new member, maybe, I will be given a minute extra because I would like to make my maiden speech before saying something on the important report on the floor.

Firstly, Mr. President, I would like to thank the government and people of South Africa for hosting the PAP. I would also like to congratulate you, Mr. President, and your four Vice Presidents on your election. I must state that the members, here, did, indeed, vote very wisely. I must state that so far I have been impressed with the leadership that you have exhibited. You have been fair, firm and focused, but very humble and this is how it should be. I just want to wish you God's guidance as you steer this PAP into a legislative body by 2011.

Mr. President, I would be naïve, as a politician, not to commend those of my colleagues whose countries have just gone through successful elections. I think, as politicians, we know that elections are very difficult and I think that it is important that we clap for them for having won elections and bounced back to the PAP.

(Applause)

Having said this, Mr. President, I would like to add my voice to those that have commended the presenter on a very well articulated report. It was comprehensive, but it made me sad to think that up to now, there are still some countries in Africa that are going against their own people and literally abusing them, especially the women and children. I think that PAP, even as an advisory body, should look at this issue and see how best we can advise the AU to deal with the abuse of human rights.

I want to associate myself with the point raised by an Hon. Member from Swaziland on the necessity to encourage countries to constitutionalise issues of human rights, especially children and women's rights. Indeed, even the issue of the civic education is important. This is because, in this part of the world, we still have people that think that beating a woman is a sign of love. I think there is need for civic education on these issues of human rights. I just wanted ...

THE PRESIDENT:

You can have an extra minute Hon. Member.

HON. MASEBO TEMBO SYLVIA [ZAMBIA]:

Thank you, very much Mr. President. I just wanted to say that I would like to commend, again, the presenter and to urge this Parliament to seriously look at the issue of human rights. This is because human rights are the foundation of democracy, good governance and development. Without human rights, there can be no development to talk about.

I thank you, Mr. President.

HON. KANTENGWA JULIANA [RWANDA]:

Thank you, Mr. President, for the generosity of giving me the opportunity to speak.

First, I wish to congratulate the Bureau for the choice of speakers during this Session. I am impressed. I also wish to congratulate the Chairperson of the African Commission on Human and Peoples' Rights for the report she presented. I want to encourage her to increase her voice and space as she speaks on behalf of Africans on matters relating to human rights.

Time and again, we hear of Westerners speaking about issues of human rights in Africa and, often times, they do it according to their perceptions. At times they even selectively pick on issues of human rights to speak about. For example, the issue of homosexuality has been centre stage of late yet there are very many other critical areas of human rights abuse in Africa. Therefore, I urge our own body to speak on the critical areas of human rights abuse in Africa.

Mr. President, I want to move to the issue of the Western Sahara. I also wish to associate with all those Hon. Members who wish to see a free and self-determined people in the Western Sahara and to get rid of the domination by Morocco. I wish to request the Chairperson to give me an assurance concerning the AU, our mother body, that it is not catching the disease of hypocrisy that I have seen in the UN, where we get mixed messages concerning the recognition of the Western Sahara and, at the same time, keep collaborating with Morocco which is the occupying force. I do not understand why sanctions are not being applied like was done to the then apartheid South Africa. Growing up as a child, I knew that it was prohibited to go to South Africa.

Passports were stamped: „Prohibited to go to South Africa#. Why do we not have the same for Morocco? I have not seen any African passport like that, not even our travel passes
(Applause)

So, I do not understand this hypocrisy. I want her to assure us that there is no hypocrisy on the part of AU member States in terms of liberating the Western Sahara.

Lastly, Mr. President, in a humble appeal, I would like to inform our male colleagues that we are aware that over the years Africa has been shaped by our patriarchal concerns and when it comes to the issue of human rights, let them not extend those patriarchal feelings towards women's dressing. We also want to express ourselves the way we see you doing it. I thank you for that understanding.

Thank you very much, Mr. President.

HON. GREISS SYADA EL HAMI [EGYPT]:

Thank you, Mr President. First of all, I would like to express my sincere thanks for the report that was presented by the Commissioner from the African Commission for Human and People's Rights in the AU. It is evident that human rights abuses are occurring in our countries on a daily basis. This is a very sensitive file and many Governments do not like to open or address it in a transparent manner. The basic human rights of many African citizens such as the right to education, health, services, shelter, freedom of expression and so on remain unaddressed. The report actually is very disturbing when it comes to the progress made and the situation in Africa.

As duty bearers, we have not met our obligations vis-a-vis the right for right holders to claim their rights. The rights of citizens are being violated, in particular I would like to focus on the rights of women and children that are not being respected.

We have ratified the UN Charter and conventions such as the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), yet there are so many violations still occurring. We are silent about many abuses such as child marriages. Domestic violence remains totally unaddressed even in many of our legislations. Female Genital Mutilation (FGM) is still being practised and discriminatory practices continue under the guise that they are cultural and traditional practices that should be maintained, yet they violate the essence of the Human Rights.

I thank you, Mr. President.

SENHOR DEPUTADO ERNESTO JOAQUIM MULATO [ANGOLA]:

Senhor Presidente, junto-me, também, a todos os Colegas que apreciaram o Relatório e estou a trazer contributos.

A questão dos Direitos Humanos em África é uma grande preocupação e, de acordo com o Relatório que acabamos de ouvir, mais uma vez a preocupação aumenta. Mas, também, sou daqueles que pensa que não podemos falar de Direitos Humanos sem pensarmos na verdadeira democratização dos nossos países.

Acontece, porém, que quem pode ajudar a resolver muitos dos problemas é o mesmo que tem assento na Assembleia da União Africana. E a União Africana, muitas vezes - seguimos desde 1963 - tornou-se num clube de defesa dos próprios dirigentes, em vez de defesa das nossas próprias populações.

Para solução desses problemas, tem que haver alternância de poder. Sobre alternância de poder, em África, muitas pessoas podem pensar pura e simplesmente que a oposição quer tomar o poder. Também pode haver alternância dentro de um Partido, com a mudança de lideranças. Enquanto não atingirmos esta fase, todo o exercício que temos feito não abutirá.

Espero que o Parlamento Pan-Africano assuma as responsabilidades que deveria ter para podermos, junto dos nossos governos, fazer aquilo que pode mudar para melhorar o trabalho que aqui fazemos.

Por último, Senhora Presidente, os países que não enviam os seus relatórios são notificados ou não? Se são notificados, quando há reuniões da União Africana, tem havido críticas sobre aqueles que não apoiam as actividades dos vários Órgãos da União Africana?

HON. ABDULKADIR ANEB [ETHIOPIA]:

Mr. President, I would like to thank you for giving me time to contribute to this important discussion.

Mr. President, one area that has not been covered and which I have not heard Hon. Members address is the question of child rights, street children and those children who do not have parents and hang around in the streets and urban areas of every corner of Africa. That is an area which I am surprised has not been addressed by the Commission despite the wonderful extensive report on so many issues. So, I would like the Commissioner to look seriously into that if she has done that already.

The other issue is human trafficking and the rights of women in this issue, including those in the Diaspora who are looking for better possibilities elsewhere. What rights are there and what do we have in place to protect them?

Mr. President, I thank you.

HON. ILIMI FARIDA [ALGERIE]:

Merci Monsieur le Président.

Mesdames et messieurs,

Honorables collègues,

Honorable assistance,

À mon tour, je remercie et je félicite Madame la Présidente de la Commission africaine des droits de l'Homme et des peuples pour son excellent exposé.

Monsieur le Président,

c'est difficile d'intervenir en dernier, mais quand même je vais le faire, car, en général, les préoccupations sont prises par les uns et les autres.

Tout en appuyant les interventions des collègues qui m'ont précédé, je voudrais apporter ma contribution sur les droits de l'Homme en Afrique. Mon intervention consiste à rappeler les toutes récentes violations de droits de l'Homme perpétrées dans certaines régions de notre continent, contrairement aux décisions des Nations unies et du Conseil de paix et de sécurité, notamment dans les territoires occupés de la République arabe sahraouie démocratique.

Sans trop m'attarder, ma préoccupation concerne les violations des droits de l'Homme à l'encontre des militants pour la cause des droits de l'Homme dans ces territoires toujours sous domination coloniale, en dépit des résolutions et de la législation internationales ; ces militants emprisonnés à tort, sans aucun respect des règles élémentaires de traitement humain, pour avoir eu à défendre une cause juste, soutenue par l'Union africaine, les Nations unies et toutes les organisations internationales et régionales.

Par conséquent, Monsieur le Président, je lance un vibrant appel, à partir de cette Institution, pour la libération immédiate de ces militants, ainsi que le respect des droits de l'Homme pour les personnes emprisonnées sans aucune décision de justice, ainsi que pour le strict respect, dans les territoires occupés et pour que l'objectif de l'autodétermination soit être atteint.

Je demande à Monsieur le Président du Parlement panafricain, ainsi qu'aux membres du bureau du PAP, de prendre en considération ma proposition qui consiste à inviter la militante des droits de l'Homme, Aminatou Haidar, après une longue souffrance, comme ont eu à le faire des organisations internationales, régionale et continentales ainsi que les Parlements régionaux.

Je vous remercie!

THE PRESIDENT:

Thank you very much, my distinguished honorable colleagues for those very insightful contributions. Honorable colleagues, may I now call upon the Chairperson of the African Commission on Human and Peoples' Rights to please respond to the comments.

S.E. Mme. ALAPINI-GANSOU REINE [PRÉSIDENTE DE LA COMMISSION AFRICAINE DES DROITS DE L'HOMME ET DES PEUPLES]:

Merci Monsieur le Président.

Je vais d'abord faire quelques observations d'ordre général sur les interventions des honorables membres du Parlement avant de répondre de façon spécifique à beaucoup de questions qui ont été posées.

Je voudrais avant tout, Monsieur le Président, remercier les uns et les autres pour leur contribution que je qualifie de très importante. Vous l'avez déjà dit d'ailleurs, Monsieur le Président, qu'il s'agit de riches débats et c'est vrai que ces débats ont été très riches et c'est à l'image même des droits de l'homme qui représentent pour nous des idéaux.

À certains moments, quand j'ai envie de représenter les droits de l'homme, je les représente comme notre propre ombre, l'ombre humaine. À chaque fois que vous vous rapprochez des droits de l'homme, il vous fuit d'entre les mains et quand vous les fuyez, il vous rattrape.

Fuir les droits de l'homme, en quelque sorte, c'est dans les situations de violation des droits de l'homme, mais les violations des droits de l'homme ne peuvent jamais rester indéfiniment impunies.

Donc je remercie les uns et les autres pour cet apport et je crois que ce que nous venons de faire ici permettra aussi à la Commission africaine des droits de l'homme et des peuples de mettre le doigt là où cela pourrait encore faire mal dans les jours à venir, parce que nous avons notre 47^{ème} Session qui va se dérouler d'ici mai 2010 et je voudrais déjà, à cet égard, faire un clin d'œil à Monsieur le Président et au Bureau tout entier et aux honorables députés qui voudraient venir aussi voir un peu comment nous travaillons au niveau de la Commission africaine.

Il faut le dire aussi, rien ne vaut la communication, rien ne vaut la discussion et c'est de la discussion que jaillit la lumière. J'imagine que c'est parce que nous avons engagé les débats ici que des questions se sont exprimées pour que nous puissions bien assumer les responsabilités qui sont les nôtres, chacun en ce qui nous concerne.

J'ai retenu que les questions des droits de l'homme en général, s'agissant surtout de ce que fait la Commission africaine, sont peu connues. Et ce n'est pas la première fois que je l'entends. Moi, je suis à la Commission africaine des droits de l'homme et des peuples depuis quatre ans déjà et c'est toujours cette même chanson qui est revenue tout le temps.

Certains honorables membres ont même déjà mis l'accent sur la question. On ne peut pas assurer notre visibilité lorsque nous n'avons pas les coûts des franges. Malgré la bonne volonté des uns et des autres, si nous n'avons pas de moyens humains, si nous n'avons pas de moyens matériels, si nous n'avons pas de moyens financiers, nous ne pourrions pas assumer notre propre visibilité.

Je salue déjà la volonté dont font preuve les organes au sein de l'Union africaine qui voudraient désormais renforcer la collaboration. Il y a un an que nous nous sommes dit au niveau de la Commission africaine qu'il faut que nous arrêtions de travailler de façon isolée comme nous le faisons parce que le siège de la Commission africaine des droits de l'homme est à Banjul et tous les autres organes sont concentrés à Addis-Abeba ou autour d'Addis-Abeba, ce qui veut dire que quelque part nous sommes considérés comme un parent pauvre du système. Et les gens apprennent difficilement ce que nous faisons. Je vais peut-être y revenir par rapport à la préoccupation de certains honorables, mais je crois que ce qui est important, ce que nous devons faire pour donner effet aux dispositions des instruments juridiques qui nous confient nos mandats, c'est déjà d'établir ce pont là, ce pont qui me paraît nécessaire. Des gens sont revenus là-dessus.

Deuxièmement, nous avons retenu qu'il y a assez de violations des droits de l'homme et que ces violations des droits de l'homme sont impunies. Je veux aussi revenir là-dessus parce que c'est vrai que c'est le constat, mais nous avons des opportunités aujourd'hui.

Je n'irai pas hors de ce que nous sommes en train de faire si je rappelle qu'aujourd'hui, nous avons au moins la Cour africaine des droits de l'homme et des peuples qui est là et qui vient quelque part relever la Commission africaine des droits de l'homme et des peuples dans le cadre de la protection; parce que ce que fait la Cour africaine des droits de l'homme et des peuples aujourd'hui en tant qu'organe juridictionnel qui peut rendre des décisions exécutoires, c'est ce que la Commission africaine des droits de l'homme et des peuples ne peut pas faire dans le cadre de son mandat de protection et j'imagine que ce que les honorables députés devraient faire déjà dans leurs pays et aussi au niveau du Parlement panafricain, c'est de voir comment faire pour régler la question. Cette disposition, permettez-moi le terme un peu vicieux qui se trouve dans le Protocole qui a créé la Charte et qui exige pour un continent africain que des citoyens africains, des ressortissants des États parties à la Charte africaine des droits de l'homme et des peuples, des ressortissants des États parties au Protocole qui a créé la

Cour aillent prendre une autorisation express de la part de l'État dont ils sont ressortissants. Cela pose aussi des problèmes.

Je crois que ce que nous avons à faire aujourd'hui c'est soit de revenir sur cette disposition là, soit alors d'encourager nos États à faire cette déclaration qui permettra désormais aux citoyens d'alléger un peu la tâche à la Commission africaine des droits de l'homme et des peuples en saisissant directement la Cour africaine des droits de l'homme et des peuples. Sinon nous allons rester dans cet infernal de la complémentarité et les procès finiront par être - je ne le souhaite pas - un peu plus longs qu'il n'en faut. Toutefois, on en viendra à bout. C'est une question importante.

Une autre préoccupation concerne la question du Sahara Occidental. J'ai retenu ici plus d'une quinzaine d'interventions. Sur quatre interventions que j'ai recueillies, j'avais retenu plus d'une quinzaine sur la question du Sahara Occidental et quelque part, j'ai cru comprendre qu'on prend pour responsable la Commission africaine des droits de l'homme et des peuples et pour responsable aussi le PAP.

Je crois que le PAP aura la possibilité de se défendre, mais pour ce qui concerne la Commission africaine des droits de l'homme et des peuples, nous nous disons à chaque fois à la Commission africaine que pour les chrétiens, notre seconde Bible c'est la Charte africaine des droits de l'homme et des peuples. Pour les musulmans leur second Koran c'est la Charte africaine des droits de l'homme et des peuples parce que nous avons l'obligation de voir à travers la Charte africaine quels sont les droits qui sont garantis et quels sont les droits qui sont violés par les États parties. Et c'est ce que nous faisons.

Nous ne sommes pas un organe politique; nous ne sommes que des citoyens de nos pays qui ont été nommés à ces postes-là pour donner effet à la Charte africaine des droits de l'homme et des peuples. Ce qui veut dire que notre devoir c'est de démontrer que nous sommes en train de promouvoir les droits de l'homme, de démontrer que nous sommes en train de protéger les droits de l'homme. Toutefois, la solution politique revient à qui de droit et c'est à ce niveau qu'il faut poser le problème.

J'ai eu la chance de circuler dans les couloirs des Nations unies au moins une ou deux fois où on a posé le problème du Sahara occidental, mais je n'ai pas vu beaucoup d'États africains réagir.

Je sais que quelque part on parle de groupe Afrique pour lequel il y a un ou deux États qui interviennent mais je pense qu'à ce niveau aussi on peut changer de stratégie et voir quelle sera la stratégie qui sera bonne pour que nous arrêtions de parler de ce problème du Sahara occidental.

Nous, en Afrique, nous considérons le Sahara occidental comme un État partie à la Charte à part entière et nous travaillons dans ce sens. Mais notre travail, honorables délégués, ne s'arrête qu'à la limite de communication; je vous l'ai dit tantôt, nos outils, les communications, les déclarations et, à la limite, les missions de promotion.

Je suis encore bien placée pour vous dire qu'il y a deux ans, je me suis engagée pour aller effectuer une mission de promotion dans ce pays, le Sahara occidental, mais il se pose un problème de communication.

La Commission africaine n'a pas de point focal, de personne avec qui travailler sur le Sahara occidental et nous ne travaillons que sur cette information que nous recevons.

Je peux vous dire que si nous avons quelque chose à faire, nous avons une responsabilité engagée en ce moment par rapport au Sahara Occidental, il faut tout faire pour que nous puissions effectuer notre mission de promotion, parce que je suis convaincue que nos rapports ont de l'impact quand nous finissons nos missions de promotion dans le pays.

Je ne suis pas du tout contre le fait qu'à votre niveau, vous puissiez faire des recommandations et même rester en contact avec nous pour que nous voyions dans quelle mesure nous pouvons engager aussi une mission de promotion conjointe. Il y a une intervention qui l'a relevé. Je n'en ai pas parlé dans mon propos tout à l'heure, mais ce que nous avons au niveau de la Commission africaine aujourd'hui, ce ne sont pas les missions de promotion isolées. Nous apprécions beaucoup les missions conjointes et je crois qu'il y a des délégués algériens qui étaient informés de ce que nous avons fait en décembre, ils auraient compris que nous avons effectué une mission conjointe en Algérie avec quatre membres de la Commission. Nous en avons aussi fait, au niveau de la Mauritanie, avec quatre membres de la Commission. Nous sommes aussi en train de privilégier les missions conjointes avec d'autres organes. Nous en avons déjà fait une avec la rapporteuse spéciale sur les défenseurs des droits de l'homme au Togo il y a un peu plus d'un an.

C'est pour vous dire que nous sommes favorables mais le problème qui se pose aujourd'hui, c'est le problème de la communication. Je vais peut-être y revenir parce qu'on a posé le problème de la Guinée.

Il est important pour moi de revenir sur la question de la Guinée, parce que nous continuons d'être frustrés s'agissant de la question de la Guinée et nous donnons l'impression de n'avoir rien fait alors que nous avons beaucoup fait. Nous avons même approché des politiques pour leur dire que nous sommes le premier organe sacrosaint de promotion et de protection des droits de l'homme sur notre continent et nous ne pouvons pas accepter que des missions viennent d'ailleurs et que nous ne soyons pas impliqués. Nous l'avons dit à des niveaux très élevés.

Après notre résolution, nous avons constaté que l'Union africaine s'est engagée dans une mission sans la Commission africaine des droits de l'homme et des peuples. Donc, nous ne sommes pas un organe politique. Nous n'avons que nos pieds et nos mains, comme j'ai l'habitude de le dire, et puis nos bouches pour parler et cela s'arrête là. Donc, voilà le problème qui se pose.

Je crois que ce que nous devons faire - parce qu'on m'a demandé de faire quelque chose -, c'est ce que nous avons l'habitude de faire et que nous avons déjà fait par rapport à cette activiste femme. Nous avons lancé un communiqué de presse très tranchant et nous avons engagé le Maroc à respecter les droits de l'homme quoique le Maroc se dise ne pas être État partie. Moi, je crois que c'est tout un long débat qu'on peut faire là-dessus.

La ratification du Maroc reste toujours. Une décision a été prise - je ne sais comment dire -, peut-être sur coup de tête, mais le fait est là. C'est un État africain et nous pensons que le Maroc va revenir au bercail. C'est la loi de l'enfant prodigue. Et nous allons continuer de mettre la pression jusqu'à ce que force ne reste à la loi. C'est ce que nous sommes en train de faire.

Nous avons déjà réagi une première fois pour le cas de cette activiste-là. Nous allons encore réagir pour les cas dont vous venez de parler. Nous n'en avons pas été informés et cela pose des problèmes de communication comme je l'ai dit. Dès lors que nous sommes informés nous réagissons toujours.

Au niveau du Sahara occidental, nous allons réagir par rapport à la situation de ces personnes-là qui sont en train de faire leur grève de la faim et qui sont arbitrairement emprisonnées et nous allons aussi faire en sorte que nous puissions effectuer cette mission de promotion. Ce ne sera pas sans l'appui des honorables députés du Sahara occidental.

Je vais revenir sur la question de la Guinée parce que l'honorable député de la Sierra Leone a posé le problème qui existe entre la Guinée et la Sierra Leone.

Je vous l'ai dit tantôt, la Guinée constitue une grande préoccupation pour moi et je veux aussi vous apporter cette information. Je l'ai dit dans ma présentation, mais de façon succincte, parce que nous ne pouvons pas passer tout le temps sur ce qui se fait au niveau de la Commission. On va peut-être revenir si vous le voulez, mais c'est déjà un début de processus de notre collaboration et si vous avez besoin d'information, tous ceux qui représentent les mécanismes ici au niveau de la Commission africaine peuvent venir vous présenter ce qu'ils font au titre de ces mécanismes-là.

S'agissant de la Guinée, voilà ce que nous avons fait en tant qu'institution. Nous avons réagi et nous continuerons de réagir jusqu'à ce que nous ayons satisfaction.

Par rapport à la question des femmes, la Commission africaine, au titre du Protocole sur les droits des femmes en Afrique, constitue l'organe de mise en œuvre des dispositions du Protocole. Et c'est d'ailleurs à ce titre que nous avons aujourd'hui ce mécanisme spécial qui est pris en charge par Madame Soya Tamayga. Elle est d'origine Malienne et c'est elle qui se charge de cette question-là. J'imagine qu'il faut que nous maintenions nos liens.

Si vous avez besoin d'informations ou si vous avez des préoccupations, vous pouvez adresser vos requêtes à cette personne-là. Elle est plus habilitée pour vous donner des explications. Ce qui est clair, c'est que le cas de la Guinée constitue une grande préoccupation pour nous.

Vous avez aussi posé le problème de l'accès à la justice, surtout par rapport aux illettrés. Je vous ai dit que nous mettons en place beaucoup de programmes. À l'heure où je vous parle, la Commission africaine a mis en place un programme d'éducation aux droits de l'homme dans nos langues maternelles. C'est un processus qui a commencé, mais ce processus risque d'être bloqué si nous n'avons pas les moyens de notre politique et les

moyens de notre politique, je suis bien placée aujourd'hui pour dire que l'Union africaine peut déjà nous les donner.

Un organe de cette envergure qu'est la Commission africaine, qui est en train de travailler depuis 1987, n'a eu un siège qu'on peut appeler siège que tout dernièrement, il y a à peine un an ou deux ans, depuis plus de vingt ans d'existence. C'est pour vous dire que, comme certains délégués l'ont dit, la question des droits de l'homme n'est pas une préoccupation. Des choses très belles sont écrites dans les documents, mais on ne veut pas du tout les appliquer.

Nous avons eu notre siège il y a à peine deux ans. Nous avons eu droit à une augmentation de budget il y a deux ans, en 2008 et, en fin 2008, on nous a dit: « vous ne nous démontrez pas votre capacité à absorber le budget et par tant, on divise ce budget-là par deux ».

Nous avons démontré que nous avons travaillé seulement sur six mois parce qu'au sein de la Commission, il y avait quelques changements. Nous avons passé le temps à régler ce problème de changement et nous avons réellement travaillé en 2008 sur six mois. Nous l'avons démontré. Mais on nous a dit: « mais non, vous n'aurez que la moitié du budget qui vous a été proposé ».

Par rapport au travail que nous abattons à la Commission, je ne veux pas donner le chiffre du budget que nous avons eu jusqu'en 2008 et je ne veux pas donner le chiffre du budget que nous avons eu en 2008, qui a été coupé finalement en deux. Il a fallu le dernier Sommet et là encore on était déjà encore prêt à tirer à boulets rouges sur la Commission en disant: « Ils ne foutent rien. C'est quoi la Commission des droits de l'homme? À ce moment, j'ai dit: « Cela suffit comme ça. Ou bien vous voulez de la Commission, ou bien vous n'en voulez pas et vous nous laissez aller travailler dans nos pays tranquillement. Nos pays ont aussi besoin de nous mais vous nous demandez d'aller travailler pour une institution de cette envergure et que dans le même temps, vous nous obligez à ne pas travailler ». C'est difficile et c'est cela qui a valu qu'on nous a un peu relevé la ligne budgétaire sur le recrutement du personnel uniquement. Sinon, toutes les autres activités ont été amputées.

Voilà le problème qui se pose par rapport à cette question relative au programme d'éducation aux droits de l'homme dans nos langues maternelles pour permettre maintenant au dernier de nos citoyens d'avoir accès à la Commission africaine.

Comment faire pour que ces gens-là aient accès à cette Commission? Le problème reste entier. Je crois que nous allons continuer de débattre de la question.

L'honorable député du Malawi a posé le problème des droits culturels par rapport à nos propres croyances, le problème de comportement.

Je ne sais pas si c'est un peu partout, mais nous à la Commission africaine nous l'appelons un chat. Le problème qui a été réellement posé ici c'est le problème du droit à l'orientation sexuelle. Mais je vais vous dire quelque chose.

Nous sommes des Africains et nous n'ignorons pas que nous sommes des Africains. Quand on parle de la Charte africaine des droits de l'homme et des peuples, en son Article 29, il est dit à l'alinéa 7 qu'il faut veiller dans ses relations avec la société à la préservation et au renforcement des valeurs culturelles africaines positives dans un esprit de tolérance, de dialogues et de concertation et d'une façon générale de contribuer à la promotion de la santé morale de la société. Il faut y aller rapidement.

Le délégué du Ghana a demandé que quelque chose se fasse au niveau de l'Union africaine. J'en conviens.

Madame l'honorable députée du Rwanda a posé pas mal de problèmes. Elle a posé le problème de la visibilité. J'y ai répondu.

Le problème de la Guinée, nous allons peut-être revenir là-dessus en d'autres lieux. Mais ce que je voulais dire c'est que la Commission africaine des droits de l'homme et des peuples est prête, je l'ai dit tantôt, à collaborer avec tous les organes, surtout sur les missions conjointes. Que ce soit au niveau de l'ECOWAS ou du PAP, nous sommes prêts.

L'honorable délégué de l'Ouganda a dit qu'il n'a jamais vu notre Commission en Ouganda. Notre Commission africaine des droits de l'homme et des peuples était déjà en Ouganda dans le cadre d'une mission conjointe en 2007. Nous avons même eu le privilège d'aller jusqu'à l'IRA. Nous sommes allés à l'IRA en Ouganda où nous avons visité les centres dont vous êtes en train de parler.

La Commission africaine vient d'effectuer une mission conjointe avec quatre membres au Soudan. Cela ne fait pas longtemps. Nous attendons depuis deux ans que le Tchad nous appelle.

J'ai posé le problème des refus tacites et une question est revenue là-dessus. Dans quelle condition il y a les refus tacites? C'est que, à chaque début d'année, nous envoyons des notes verbales dans tous les pays pour leur demander d'accueillir une mission de la Commission africaine, mais quand l'État ne réagit pas, c'est un rejet tacite. Quand l'État ne nous dit pas de venir, nous ne pouvons aller dans les pays comme des esquimaux. Nous sommes obligés de rester là où on nous a mis. Quand on nous dit « oui nous acceptons, mais nous allons définir par la suite la période à laquelle vous allez venir » et que cette période n'arrive jamais, j'imagine aussi que c'est un refus. Voilà pourquoi j'ai parlé de refus dans mon intervention. Il faut dire que nous trouvons une solution.

Ma dernière intervention, Monsieur le Président, va porter sur la préoccupation de l'honorable délégué du Togo qui a parlé des rapports périodiques et de crédibilité.

Les rapports périodiques ne sont pas examinés seulement dans un sens. Lorsque nous avons à prendre des rapports périodiques de la part des États parties, nous faisons recueillir des informations d'un peu partout, du point de vue de la société civile locale dans le pays mais aussi du point de vue de la société civile africaine et d'autres partenaires techniques qui travaillent dans le pays. C'est une obligation statutaire pour les États de présenter ces rapports-là. D'habitude, nous disons seulement: « tel nombre de pays n'ont pas présenté leurs rapports initiaux, tel autre nombre n'ont pas présenté leurs rapports périodiques ». Mais nous pensons que la prochaine fois, nous allons les citer à l'occasion de notre rapport d'activités au sommet des chefs d'État, parce que cela fait pratiquement plus de deux ans que nous sommes en train de dialoguer, d'essayer de faire comprendre aux États parties de bien vouloir nous produire ces rapports-là.

Nous sommes allés jusqu'à prévoir une situation dans laquelle il serait difficile pour les États de présenter des rapports tous les deux ans et nous avons suggéré qu'il nous soit présenté des rapports cumulés, c'est-à-dire les rapports initiaux et les rapports périodiques sous toute la période pendant laquelle ces rapports-là n'ont pas été déposés. Mais nous n'avons pas le nombre que nous escomptons.

Voilà ce que je puis dire, Monsieur le Président. Je remercie encore les honorables députés pour l'intérêt qu'ils portent à la Commission africaine des droits de l'homme et des peuples en tant qu'organe de promotion et de protection des droits de l'homme et aussi pour l'intérêt qu'ils portent pour que nous travaillions ensemble pour pouvoir remplir de façon effective et efficace les mandats qui sont les nôtres.

Je vous remercie!
THE PRESIDENT:

Madam Chairperson of the African Commission on Human and Peoples' Rights, on behalf of the Pan-African Parliament, may I thank you for a very wonderful and detailed presentation. We had more time to listen to your responses. We thank you very much for obliging the PAP with your Report. We look forward to continued actions and relationship between the PAP and the African Commission on Human and Peoples' Rights.

Hon. Colleagues, may I now request the Clerk to read the Sixth Order of the Day.
THE ACTING CLERK:

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(EPPF) #####
THE PRESIDENT:

Distinguished Hon. colleagues, in accordance with the provisions of Rule 38(1)(h) of the Rules of Procedure of the PAP, I invite the Director of the International Planned Parenthood Federation (IPPF), Mr. Tewodros Melesse to, please, enter the Chamber
(Mr. Tewodros Melesse entered the Chamber)

Hon. colleagues, it is now my pleasure to call upon Mr. Tewodros Melesse to, please, take the stage and make his presentation to this honorable House.

5.0 PRÉSENTATION ET DÉBAT DU RAPPORT DE LA FÉDÉRATION INTERNATIONALE POUR LE PLANNING FAMILIAL
Mr. TEWODROS MELESSE [DIRECTOR OF IPPF]:

Mr. President and Hon. Members of the Pan-African Parliament, first of all, I would like to thank you for giving me this opportunity to make this presentation. We, the International Planned Parenthood Federation (IPPF), have member organizations in 155 countries throughout the world and a presence in 185 countries. We cover the whole of Africa except one country.

We believe that the Pan-African Parliament is a symbol of the unity of the African people and represents the aspirations towards a more unified continent. I hope that the transition will be completed, so that the Pan-African Parliament can have more say in the affairs and lives of so many of the African people. This is one of the issues that you care about and which we have been discussing with the Permanent Committee on Gender, Family, Youths and People with Disabilities and the Committee on Health, Labour and Social Affairs.

That is why we are making this presentation to this august House.

Mr. President, when we talk of family planning, reproductive health and sexuality, sometimes it is presented as if it is an imported or foreign language which is not proper to Africa. However, we believe that it is not imported. The language might be different, but family planning, sexuality or reproductive health is as old as our continent. When we take the credence of the civilization of Africa, we take from the civilization of North Africa from Egypt and the Pharaohs of Lucy, which is in the Museum in Ethiopia. Hon. Members of Parliament are not a product of an industry, but of humanity, which is the people of Africa.

Mr. President, we know that there are disparities in the situation of sexual and reproductive health, maternal and mortality deaths and access to family planning services in the various parts of Africa, particularly Northern and Southern Africa. That is if we take the example of Tunisia which has made tremendous progress in gender equality and family planning. There is room for inter-African cooperation and lessons to be learned where the difficult situations are.

Mr. President, I will focus more on the situation in sub-Saharan Africa, which is not close to attaining the MDGs, especially with regard to the reduction of maternal mortality. We believe that tradition and culture cannot be given as an excuse for not addressing the issue because tradition and culture, as one of the speakers said earlier on, are not all bad. We have culture which is caring towards women and children in our society. It is true that there are some aspects of our culture which are a hindrance to the development of women and are from the old members of society. However, I believe that it is important to build on what is good from the culture and traditions of our societies, so that the good of our practices and traditions can prevail over the bad.

Mr. President, I understand and appreciate that as politicians and parliamentarians, we have to be sensitive to various sensitive issues across our societies. However, I believe that the majority of our population might not know specific methods of planning their families and avoiding being pregnant in order to avoid going through the traumatizing experience of abortion. There are ways in which they handle them, at times at the risk of the lives of women. In sub-Saharan Africa, 1 in every 12 women is at risk of dying due to pregnancy related complications whereas in the developed world, it is 1 in 2000. This is unacceptable. Women are the pillars of our society. Children need affection, to be nourished and taken care of.

Mr. President, all we are saying is that family planning is not just a question of limiting the number of children a woman has. It is about enabling families and couples in society to have the number of children and control the timing of having these children so that they can love, care for and educate them.

We are talking about educating our children and letting them access good health facilities and proper employment. We do not want our children to end up as street children and we do not want violence in our societies. We also do not want hungry people and to always count how much grain has been produced in Canada and how much the World Food Programme (WFP) will bring.

Mr. President, we need productive sectors of our society and good health. We cannot talk about gender equity and the promotion of women, as stipulated in the MDGs, if we say that women should have an unlimited number of children even if it is healthy. When will the young girls go to school? When will the women be able to work and take care of the family and society? Africa has shown commitment to the International Conference on Population and Development (ICPD), the Plan of Action in ZCairo, sustainable development, the MDGs, especially MDG No.5, the Continental Sexual Reproductive Health Programme, which was adopted in Gaborone and the Maputo Plan of Action of 2006, which was adopted by the Heads of State and Governments in January 2007 in Khartoum, Sudan?

Mr. President, all that is being asked is that you, as the voice of the voiceless, and who are closer to the people of your constituencies, raise these issues, so that African nations, organisations and civil societies commit themselves to the engagements that they have taken.

Mr. President, we must deliver on the promises, so that declarations and international conferences are not a fashion show, but a commitment to change the lives and conditions of life on this continent. Women and young people are the pillars of this.

We urge the Pan-African Parliament to be the voice of the various institutions on the continent. The donors should fulfil the commitments which they made at the ICPD conference of 1994 in Cairo and for the MDGs, and our governments should mobilize resources and the commitment of the population for the realisation of this, so that no woman dies giving life to another.

Mr. President, we have worked with the Committee, as I mentioned earlier, and there are recommendations for this House to consider on how Parliamentarians can commit themselves, as Members of the Pan-African Parliament, collectively and individually, to being champions of sexual reproductive health and rights in Africa. As I listened to the presentation by the Chairperson of the Africa Commission on Human and Peoples' Rights and the discussions which were going on, they touched on various aspects of the rights of children, young people, women and minorities. This knowledge is critical so that our democracy takes root and our traditions move with the times.

Mr. President, we are requesting you to review national budgets using the oversight and legislative functions of Parliament in collaboration with the relevant Parliamentary committees, to ensure that Africa's commitment to dedicate 15 percent of the national budget to health is fulfilled at the national level. There is a recommendation that you need to consider of engaging governments to allocate 40 percent of this health budget to sexual reproductive health.

There is also a call to support national initiatives and, in particular, to encourage Parliamentary support of the African Campaign for an Accelerated Reduction of Maternal Mortality in Africa, the CARMMA initiative, and the attainment of the MDGs, especially MDG No.5. Women should not have to die while giving birth.

It is necessary to engage the relevant Parliamentary committees and the relevant ministries of health, gender, education and youth. It is also important to ensure that there is an expansion of family planning services, including the dissemination of information on contraceptives targeting young people, in particular women living at risk in most vulnerable situations among displaced populations, in conflict zones and slum areas.

Mr. President, the idea is also to support the ministries of education and other relevant agencies and organisations to review national curricula to ensure that comprehensive, appropriate and empowering sexual education is integrated for all young people. Here, we are talking about sexual education. It is not a call to teach them how sexuality is because sexuality is human, but it is a way of educating them on how to know their bodies and how their acts should be responsible and not result in unwanted consequences such as HIV/AIDS, sexually transmitted diseases or unwanted and untimely pregnancies.

Mr. President, the agenda is also to support and encourage initiatives by governments and other partners that integrate HIV/AIDS services, anti-retroviral therapy (ART) and prevention of mother to child transmission (PMTCT), counselling and testing within sexual and reproductive health service provision.

Mr. President, it is also important to support the executive arms of government, through the appropriate authorities, using your oversight functions in Parliament, to ensure adequate funding and access to donor funding for the procurement of reproductive health commodities and, in particular contraceptives, to ensure that they are always available, accessible and affordable to increase the use of contraceptives and the contraceptive prevalence rate.

Mr. President, we have, when they are available, health services which do not have running water, equipment and contraceptives. I believe it is important for you to ask and challenge government authorities and donors to have these available at the most remote areas of our respective countries.

Mr. President, it is important to intensify campaigns leading to dialogue between governments and civil society and faith-based organisations to ensure that the need for abortion, either unsafe or safe, is reduced tremendously. In the event that there is need for abortion as a result of sexual abuse, rape and incest, this should

be readily available and provided by qualified health personnel in the interest of the well-being of women and according to the laws of each country.

The laws of each country are there. It is always easy to ignore and to condemn, but there are problems whether we like them or not. It is squarely the responsibility of our leadership to deal with the problems that we do not like because those factors affect the way our lives are conducted.

Mr. President, it is also critical to support legislation and strongly advocate for the implementation of policies that aim at reducing the impunity under which sexual and gender-based violence occurs and eliminating child marriages that deny women opportunities and increase the risk of HIV/AIDS and other STDs and pregnancy related deaths, including obstetric fistula. It is better to prevent than to cure, but it is much more important to save a life than to attend a funeral.

Mr. President, we will continue to lobby so that you intensify your partnerships with national Parliaments, the Parliaments of Regional Economic Communities (RECs), the European Population and Development Network (EPDN), the Commonwealth, the Francophone and other relevant parliamentary networks, to ensure that ongoing engagements, including the prioritization of funding for sexual reproductive health in Africa, especially for family planning and the reduction of maternal deaths, are critical for the sanity of our societies.

Mr. President, we encourage the support and strong partnership between parliamentarians and key civil society organisations, including organisations which provide sexual reproductive health services such as our centre on International Planned Parenthood Federation (IPPF) and our member associations in some of your countries. They are called Family Welfare, Family Planning Association or Planned Parenthood Association. I am sure you have them all over. There are other civil society organisations, development partners and UN agencies which contribute to prioritising sexual reproductive health and rights and ensure that no woman dies giving birth or from unsafe abortions and that the sexual reproductive health and rights of all persons in Africa are met.

Mr. President, we have tried to reduce the number of commitments, engagements, proposals or recommendations in whatever manner they are going to be formulated by you and the various Committees of this august House, so that they are manageable and relevant.

Mr. President and Hon. Members of Parliament, I believe that we do not have time. Each minute, day and month there are so many people who are dear to us dying. I am sure that in your constituencies there are, for example, mothers who have died while giving birth. Many of us need to save our mothers, wives and daughters when they are giving birth. This is a call for you to do what is not only possible but beyond the possible, because the streets that we are trying to build and the agriculture that we are trying to develop is for the people we care for and the population that we love.

Long live Africa and long live the Pan-African Parliament.

Thank you.

(Applause)

THE PRESIDENT:

I would like to thank you, Mr. Malesse, for that very heart-rendering, worrying and disturbing submission. It is a difficult situation that we have found ourselves in in our continent in terms of the high level of mortality for women during child birth. We, as Africans and Hon. Members of Parliament from across Africa, are very concerned and worried about it. We all need to do something.

Hon. Colleagues, with your permission, I would like to call upon the Chairperson of the Permanent Committee on Health, Legal and Social Affairs, Hon. Marrie-Rose Nguini Effa, to present the report of the Committee.

Hon. Member, you have the Floor. You can speak from your location.

Hon. Members, let me use this opportunity to remind our colleagues of Rule 42 (III) which states that, "A Member shall whenever possible speak from his or her usual place while standing up." I shall address the presiding officer who would as much as possible encourage Members who do not have any physical disability to obey the House rules by standing up while presenting to the House.

You have the Floor, Hon. Member.

HON. NGUINI EFFA MARIE-ROSE [CAMEROON]:

Merci Monsieur le Président. Je pense que je n'ai pas présenté le rapport; la présentation du rapport se fera demain. Toutefois, je soutiens parfaitement tout ce qui vient d'être dit. Nous avons eu plusieurs séances de travail avec l'IPPF; nous l'avons fait de manière conjointe avec la Commission Genre et la Commission que je préside, la Commission Santé, Travail et Affaires sociales, et nous avons adopté un certain nombre de recommandations que nous allons vous proposer demain, lors de la présentation de notre rapport. J'aurais pu vous proposer tout ça, aujourd'hui, mais je pense qu'aujourd'hui, c'était plutôt pour entendre l'IPPF.

L'IPPF, avec lequel nous souhaitons faire un partenariat gagnant-gagnant, va continuer dans ses missions et nous, nous allons continuer dans notre mission première de parlementaires qui est de veiller à la bonne santé, au bien-être de nos populations que sont nos électeurs. Si jamais, elles ne sont pas en bonne santé, je ne sais pas qui va voter pour nous. Donc, c'est très important pour nous, cette collaboration, et nous allons nous permettre, demain, de vous proposer des recommandations >3que nous avons adoptées en Commission conjointe, qui regroupent un certain nombre de choses, d'engagements, de pistes pour les parlementaires; des engagements pour nos États, pour le vote du budget, parce que c'est nous qui votons le budget et nos États ont signé plusieurs textes que nous nous devons de respecter ou, alors, encourager les États à respecter, ne serait-ce que par les questions orales que nous aurons à poser à l'Exécutif, lors des séances dans nos Parlements nationaux.

Monsieur le Président,

Avec votre permission, je vais devoir m'arrêter là. Je ne vais pas abuser de votre temps, puisque j'aurais la parole, demain, pour présenter les résolutions et les recommandations de notre Commission. Je vous remercie!

(Applaudissements)

SENHOR DEPUTADO JAIME BESSA AUGUSTO NETO [MOÇAMBIQUE]:

Senhor Presidente!

Em primeiro lugar, felicito o Presidente da Comissao de Saúde, pela apresentanao do Relatório, e as considerantes feitas pela Colega Presidente da Comissao.

Senhor Presidente

Concordo com todos os desafios apresentados pelo Presidente da Comissao, contudo, o grande problema que se verifica nos nossos países, é que, o garante para o funcionamento dos ornamentos dos nossos governos, é praticamente externo e, muitas vezes, garantido por contratos-programa.

Para que, de facto, protejamos as mulheres grávidas, é necessário que apostemos no aumento dos ornamentos na área de saúde. Esses ornamentos, algumas vezes, já vem com determinantes em relanao as áreas que devem ser "atacadas". Por exemplo, é fácil ver e dar-se maior atenna, por exemplo, às questoes ligadas a justina e áreas afins.

Entretanto, as áreas ligadas a esta componente humana que é a saúde, muitas vezes, nao sao dadas muita atenna. Por exemplo, verificamos que as distancias entre os centros de saúde e as residencias ou onde se encontram as comunidades sao bastante grandes e, isso tende, em certa medida, a prejudicar o atendimento que se pretende à mulher e crianna.

O que os governos deviam tentar fazer é reduzir as distancias entre [...].

HON. KPARKAR EUGENE [LIBERIA]:

Thank you, Mr. President. Let me thank the presenter for his informed and conspicuous presentation on the Report on the International Planned Parenthood Federation. Family planning is a vital tool for the enhancement of the family. It is not how many children you have that matters, but how well they are nurtured or catered for so that they can become useful vehicles for change.

In a typical African setting, to be considered a chief entails a lot; from having assets to having a multiplicity of wives and children. Even though a chief in a typical African setting is considered wealthy, you find that many of his children do not turn out successful because most of them depend on their mothers rather than their fathers for their upbringing.

Mr. President, there is a legal framework in China that prevents individuals from having more than one child. I wish to ask the presenter whether that framework can work in a typical African society, for example, in a country

like Nigeria which is considered to be Africa's most populous country. If that framework works in Africa, will it better the lives of the African children?

Thank you, Mr. President.

HON. KALYAN VINITA SANTOSH [SOUTH AFRICA]:

Thank you, Mr. President. Unfortunately, I must premise my comments by saying that the hour is so late, the Parliamentary benches are empty and we are discussing such an important topic. I would like to register my disappointment at that.

Mr. President, maternal death in Africa remains one of the highest in the world with 8 million deaths happening annually in Africa alone. There are many contributory factors like poverty, ignorance, poor health facilities, lack of access to essential drugs and, of course, HIV/AIDS.

Mr. President, many of these deaths are largely preventable. It would appear that the Maputo Plan of Action and Millennium Development Goals are now just becoming mere buzzwords. Many countries in Africa will not achieve the 2015 MDGs. Many governments, while having agreed to the allocation of 15 percent of the national budget to health in the Maputo Plan, have in reality reneged on this agreement. My own government is an example; falling short by having allocated only 12 percent to health.

The Committee has listened attentively to the IPPF and agreed on the ten proposals to achieve wider and urgent recognition of sexual, reproductive and health rights. Firstly, greater political will is needed as investment in health means saving lives.

Secondly, oversight of the budget and accessing donor funding is critical to the success of these proposals. A multi-sectoral approach is recommended and there is great emphasis on building the capacity of community structures and networks. Lastly, behaviour and attitudinal change is key to demystifying sexual and reproductive health and associated rights.

Mr. President, it is time for us to get serious, to lift the covers, be proactive and go about reducing maternal and child mortality.

Thank you.

HON. DERY AMBROSE [GHANA]:

Thank you, Mr. President. I thank the Director of International Planned Parenthood Federation (IPPF) for his statement. I think that we must all be part of this movement to educate our people. However, having said that first, I want to start with a question. In his presentation, he said the death rate for pregnant women was 1 to 12 in Africa and 1 to 2000 in developed countries. However, in the paper that he has given us, I see 1 in 12 and 1 in 4,000. He should reconcile this.

Secondly, we cannot discuss this matter without alluding to women and children's rights and poverty. We already have laws, for instance, in Ghana, against female genital mutilation and we also have legal abortions where pregnancies obtained through rape, incest and other abuses can be terminated. We are faced with what Professor Lee Mazuri calls the challenge of triple heritage; tradition, Islam and Christianity. All these three do not take kindly to you going out there to educate people, especially in respect of condoms and legal abortions. Sometimes, as politicians, we have to face it that we also keep an eye on our votes and so IPPF needs to help us put in place strategies that will make our educational drive more user-friendly and lower the political risk on the part of politicians.

Having said that, I think that all that has happened is spot-on and it is a shame that we have these records. I think that we, as PAP, and all the other organizations must work [...].

HON. AGYEMAN ELIZABETH [GHANA]:

Mr. President, I would like to thank you. I also want to thank the presenter for a job well done.

Mr. President, we do not have to become Pan-African Parliamentarians before we can speak on these issues. Family planning has been with us for a very long time now, but whether people will listen to what we are saying and follow the instructions is what we are going through now.

We mention poverty, education, culture and tradition, but we cannot do away with them because they are still with us. As regards religion, some religions will tell you that you do not need to space your family. Family planning means spacing you family. However, they will tell you that you do not need a condom or this or that.

People are poor and need money for family planning because some family planning products are not free. Some people have to pay money for the family planning products while others do not. I would like the presenter to tell me why some people have to pay money for family planning products while for others it is free because I do not understand. People do not understand why we want them to space their families because their tradition tells them to have more children and whether they have money or not, they will

Let us take Ghana for one minute. We have ruled in Parliament or in the country that pregnant women can visit any hospital for free. It does not matter where you come from or which part of the country you are in, if you to the hospital and you are pregnant, they will not get money from you because the Government knows that the people are poor and they need support. We are doing this...

HON. DUMBUYA SHEKU B. [SIERRA LEONE]:

Thank you, Mr. President.

Mr. President I am a man and not a woman. So, my decision to take part in this debate is informed by the fact that I have implicit faith in women. I hold the view that if women of the right calibre, orientation and disposition are put in positions of responsibility, they can work wonders. That is why we have to protect them from succumbing to premature death. Therefore, everything has to be done by respective governments to support the allocation of 15 percent to the health sector as has been suggested by the AU.

Mr. President, apart from the issue of pregnant women, the Romans have a saying, "Mens sana in corpore sano" which means a sound mind in a sound body. You can only function well if you are healthy. This is the more reason why governments have to spend more money on health. Any investment made in health, is an investment well made.

Mr. President, having been given the maternal statistics on healthcare, I am surprised that Southern Africa has the lowest number in terms of mortality rates. I would urge them to share this knowledge with us so that we know the secret behind this because the number is very low.

Thank you very much, Mr. President.

SENHOR DEPUTADO ERNESTO JOAQUIM MULATO [ANGOLA]:

Senhor Presidente, a questao do Planeamento Familiar é um problema crucial em todos os países de África, assim como no nosso, porque muitas vezes, por causa da falta da educado e a tradido, encontramos crianzas entre 13 e 14 anos que já têm bebés. Aí, é preciso um grande esforço de educado e, a participado de organizares de mulheres nesse sentido, será louvável.

Devemos fazer um grande esforço, tanto a partir do nosso Parlamento, aqui, e nos nossos parlamentos nacionais, para prestarem mais atendo, porque o que se passa, quase em todos os países africanos, em termos de ornamento para a saúde, é realmente sempre reduzido, quando outros ministérios recebem um pouco mais.

Por isso, para podermos ajudar as nossas populares, será necessário, realmente, fazer um programa de educado às mulheres e crianzas para prevendo dessas doenças e para a imaturidade de gerarem precocemente crianzas.

HON. HAKAYE HAIKELLA [NAMIBIA]:

Thank you Mr. President. I do not want to repeat what other Hon. Members have said, but to emphasize the important role that women play in society and the protection they need. We cannot afford to leave the care of children in the hands of mothers, but as people who plan for the coming into being of children, we are all obliged to go a long way in their upbringing. This should not only be to the point where we just come in when we ask the very young to go to war at a very tender age, something which many parents do not find to be good.

Mr. President, in the same vein, Africa needs to go a long way in trying to sensitize its people on issues of family planning. As was said here, there are certain religious groups, entities and bodies in society, which, when the government sensitizes the population on family planning, say we are teaching young children how to go about sex. However, family planning is not just about sex. We have many orphanages in Africa because of the education that we do not give to our young children. As young as they are, they need to know what happens [...].

HON. GBONE YAWOVI HONAM HENRI [TOGO]:

Merci Monsieur le Président.

Monsieur le Président,

Je remercie le Directeur du Bureau régional de l'IPPF. Je voudrais faire la remarque suivante: d'abord, toutes les stratégies développées tant par l'IPPF que par les organisations sœurs dans le domaine de la santé reproductive sont une bonne chose, certes, mais il y a un sentiment général que ces institutions privilégient comme cible la population des villes et les personnes d'un niveau social plutôt acceptable qui ont les moyens d'élever dignement leurs enfants, quel que soit leur nombre.

Je voudrais savoir ce que fait l'IPPF pour renforcer son action, en direction des populations rurales, plus enclines à la procréation et aux familles nombreuses?

Ensuite, l'autre problème majeur est celui de la faiblesse des crédits alloués à la santé dans nos pays. Il me semble que les organisations de planning familial et nos partenaires au développement devraient agir, de concert avec les gouvernements, pour trouver la stratégie idoine, en vue de mobiliser plus de ressources en faveur de la santé, en général et de la santé reproductive, en particulier, dans nos pays.

Je vous remercie.

SENHORA DEPUTADA ORLANDA MARIA DUARTE SANTOS FERREIRA [CABO VERDE]:

Senhor Presidente, acompanhei com muita atenção a apresentação feita pelo Director Regional da Federação Internacional para o Planeamento Familiar (IPPF).

A problemática do Aborto Inseguro, da Saúde Sexual Reprodutiva da Mulher, da Mortalidade Materna e da Gravidez de Risco, foram as mais referenciadas.

Com efeito, a Saúde da Mulher constitui um dos problemas fundamentais da mulher africana. Algumas causas foram referidas, mas não foi referido, com a clareza que merece, os efeitos e os danos causados pela mutilação genital feminina.

Senhor Presidente, cerca de três milhões de mulheres são vítimas de mutilação no mundo, com particular ênfase no continente africano. Em África, aproximadamente três dezenas de países realizam esta desoladora prática; Trata-se de uma prática repudiável, que acarreta danos psicológicos e físicos como o VIH-SIDA e riscos de parto.

Evidentemente, Senhor Presidente, que tem presente os motivos desta prática de excisão que se encontram, sobretudo, nas tradições ancestrais ou questões religiosas e sociais. Será por isso que não foi referida de uma forma aberta e clara? Nem todas as culturas são boas para os nossos povos!

No passado dia 6 de Fevereiro foi comemorado o Dia Internacional da Mutilação Genital Feminina, e foi lançada uma campanha no sentido de alertar o mundo para esse grave problema. Assim, gostaria de acrescentar as recomendações da Federação Internacional para o Planeamento Familiar, esta questão específica da mutilação.

Nós, enquanto parlamentares, unamo-nos no sentido de reforçarmos as medidas de políticas nos nossos países, contra essa violência tão bárbara. Devemos comprometer-nos nesta luta, chamando a cada um de nós esta responsabilidade, recomendando a tolerância zero... (tempo esgotado).

HON. TOSKIN JOHNSON BARTILE [UGANDA]:

Thank you, Mr.

President, for giving me this opportunity. I want to support the Director of the IPPF, especially on the need to increase the health budget. This is essential. I also want to emphasize the issue of education and sensitization of our people in as far as family planning and all other health related issues are concerned.

Mr. President, we are having an invasion of foreign cultures and traditions in our society. We cannot hesitate to talk about them. I want to get a very clear response from the Director concerning the issue of homosexuality. Homosexuality has become a problem in the issues of sexuality in Africa. This is a matter that must be handled head on. I am saying this because in my own country, in the Parliament of Uganda, we introduced a law and we are about to debate it, but we have had all manner of barrages of attacks from foreign countries. We are already threatened with the withdrawal of development aid. We want to be very clear on this matter.

Mr. President, the issue of abortion is also of great concern. I know there are reasons why abortion must be taken, but because of foreign influence, abortion is almost being made legal. We find that this is not good in as far as our traditions are concerned.

I thank you Mr. President.

HON. TOYI MARIE-THÉRÈSE [BURUNDI]:

Merci Monsieur le Président.

Je félicite, à mon tour, Monsieur Menes, pour sa présentation. Elle est riche et claire. Je remercie aussi le Bureau pour avoir mis, à l'ordre du jour, cette question pour qu'on puisse en débattre.

Monsieur le Président, il y a beaucoup à dire sur cette question, mais je voudrais dire ceci: la vie d'un homme est chère, mais la vie d'une femme est encore plus chère, parce que c'est la femme qui donne la vie à l'homme.

Monsieur le Président,

Cela interpelle, donc, les politiques de s'occuper particulièrement de la santé de la femme, de veiller à ce que tous ses droits les plus absolus soient respectés scrupuleusement, au même titre que ceux de l'homme.

Monsieur le Président,

J'ai vu, quelque part, quelqu'un écrire:

«L'humanité a deux ailes; l'une est l'homme, l'autre est la femme. Tant que les deux ailes ne seront pas développées de la même manière, l'humanité ne connaîtra pas son essor; l'humanité sera toujours déséquilibrée.»

Monsieur le Président, j'ai pris, donc, tout ce qu'a dit Monsieur le Directeur de l'IPPF.

Je vous remercie!

HON. ABDULKADIR ANEB [ETHIOPIA]:

Thank you, Mr. President, for giving me the floor.

I want to thank Mr. Tewodros, the Director of the IPPF, for the shocking presentation that he has given to this House. This is not an acceptable report to the people of Africa and the Hon. Ladies and Gentlemen of this House.

The message that we are going to take back to our national parliaments, constituencies and our people is very clear. We shall make a simple request for an increase in the health budget to up to at least 15 percent. If we can get more allocations, this will be more than welcome.

Mr. President, the maternal mortality rate in Africa is absolutely unacceptable. I repeat this as a person who lost her mother during child birth. The number of surviving children in the family usually die while they are still young. The chances that they will be poor is very high. Those who lose their mothers also have higher chances of being uneducated.

I respect the Hon. Member from Sierra Leone who said, "I am not a woman, but you are the son of a mother; a brother of a sister, and maybe a father of a daughter." In that context, you can imagine what we are talking about. The chances of the extended women family members, maybe, the majority if not a little less than half, dying during giving birth is extremely high in this 21st Century.

(Applause)

HON. NDELE MOUSSA IDRIS [CHAD]:

Thank you, Mr. President. I will speak in less than two minutes. I would like to congratulate my brother, Mr. Tewodros Melesse, for his brilliant presentation and his world-wide known expertise. One of our common challenges is capacity building of the parliamentarians on the issue of sexual and reproductive health. As one of my colleagues said, this is a very big challenge and I know you are working hard on it. I believe that by the end of this year, Hon. Members of the Pan-African Parliament will get this requested expertise from the IPPF.

Mr. President, my second appeal is to my colleagues, the Hon. Members of the Pan-African Parliament. I want you to join the IPPF Movement by joining the member associations in your respective countries. In all our countries, the IPPF is well represented and they are doing a very good job. They need us for their advocacy and

we need them for capacity building. So, I appeal to you all, that once you are in your country, join the IPPF team, if you have not done so.

Thank you, Mr. President

Mr. TEWODROS MELESSE [DIRECTOR OF IPPF]:

Mr. President, most of the issues which were raised and the answers or comments that I will give will be more for long-term reflection and soul-searching than an escapee response of fixing it once at a time, especially when it comes to issues of tradition, culture and religion.

Mr. President, I do not believe, and I stand to be proven wrong, that our culture, tradition and religion are obstacles to family planning; to allow us to take care of our women and children. We have concrete examples, including abortion to save a life. We have Islamic countries like Iran and Indonesia, which, despite all the controversies, are making progress in this area. In our Continent, Tunisia has also made tremendous progress. I do not think anybody can teach these countries about Islam. How do they do it? When we talk about Christianity, the Vatican and Rome, women are dying as a result of abortion related complications. Spain and Portugal are countries which are entrenched in conservative Catholicism. They have changed their laws and their women are free. I, therefore, do not think that we can teach and re-teach the Italians and the Portuguese about Christianity.

Mr. President, if we are sober enough and revisit our history, there is a lesson on how to take care of our women. In my culture, when I was a child, a mother who had delivered would sleep in a different room and would not have contact with her husband for a long period of time, until she had finished breastfeeding. It does not mean we look at perfection, but at things that we can build on.

Mr. President, when we are talking about developing countries, the example they give us is China. This country is changing today. However, let us look at other countries which have not taken a one-child policy and have developed and demonstrated to the world their development. Japan, Korea and Malaysia, the tigers of Asia, as they called, have developed in a very short period of time. These countries have not prescribed to the one-child policy. Their women are better educated, they have fewer days as a result of complications related to pregnancy and their economy is developed. Education and contraceptive education go along together.

Mr. President, when we talk about other cultures, I feel that we are being hijacked with new activism religions which are the minorities in their countries and cultures. We are being held hostage and we have to resist that. We need to follow the African identity of caring for our population, children and the young. How then, can we say that the Europeans have swallowed part of their problem not to use contraceptives, through the First and Second World War, migration to America, Canada, Australia and New Zealand and coming to Africa? We have nowhere to go; our people are dying in the oceans. Our answer is to plan our families.

Countries that have legalized abortion will tell you that this practice has reduced tremendously. Abortion is not a shop where you go and buy. Every woman who undergoes abortion goes through some form of traumatic experience. Some of us cry when we are injected. You can imagine what emotional and physical stress it is for a woman to have an abortion.

Mr. President, when we are talking about homosexuality, the Chairperson of the Africa Commission on Human and Peoples' Rights talked about individual rights. My envelop is not open when I receive a letter or it is illegal. Why should somebody open my bedroom to see what I am doing?

(Laughter)

Mr. President, if we are talking about cultural decadence then, the responsibility of our families, schools and communities is to ensure that our values prevail. We may have to educate our families about how to invest in education. We need to renew and say that the African culture is important if we want to fight degeneration of our culture. It is not by putting people in prison that we will educate or enlighten them!

(Applause)

Mr. President, when we talk about funding, it is also the weakness of our governments, civil societies and parliamentarians not to ask for accountability from the donors. Accountability is not only from our governments or our communities, but from our donors. We set our priorities. Let us be the ones to get the message for Africa and not the messengers of the message created by others. We have to negotiate. Where are our priorities? Where do we invest? There are different forums. For instance, there is a ticket from the Japanese, there is the USP Assembly, the European Union and Development Assistants forum and the UN in the our countries. There are

also country and bilateral programmes with different countries and other African forums. Let us join hands and say we need this investment.

If you check in your accounts and ask your governments, there is so much unspent money which is sent back to the Treasury of donor countries and the UN. I do not believe that we have a shortage of money, but we have a shortage of commitment and dedication. We need to ask for accountability from those who are doing it.
(Applause)

Mr. President, we have to create a different kind of symposium and alliance. I know that civil societies are perceived to be agitators sent by others, but that time has to come to an end. What unifies us, as a reality in Africa, is greater than what divides us. Let us objectively discuss what it is and forget about the jargons. Let us go to the communities and discuss what affects the health of each individual and community. If we do that, we will work with you to advocate and articulate. We understand that there are certain things that our governments cannot say because there is a language of diplomacy. But some of us can cross the border and we are there to speak for those who are voiceless, including you who have got your own constraints to say and to speak on certain things.

My appeal is that there are areas that we can work together. Let us soul-search the various aspects of our culture that are demonized. The African culture cannot be demonized. All countries have grown past that. I believe that our culture is the one that cares for the lives of our families and individuals. We have values that we have to preserve. Let not the minority activists hijack our culture and religion to give us what is not ours. We have fought for so long to gain independence and dignity. We cannot be taken by the soft power of today.

Mr. President, on the issue of statistics, they should be 1 to 12 and 1 to 4000. I apologize for that. Can you imagine that 1 in 12 women in Africa dies due to pregnancy related complications and in the other countries the ratio is 1 to 4000? In those countries are Muslims and Christians! We are not carrying the crucifixion cross of Christianity, neither the exile of Prophet Muhammad.

Mr. President, we are humanity's Christians and rather than lose that to others, let us re-examine and be caring family members of our identity and take care at our level. Donors are ready, but it is the utilization which is not effective and which we are not voicing. In some countries, they refuse to talk about family planning because the George Bush administration was against family planning. Some of us were converted to something else because of the policies of the American hegemony.

I remember Chairman Connery was asked to withdraw the Maputo Plan of Action because it was promoting other religions by the US Ambassador at the AU. Connery stood as a true African and we have to stand up.

I thank you, Mr. President.

THE PRESIDENT:

On behalf of the Pan-African Parliament, may I thank the Presenter, our dear friend, the Director of the International Planned Parenthood Federation (IPPF), Mr. Tewodros Melesse, for that rude awakening for many Hon. Members of Parliament. May I, therefore, urge all our colleagues present here to, please, ensure that we partner with the IPPF in our various countries to ensure that no woman loses her life while giving life to another. It is a task for us all to take part in.

Hon. Members, we have now come to the end of our business for today.

The House accordingly adjourned at 06.30 p.m. until 0900 a.m. on Thursday, 15th April, 2010
Jeudi 15 avril 2010. OAVIS DE MOTION SUR LA SITUATION EN SOMALIE HON. IBRAHIM HABEB NUR [SOMALIA]:

Mr. President, may I, please, submit the Motion on the Security Situation in Somalia?

I thank you, Mr. President.

THE PRESIDENT:

Yes, you may go ahead with your motion.

HON. KANAGBARO III BAI KURR [SIERRA LEONE]:

On a point of order, Mr. President.

THE PRESIDENT:

Yes, you have a point of order.

HON. KANAGBARO III BAI KURR:

Mr. President, the point of order that I stand on is on the basis that we have today's Order Paper which clearly stipulates that the first item is Opportunity for Silent Prayer. The second item is Communication from the Chair. I think the Hon. Member's motion should come under the third item, Giving of Notices of Motions.

I thank you, Mr. President.

THE PRESIDENT:

Hon. Members, we have done the Silent Prayer. There is no Communication from the Chair. So, we are now on Giving of Notices of Motions.

Hon. Member, you have the floor.

HON. IBRAHIM HABEB NUR [SOMALIA]:

Thank you very much, Mr. President. I wish to present a Motion on the Security Situation in Somalia. Somalia has experienced almost two decades of forces, instability, lack of security and countless human sacrifice. The blood of many women, children and the most vulnerable of the society has been rapidly spilt in the country.

Further, many people have fled the country and others have died on their way to seek refuge in other countries, including persons who drowned in the Indian Ocean. Over 1 million refugees are in camps located in the neighbouring countries and over 1 million individuals have been displaced in the country and live in make-shift shelters, especially in central and south Somalia.

Recalling the fact that the national [...].

THE PRESIDENT:

Hon. Colleague, you are not moving the motion yet. You are supposed to give us what the motive of the Motion is and we will decide whether we are taking it or not. So, can you give us the essence of the motion, but you have not moved it yet.

HON. IBRAHIM HABEB NUR:

Thank you, Mr President. The motion is: Motion on the Security Situation in Somalia.

THE PRESIDENT:

Any seconder for this motion?

AN HON. MEMBER:

Mr President, I second the motion.

THE PRESIDENT:

Hon. Colleagues, in the current rules of our House, the presiding officer can decide to take the Motion today or on the next sitting day. So, we will take this motion on the next sitting day. The Clerk is hereby instructed to put it on notice on the Order Paper for tomorrow.

(Applause)

THE PRESIDENT:

Hon. Colleagues, may I now invite the Clerk to read the First Order of the day which will be the Second Order of the day on the Order Paper.

Mr. Clerk, you may proceed.

THE ACTING CLERK:

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THE PRESIDENT:

Thank you very much, Hon. colleague. I believe that the rule says that during the time for adoption, we need two-thirds. The rule does not state that we cannot discuss or debate it without the two-thirds. By the time it is ready for adoption, this House will decide which procedure we will follow.

Thank you.

AN HON. MEMBER:

On a point of order, Mr. President.

THE PRESIDENT:

Hon. Member, is that another point of order?

AN HON MEMBER:

Mr. President, it is a point of information. On the opening day of this Session there was a quorum. That quorum is the one that decides whether what we have discussed during this Session is within the rules. So, the quorum cannot be decided on each day. It was accepted when we opened the Session that there was a quorum.

THE PRESIDENT:

Thank you, Hon. Colleague. Like I said, a decision will be taken by this House at an appropriate time. Let us proceed with the work we have to do and thereafter we will take a decision on the issue of adoption.

Is that carried?

HON. MEMBERS:

Yes!

THE PRESIDENT:

Hon. Tidjani Serpos, you may proceed!

2.OPRÉSENTATION ET ADOPTION DES AMENDEMENTS AU RÈGLEMENT INTÉRIEURHON. TIDJANI-SERPOS ISMAËL [BENIN]:

Merci Monsieur le Président.

Les problèmes préalables que posent les collègues, j'envisageais bien de vous les exposer. En effet, l'article 12 du Protocole dit que « le Parlement panafricain, en son point 1, adopte son propre règlement intérieur à la majorité des 2/3 de ses membres. »

Cette disposition a été reprise à l'article 92 du Règlement intérieur concernant l'amendement du Règlement intérieur qui se réfère également à l'exigence d'une majorité des 2/3 pour procéder à l'amendement du Règlement intérieur.

Mais, il est bon, pour apprécier tout ceci, de savoir que l'initiative de ces amendements, que nous devrions normalement examiner, ne vient pas de nous-mêmes. Ça vient de la décision 459, si ma mémoire est bonne, du Conseil exécutif qui nous a demandé non seulement de renouveler le Bureau du Parlement, mais aussi de procéder à l'amendement de notre Règlement intérieur.

À défaut d'obtenir l'amendement du contenu de notre Règlement intérieur, pour ce faire, nous avons dû adopter des résolutions réduisant le mandat des membres du Bureau et des organes du PAP à trois ans. Donc, cette question est déjà réglée; il s'agit de l'introduire et d'en faire une donnée de notre Règlement intérieur.

Aussi, la question de l'équilibre à tenir dans la composition des organes de l'UA a été une préoccupation qui a agité longtemps notre Parlement, pour savoir comment procéder à la composition des bureaux de ses organes. Nous avons fait également, au niveau de notre Commission, des propositions allant dans ce sens.

Ceci étant, c'est pour le vote que l'exigence des 2/3 est faite dans notre code et dans le Règlement intérieur. Il s'agit, pour nous, de savoir si, dans les conditions actuelles, nous avons ces 2/3. Seul le Secrétariat du PAP peut nous dire si nous avons atteint le minimum des 2/3 dans la salle pour pouvoir procéder à cet exercice.

Une autre formule consisterait à donner lecture des propositions d'amendements qui ont été formulées, que nous en discussions et que nous attendions le moment propice, au cours de cette session-ci, si nous pensons que le nombre peut atteindre ce quota, pour pouvoir procéder au vote formel, pour que nous soyons en règle vis-à-vis des textes fondateurs de notre Parlement.

Monsieur le Président,

Nous avons déjà tenté cet exercice, au cours de la dernière session et cela n'a pas pu atteindre cet objectif, faute de quorum. Si, tel doit être, chaque fois, le résultat, je pense que nous n'atteindrons jamais l'objectif des 2/3.

Monsieur le Président,

Je suis suspendu au choix des collègues pour savoir la formule que nous devons adopter. C'est unpréalable indispensable, pour que nous soyons en règle vis-à-vis des textes en vigueur et qui fondent le travail au sein de notre Parlement.

HON. DUMBUYA SHEKU B. [SIERRA LEONE]:

Mr. President, the presenter has already sounded a very important prerequisite - the question of having a two-thirds majority. As my colleague, Ahmed, said, if we are to be rigid, it will be difficult to have the required number of colleagues to adopt anything here. As Hassan said, and I want to agree with him, even logically it is tenable that on the very first day, as long as there is a quorum, you proceed.

If you say, at any time, you have to search to see whether you have a quorum, it will be very difficult because you cannot determine the movement of Members of Parliament at any one time. That is my view. The presenter has said that this is a very important prerequisite and, indeed, it is.

HON. BOUDINA MOSTEFA [ALGERIA]:

Merci Monsieur le Président. Je crois qu'il faut qu'on travaille dans l'esprit des dispositions générales du Règlement intérieur.

Il est prévu, quelque part, que lorsqu'il s'agit d'une réunion, et lorsque le quorum n'est pas atteint, une première fois, on la reporte et, à la deuxième fois, on tient la réunion et les décisions sont valables, quel que soit le nombre de présents. Nous appliquons cette disposition, puisque nous sommes à la deuxième tentative, en ce qui concerne l'adoption du Règlement intérieur. Si on ne retient pas cette procédure, nous serons obligés d'aller encore vers une autre session et, lorsque ce point est inscrit vers la fin de la session, il y a des gens qui partent et le quorum ne sera jamais atteint.

Je vous remercie.

HON. OBAMI-ITOU ANDRÉ [CONGO]:

Merci Monsieur le Président. Je pense que le respect du Règlement intérieur reste un principe que nous ne devons pas piétiner. Il s'agit de la discipline même sur le fonctionnement de notre Chambre. Nous avons des documents fondamentaux: le Protocole et le Règlement intérieur. Et, si nous ne respectons pas le Règlement intérieur, nous ne pourrions plus rien respecter. Il n'y aura pas de discipline et ce sera l'anarchie générale.

Monsieur le Président,

Le quorum dit-on, était atteint à l'ouverture. Mais, maintenant, nous ne sommes plus les 2/3. Cette question aurait pu retenir notre attention, lors de l'adoption du programme, à savoir, placer les amendements, comme le premier point à l'ordre du jour, parce que ça allait nous permettre de fonctionner. Les amendements seraient adoptés, le Règlement intérieur complété et nous pourrions, donc, fonctionner sereinement. Or, il se —trouve que, maintenant, la Chambre ne constitue pas les 2/3, et nous ne pouvons pas, sous une forme ou sous une autre, à cause de notre impatience, piétiner le Règlement intérieur.

Je propose, qu'à la prochaine session, au programme, nous mettions des propositions d'amendements comme premier point, parce que c'est important. Ça concerne le fonctionnement de notre Chambre. le quorum était atteint à l'ouverture.

Merci Monsieur le Président.

THE PRESIDENT:

Thank you, Hon. Colleagues. Let me first present some statistics and information available to us and then we can proceed with the discussion.

We have forty-seven member states and currently three are under sanctions. So, the Parliament has 220 Members and a quorum should be 147 if we are looking for two-thirds. On the first day, we had 124 members. Today, we should have about 110.

Hon. Colleagues, we need to adopt these Rules of Procedure and I believe this House has the powers to amend its own rules to allow the House to adopt the amendments based on the fact that this was a decision of the Heads of States and Government passed down to us. However, we will take interventions from the floor.

HON. BAHARI ALI [KENYA]:

Mr. President, I rise on a point of order.

At the beginning, you made a ruling after a point of order was raised. Your ruling was that we proceed with the presentation because it did not require two-thirds. Therefore, we should continue debating and when the time to adopt the rules comes, we can get into the technicalities.

I do not know at what point your decision was overtaken by other issues so that we decided to go back to debate an issue on which you had already ruled. I wonder whether that is in order. We need your guidance. Otherwise, we will continue going round in circles and not move forward. Probably, we will have options at the time we decide to adopt the report. We can have many options and ideas, but we will cross that bridge once we get there. I beg that we proceed.

THE PRESIDENT:

Thank you, Hon. Colleague.

My position has not changed, but additional points of order were raised. I need to allow every Member who raises a point of order to do so, so that it can be attended to unless it is one that has already been ruled on. So, my decision and position has not changed. We will take the presentation and will go into the details when we have finished with it.

Let us proceed. Hon. Serpos, you have the floor.

HON. TIDJANI-SERPOS ISMAËL [BENIN]:

Merci Monsieur le Président.

Comme je l'ai dit, tout à l'heure, d'entrée de jeu, au 12^{ème} Sommet des chefs d'État et de gouvernement, une décision a été prise, nous demandant de procéder à l'amendement de notre Règlement intérieur, pour le conformer aux autres instruments habituels de notre organisation continentale.

Il nous a été demandé, en particulier, de déterminer la durée du mandat des organes du PAP, de procéder au renouvellement de ces organes, et nous avons ajouté une question qui a agité notre Parlement, lors des renouvellements des organes, surtout des bureaux des Commissions, qui était de faire en sorte qu'un certain équilibre régional soit tenu dans le renouvellement de ces organes.

Nous avons donc fait l'exercice, et cet exercice avait déjà été achevé, au cours de notre dernière session, mais la question que nous venons d'évoquer, faute de quorum, nous n'avons pas pu passer à l'acte d'adoption de ces amendements.

Donc, ces amendements se présentent comme suit:

L'article 1^{er} a cité les principaux organes qui ont été touchés par les amendements, et libellés comme suit:

Article 1^{er}: Conformément à l'article 92 du Règlement intérieur, les dispositions des articles 15, 16 et 22 dudit Règlement sont amendées ainsi qu'il suit:

S'agissant de l'article 15, en ce qui concerne les candidatures, l'article 15(1) est demeuré sans changement.

L'article 15(2) a été modifié; au lieu de: « Le Secrétaire général demande la soumission des candidatures une semaine, au moins, avant l'élection », nous avons proposé, compte tenu des difficultés auxquelles nous avons été confrontés pour recueillir les candidatures aux postes de membres du Bureau du Parlement panafricain - parce que nous étions limités par rapport au délai d'une semaine qui était initialement proposé dans le règlement intérieur de notre Parlement -, nous avons dû mettre une clause permettant, au besoin, de réduire ce délai de 7 jours à 3 jours. Et, le nouveau libellé se présente comme suit:

« Le Secrétaire général demande la soumission des candidatures 7 jours au moins avant l'élection. Ce délai - et, c'est là la modification - peut être ramené à 3 jours, en cas d'urgence déclarée par la plénière du PAP».

Je continue, si vous le voulez bien.

En ce qui concerne l'article 16 relatif à l'élection des membres du Bureau, l'article 16(1) et 16(2) sont demeurés sans changement. L'article 16(3) libellé anciennement comme suit: « Le Président de l'Union africaine dirige l'élection du Président ».

Suite au débat que nous avons eu, en plénière, ici, il s'agit essentiellement de l'installation inaugurale du Parlement panafricain. Cette installation inaugurale a déjà eu lieu à Addis-Abéba et a conduit à l'élection de Mme MONGELLA, comme Présidente du PAP.

Nous avons estimé que, tirant exemple de ce que nous avons vécu, lors du renouvellement du Bureau du PAP, il faut repréciser cet article, pour faire en sorte que ce soit d'une autre manière que nous procédions à l'élection du Président. Et, voici la formule que nous avons proposée, en remplacement de cet article 16(3). Il faut désormais lire: « Un comité ad hoc de cinq membres constitué par un représentant élu de chaque groupe régional organise et dirige l'élection du Président du PAP ». Cela nous éviterait d'être bloqués par l'exigence de la présence du Président de la Conférence; difficultés auxquelles nous avons dû faire face, la dernière fois.

La solution que nous avons adoptée, suite à une résolution de la Chambre, c'est de faire appel à un comité ad hoc, composé d'un représentant par région, pour organiser et diriger l'élection du Président. Évidemment, après l'élection du Président, il prend le maillet et continue l'élection des autres membres du Bureau.

S'agissant de l'article 16(4) jusqu'à 16(9), c'est demeuré sans changement.

c'est l'article 16(10) qui est un article nouveau que nous vous proposons:

« En cas de vacance, en cours de mandat, du poste d'un membre, d'un organe du PAP, celui qui est élu, en remplacement, achève le mandat du prédécesseur. Il peut être renouvelé une fois ».

Article 22: Création de Commissions permanentes du Parlement.

L'article 22(1), jusqu'à l'article 22(5) n'ont pas été modifiés.

C'est l'article 22(6) qui était libellé comme suit: « Chaque Commission permanente élit en son sein un Président, un vice-Président et un Rapporteur ». Il faut lire désormais:

« Chaque Commission permanente élit, en son sein, un Président, un Vice-président et un Rapporteur.

Le Bureau du PAP, en concertation avec les bureaux des groupes régionaux, veille à assurer, dans la mesure du possible, lors du renouvellement général des bureaux des Commissions, une représentation régionale équitable consensuelle des responsabilités de ces bureaux. En tout état de cause, ce sont les Commissions qui procèdent démocratiquement à l'élection des membres de leur bureau. »

Voilà le libellé qui est proposé, pour prendre en compte la volonté, maintes fois, exprimée au sein de ce Parlement, de faire en sorte qu'il y ait une représentation équilibrée des régions, dans la composition des bureaux des Commissions.

Article 22(7) à 22(11): Dans cette partie, les alinéas sont demeurés sans changement.

L'article 2 de tout le processus de toute la proposition précise ceci:

Les dispositions ci-après sont modifiées ainsi qu'il suit: Dans la version que j'ai, à la page 111, au lieu de 19ème partie « Dispositions Diverses », il y a un décalage. Il faudrait mettre:

19ème partie: « Dispositions Communes aux bureaux des organes du PAP », donc, aussi bien pour le Bureau du PAP que pour les bureaux des autres organes.

Article 86: Au lieu de « Accès du public aux documents », lire: Article 86: « Durée du mandat »

1. Le mandat de membre du Parlement panafricain est celui de son Parlement national ou tout autre organe législatif qui l'élit ou le désigne.
2. Le mandat du Bureau du PAP et des bureaux des autres organes est de 3 ans renouvelable une fois.

Nous avons inséré, ici, la résolution qui a été adoptée par notre plénière, fixant la durée des bureaux à 3 ans renouvelable une fois. Vous ne pouvez assumer les responsabilités à la tête de ces organes plus de deux fois.

3. En cas de renouvellement du mandat national d'un membre du Bureau, il achève son mandat en cours.

Cette disposition a fait l'objet d'un long débat au sein de la Commission, et nous avons dû, dans ce cas, voter pour savoir si cette disposition doit être prise en compte, et c'est ce qui a été adopté qui est mentionné là.

Pour simplement dire que désormais, la durée du mandat étant de 3 ans, parce que, par le passé cette durée n'était pas fixée, le membre du Bureau qui est réélu dans son pays peut achever son mandat de 3 ans, mais il ne peut pas aller au-delà.

Article 87: Accès du public aux documents

C'est l'ancien article 86, sans changement; donc, il y a un décalage qui s'est opéré jusqu'à la fin du texte.

Article 88: Participation aux séances.

C'est l'ancien article 87 sans changement.

Article 89: C'est devenu l'article 88. Donc, à chaque fois, il y a un décalage, jusqu'à l'article 93 qui lui-même est devenu l'article 92.

Article 94: C'est un nouvel article qui dit ceci: « Entrée en vigueur du Règlement intérieur ».

Article 95: C'est l'ancien article 93, sans changement.

Enfin, l'Article 3 de la proposition d'amendement:

Les présents amendements entrent en vigueur, dès leur adoption, par la plénière du Parlement panafricain.

Voilà chers collègues, le libellé intégral des propositions d'amendements que la Commission vous propose, afin que nous soyons en règle avec la décision qui a été prise par les chefs d'État, nous demandant de procéder à l'amendement de notre Règlement intérieur.

Au cours du dernier Sommet des chefs d'État, dans la rubrique consacrée à l'exécution des tâches ordonnée par le Sommet, on a mentionné que le PAP n'a pas exécuté cette mission que nous devons accomplir.

J'ai eu le privilège, sur décision du Bureau, de participer au dernier Sommet, et j'ai dû intervenir pour dire que l'essentiel était fait, mais que c'est faute de quorum que nous n'avons pas procédé à l'adoption du texte d'amendements qui a été déjà élaboré.

Je vous remercie Monsieur le Président, de votre attention et de l'attention des collègues.

THE PRESIDENT:

Thank you, Hon. Chairman of the Rules Committee of the Pan-African Parliament.

Hon. Colleagues, we now need to take a decision. We debated this in the October Session last year, but did not have a quorum to adopt it. This is the interpretation of the rules as at that time. We now need to take a decision whether we are adopting this now or deferring it to another session. We will now take some contributions on it and if need be, take a vote on it.

HON. FARHAT LUTFI MOHAMED [LIBYA]:

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THE PRESIDENT:

Hon. Colleague, you are now re-opening the debate. The debate has already taken place!

HON. FARHAT LUTFI MOHAMED [LIBYA]:

Mr. President, you gave me the Floor. That is why I thought that...

THE PRESIDENT:

Yes, I gave you the Floor...

HON. FARHAT LUTFI MOHAMED [LIBYA]:

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HON. KANAGBARO III BAI KURR [SIERRA LEONE]:

On a point of order, Mr. President.

THE PRESIDENT:

What is your Point of Order?

HON. KANAGBARO III BAI KURR [SIERRA LEONE]:

Mr. President, my point of order is that, the Committee has done very well to present their issues. However, it is also appropriate for any Hon. Member to bring in their proposals to amend the procedures. This does not only stop with what they have presented. If we will amend other issues that they have not addressed, we can go ahead and do so. I want that to be known to the Chair and Hon. Members of Parliament.

THE PRESIDENT:

Hon. Colleague, the proposed amendments have been debated on this floor and the debate has been closed on the issue of the adoption. We were unable to adopt in October because we did not have the required quorum. We are now faced with the same problem and need to deal with it. That is the problem I want us to talk about. I will not take any issues which will re-open debate on the amendments. The issue is the adoption of the amendments as debated on this floor and that debate had been closed.

Yes, Hon. Derry Ambrose.

HON. DERY AMBROSE [GHANA]:

Thank you, Mr. President, for giving me this opportunity to debate. As far as the amendment of the rules goes, the rules are very clear and succinct. The AU decision that we amend the rules has a caveat that we should bring the Pan-African Parliament affairs into tandem with the procedures of other AU organs. I want to indicate to you that starting from the Constitutive Act, Article 32(4), an amendment of the Constitutive Act is subject to a two-thirds majority vote and not the majority needed for a quorum. The protocol to the treaty establishing the African Economic Committee relating to PAP, Article 24(1) also indicates two-thirds majority of all Members as the vote needed to pass an amendment. So, Rule 92(2) is only, accordingly, in tandem with the rules regulating these organs. So, it is difficult, but that is no basis for us to be illegal. The rule of law does not give us any basis for expediency to ditch the rules. The rule of law and not the rule of expediency is what we took oath here to defend and protect

Mr. President, I propose that if your ruling stands, we cannot discuss this matter any further and I will abide by that. We should allow these proposed amendments to stand and keep this business on our schedule daily until we have the requisite number, be it on Thursday or any other time and then we will adopt them. If we do any other thing, we will lose the moral ground of drawing attention to the Executive if they become unconstitutional. Therefore, no one can cite the decision of the AU as a basis to do an illegality which has roots in the Constitutive Act. rTi?

I thank you, Sir.

(Applause)

AN HONORABLE MEMBER:

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THE PRESIDENT:

Who is raising a point of order? I realized that one of our colleagues [...].

AN HONORABLE MEMBER:

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THE PRESIDENT:

Hon. Colleagues, can we just listen for a few minutes. We have only 111 Hon. Members in the Chamber now and that is not adequate by the rules of our House to carry on with this process. So, we will stand it down and bring it up at a time when we have the appropriate quorum.

(Applause)

AN HONORABLE MEMBER:

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AN HONORABLE MEMBER:

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THE PRESIDENT:

Hon. Members, as I said earlier, the debate on the amendments was done in this Parliament in the October Session and I will not renew that discussion. What we need to do is find a date on which we will have a quorum and adopt the amendments. I think we have heard enough on this issue.

Mr. Clerk, let us proceed.

I now call on the Clerk to bring forward the third order of the day as the second order, the Presentation and Debate on the Report of the PAP Election Observer Mission in Namibia.

THE ACTING CLERK:

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AN HON. MEMBER:

Mr. President, a point of order.

THE PRESIDENT:

Yes, Hon. Member, what is your point of order?

AN HON. MEMBER:

My point of order is on the order of presentations on the Order Paper.

Since Monday, we have been told that the Vice-President would make a presentation on Abuja. Some of us have been preparing almost every day for this presentation and cannot understand why you have not stated when that presentation will be made so we can contribute to the debate.

THE PRESIDENT:

Yes, we intend to take that presentation sometime today. Thank you, Hon. Member.

Hon. Dery, you may proceed.

AN HON. MEMBER:

Mr. President, I wish to raise a point of clarification. The item you have just called is not on the Order Paper.

THE PRESIDENT:

It is on the Order

Paper. It is item No. 3 on the Order Paper

AN HON. MEMBER:

The third item on our Order Paper is the Presentation and Debate on the Report of the Conference of Parties 15 Meeting in Copenhagen, Denmark.

THE PRESIDENT:

Mr. Clerk, did you present the wrong Order Paper?

THE ACTING CLERK:

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THE PRESIDENT:

Mr. Clerk, the Order Paper I have with me shows the item I mentioned as the third item on the Order Paper. Did you give the Hon. Members a different Order Paper from what I have?

HON. MEMBERS:

Yes.

THE PRESIDENT:

In that case, Mr. Clerk, we will stand down that topic because you did not put it on the Order Paper. That is an administrative problem. However, I have, here, an Order Paper that includes the report I mentioned. That is the item we have on our Order paper and what Hon. Members have is different.

AN HON. MEMBER:

Mr. President, in the Order Paper we have, after Giving in Notices of Motion, we come to Commencement of Business. The first item under this is the Presentation and Debate of the Report on the Seminar with the Regional Economic Communities (Abuja). You have explained that the debate will be done later.

Then, there is a presentation by the Chairperson of the Committee of Rules, which has been done already. Thereafter, there is the Presentation and Debate on the Report of the Conference of Parties 15 meeting in Copenhagen, Denmark. This is the Order Paper we have for Thursday, 15th April, 2010. Are we following that?

THE PRESIDENT:

Hon. Colleagues, it is obvious that there is an administrative problem with the Order Paper. Because Hon. Members have a different Order Paper from the one we have, we will follow what the Members have. We will stand down this report, Hon. Dery, and have the presentation of the Abuja Report.

Thank you.

[The Second Vice President in the chair as the Presiding Officer]

THE PRESIDENT:

Hon. Members, may I call your attention back to the House. Please, take your seats and let us start.

Hon. Members, I would like to bring your attention to the Order Paper and to mention that we are going back to the Order Paper as it was. So, I would like to call the Clerk to give us the order of our Business.

Thank you.

THE ACTING CLERK:

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THE PRESIDENT:

Thank you. May I now call on Hon. Amadi Bethel, the First Vice President, to present the Report on the Conclusions of the Seminars on the Transformation of the Pan-African Parliament, the Oversight Model and the Regional Economic Communities.

Hon. AMADI, please.

3.0PRÉSENTATION ET DÉBAT SUR LES CONCLUSIONS DU SÉMINAIRE SUR LES COMMUNAUTÉS ÉCONOMIQUES RÉGIONALES-ECOWASHON. AMADI BETHEL [NIGERIA]:

Thank you, Madam President. Hon. Colleagues, I have the singular honour and pleasure to present to you a summary of the Reports of the ECOWAS and PAP Conference in Abuja, Nigeria from 22nd to 25th November, 2009. The Pan-African Parliament had a conference with the ECOWAS Parliament whose goal was to develop a framework to harmonize Regional Economic Communities (RECs) and parliamentary bodies with the ultimate aim of creating a framework which will lay a foundation to achieve continental unity as envisaged by the African Union (Au).

Madam President, the meeting, which was attended by fifty-six Members of Parliament from PAP and twenty-one Members of Parliament from the ECOWAS Parliament, was co-Chaired by the President of the PAP and the Speaker of the ECOWAS Parliament. It was opened by the Minister of the Federal Capital Territory to Abuja, on behalf of the President of the Federal Republic of Nigeria. In his opening remarks, the Minister of the Federal Capital Territory to Abuja welcomed the efforts that have been made to attain the integration of the African continent. He further advised that the attempt to integrate the African continent must be pursued concurrently with efforts directed at reviving the Pan-Africanist consciousness in the continent.

Madam President, he also expressed hope that the AU would enable Africa to cope accurately with the challenges and realities of the changing world. He concluded by saying that there was no controversy about the desirability of greater regional cooperation and integration among African countries.

However, the limited success of attempts at regional cooperation and integration in Africa raises questions as to whether the African institutions are pulling together to achieve the goal of continental integration. He, therefore, recommended that parliamentary bodies in Africa should ensure that the people are made more aware of AU policies and decisions.

Madam President, in his opening remarks, the Speaker, of the House of Representatives of the Federal Republic of Nigeria, the Right Hon. Dimeji Bankole, mentioned that continental integration has always been a part of the African struggle for emancipation. However, very little has been achieved at attaining regional and continental integration and urged parliamentarians to see themselves as a vanguard in the struggle to achieve continental integration.

Madam President, in his address, the PAP President, the Hon. Moussa Idriss Ndele, invited the ECOWAS Parliament and its member Parliaments to support the PAP in its attempt to attain full legislative status. He also asked them to contribute ideas on how the two Parliaments can collaborate, especially in relation to the harmonization of laws and both subjects related to continental integration.

Furthermore, Hon. Ndelé observed that there was merit in the establishment of the RECs in Africa. The RECs have sufficiently contributed to the awakening of the spirit of integration amongst the African people. As such, it is about time that success is reviewed with the aim of consolidating them into greater ambitions of integration and transforming some AU institutions.

The Speaker of the ECOWAS Parliament described and outlined the composition and mandate of his Parliament. He noted that the Parliament does not yet have legislative powers. Its role is limited to consultative and advisory functions and he had a ready list of the advisory interventions that the Parliament has taken part in, amongst them: human and fundamental rights and the freedom of individuals; inter connection of communication systems; inter connection of energy; public health policies; common education policy for the community; scientific and technological research standards; common policy on environment for the economic community and a common system for the review of treaties and social integration issues. Furthermore, he revealed that plans

were underway to implement a system through which ECOWAS Parliament Members will be elected through universal adult suffrage.

Madam President, on other presentations that were done at the Abuja meeting, Hon. Serpos, the Chairperson of the Committee on Rules, Privileges and Discipline, made a presentation on key contributions regarding the transformation of PAP. He pointed out that the transformation of PAP is in line with the process of rationalizing the institutional framework of the AU. This will assist the AU to achieve continent-wide economic and political integration anchored on the principle of political governance, which involves the participation of the people of the continent in decision making, transparency, oversight and accountability. This can only be partly achieved through having a continental Parliament with legislative powers.

Madam President, another presentation was made by Hon. Laroussi, the Third Vice President of PAP. He presented a paper on the Africa-Europe Strategy.

PAP had participated in a summit held in Lisbon in 2007 with their European counterparts. He said that the EU and AU had decided to further strengthen ties between the two continents. The proposal of this strategy is to develop a political vision and practical approach for the future partnership between the EU and AU based on mutual respect, common interest and principles of ownership through a common parliamentary position on the eight thematic areas of peace and security; democratic governance and human rights; trade, regional integration and infrastructure; the millennium development goals (MDGs); energy; climate change; migration, mobility and employment, information technology and space research.

Madam President, the past Secretariat also briefed the conference on the progress that has been made to ensure that the institution is integrated into the organs of the AU. The process is at a very advanced stage and, at the moment, many officers and staff of the New Partnership on Africa's Development (NEPAD) have been relocated to the African Union Commission (AUC).

The Hon. Sawadogo presented a report on democracy and governance. In this session, most of the participants welcomed the African Charter on Democracy, Governance and Elections. They also observed that democracy was the most important ingredient in the pursuit of development in Africa. Hon. Sawadogo presented the Charter, the state of its ratification and other challenges. He also noted, with regret, some incidents such as the pursuit of human rights, manipulation of constitutions and refusal by some African leaders to step down from power when they had been voted out.

Madam President, in conclusion, the two parliaments came up with a final communiqué and also had a resolution passed on climate change. I will read the declaration and communiqué as follows:

"We, Pan-African Parliamentarians and ECOWAS Parliamentarians, Speakers of National Assemblies and areas within the framework of the West African Consultative Parliamentary Forum on 23rd to 25th November, 2009 at the precincts of the ECOWAS Parliament in Abuja, Nigeria, consider that this consists a framework for the promotion and enforcement of relations between the ECOWAS Parliament, National Assemblies of the West African Region and the Pan-African Parliament; considering the respective mandates of the ECOWAS Parliament and the Pan-African Parliament and their commitments to jointly cooperate in sub-regional programmes on behalf of the AU; having in view the respective recommendations of the ECOWAS Parliament and those of the Pan-African Parliament relating to regular consultations and transformation of these two institutions into legislative organs; strongly pay tribute to the decisions of the African Union Peace and Security Council, decisions of the Summit of Heads of States and Government of ECOWAS, resolutions of the ECOWAS Parliament and the recommendation of the Pan-African Parliament on the Republic of Guinea and the Republic of Niger; relating to the call to the question of democracy, rule of law, good governance which have been undermined in these y'countries; pledge to facilitate the implementation of the decisions of the African Union and ECOWAS, encourage the harmonization and rationalization of legal terms and Acts at the continental and regional levels; contribute to the process of continental integration by facilitating the implementation of NEPAD programmes and developmental strategies put in place at the regional level; promote and encourage member states of regions to ratify the African Charter on Democracy, Elections and Good Governance; Contribute to the transformation process of the Pan-African Parliament, ECOWAS Parliament and all other regional Parliaments from consultative parliaments into legislative organs within the framework of strengthening the decision making process at the continental as well as regional levels; support the common African position on climate change in particular to request the maintaining and strengthening the major principles contained in the Kyoto Protocol notably the principle of polluta payer; to demand the polluta countries pay reparations for the destruction caused by

climate change in particular the creation of carbon-dioxide absorption poles in the zones that are most affected by environmental degradation; to multiply and socialize platforms and meetings between PAP and the regional parliaments; Adopted on the 24th November, 2009, in Abuja by Members of the Pan-African Parliament and the ECOWAS Parliament."

Thank you, Hon. Colleagues.

(Applause)

THE PRESIDENT:

Thank you, Hon. Bethel Amadi, for that presentation. I have a list of twenty-one Hon. Members that signed in to contribute to this debate. I want to start by saying that I was present at this Conference in Abuja, and it was one of the most successful conferences.

I want to take this opportunity to thank the Government and people of Nigeria for hosting us. I also recognize the ECOWAS Parliament. Indeed, this is an example of how we can raise the visibility of the Pan-African Parliament in our different regions. The theme of the Conference was: "Taking Pan-African Parliament to the People" and, indeed, by the end of the conference, we felt the people had a feel of what the Pan-African Parliament is all about.

May I now give the floor to Hon. Dr. Esau Chiviya of Namibia. Please, take the floor.

Hon. Members, it seems he is not in the House. Here it says the country is Namibia. If the Hon. Member is not in the House, may I give the floor to Hon. Ambrose Dery of Ghana.

HON. DERY AMBROSE [GHANA]:

Thank you, Madam President. I want to commend the First Vice President for the good report delivered and I want to associate myself with the positive comments he made.

First of all, I would like to comment on the transition of PAP and ECOWAS from "consultative parliaments to legislative ones. I think that where we have examples such as the East African Legislative Assembly which has already attained legislative status, we do not have to reinvent the wheel. I would encourage both PAP and ECOWAS and the AU, for that matter, to take the example of the East African Legislative Assembly so that we can move forward. This is because it is only when we attain that status, that we can be effective.

The second comment I want to make relates to the climate change aspect of the meeting which was very important.

Madam President, in the AU Report, they told us about the establishment of an African Petroleum Fund which is meant to assist countries acquire oil. However, what is missing is the fact that we are going to increase the production of carbon-dioxide.

Furthermore, apart from the tar oil drilling in Canada and the Shale in the Mid-west of America, off-shore drilling is an offender as far as pollution is concerned. I would think that apart from Kyoto, we should begin, in Africa, to see what to do about big oil to make sure that we get alternative sources of fuel. So, I would say that, that was a very important point. We should take it further by ensuring that we get the resources to support it.

Finally, I also wish to associate myself with the fact that we should ratify the African Charter on Democracy, Elections and Governance because that is the major document; a culmination of all the attempts at good governance. If we have good governance and the rule of law, I am sure all our problems will be solved.

Madam President, I encourage PAP to continue to move further and begin to move away from the headquarters of the institutions. It was good that the meeting was in Abuja. Next time, you should go to another place in West Africa, and then another place. If PAP is inviting any of the groups to come here, we should meet outside South Africa. That is how we are going to make good our theme Taking Pan-African Parliament to the People.

Finally, I think that East Africa and West Africa should come together. For instance, the East African group can meet the West African group. By going on visits, we can learn best practices. Of course, ECOWAS has something to offer; the import levy that we have used to help with finances. I tell you, the AU could benefit from that.

I thank you Madam President.

HON. TOSKIN JOHNSON BARTILE [UGANDA]:

Thank you very much, Madam President, for giving me this opportunity. I want to thank the Second Vice President for the report that she presented to us. It was quite a good and comprehensive report.

Madam President, I also want to laud the move by PAP to move to the various parts of the continent. As has already been said, this is the best way we can make ourselves felt in the continent of Africa and the only way of allowing the grassroots people of Africa to participate in the integration of their continent.

Madam President, this gives us a chance to carry out good networking so that we know what is happening in the various parts of our RECs. I think ECOWAS is a very big Parliament covering about fifteen countries with 115 Members. This is a big body which I am sure would do quite a lot if it was given the opportunity to be a fully legislative Parliament.

Madam President, there are a number of issues which we must think of as we move to the various RECs. The issue of climate change must be discussed thoroughly and we must put our heads together so that we can see how best we can mitigate the negative impact of climate change.

The issue of education, as you know, is also very important and should be harmonized in every region. One advantage of harmonizing the education system within the regions is that we shall enable our people to move freely across the regions to look for labour or employment.

The issue of the environment, as I have already said, is an important area which we should really try to harmonize in the regions.

The issue of agriculture is also crucial, especially when it comes to ensuring food security in the regions.

Finally, the issue of trade is also very important. Therefore, as we move to the RECs, these are the areas which I thought we should really concern ourselves with so that we facilitate the integration process right at the RECs level.

Thank you very much Madam President.

HON. RAKUOANE LEKHETHO [LESOTHO]:

Thank you, Madam President. Let me also take this opportunity to congratulate the First Vice President for a good report.

Madam President, I feel that this conference or seminar was one of the most important interactions between PAP and the regional parliamentary body. I would call this a very strategic interaction, a strategic move and, indeed, the heart of our business, especially at this stage where we are still at the transitional stage and do not have legislative powers or authority.

My understanding is that the final product of this conference should have been to get the best practice from ECOWAS. Other conferences should then be held in other regions. Once we have the best practices from the different regions, PAP should adopt them as a model for the continent. Once they have been adopted by PAP, then we will be looking at benchmarks in terms of implementing the model that PAP would have adopted out of this interaction.

Madam President, the business that we were expecting from the communiqué is that we would get one or two best practices from that region. Once we have summarized all the best practices, we can have the continent's best practice. PAP can then follow in terms of implementation. So, I would urge PAP, especially the Bureau, to hold a follow-up meeting in another region. Immediately this is done, we should be able to assess where we are.

Madam President, one feels that, for a long time, the relationship between PAP and the RECs has not been clear. I have said that that move should also be aimed at defining the relationship and interaction between PAP and the RECs. I wish that a committee could be set up whether that business is dealt with by the Committee on Cooperation or another committee. However, the relationship between PAP and the RECs must be developed and formalized. That is my contribution.

I thank you very much, Madam President.

HON. SHEBESH RACHEL [KENYA]:

Thank you very much, Madam President. I would like to pass.

I thank you, Madam.

SPEECH

FROM HON. OYO EBULE EVANGELINA FILOMENA [EQUATORIAL GUINEA]:
THE PRESIDENT:

Everyone is absent. What is happening? People signed in their names.

HON. OYO EBULE EVANGELINA FILOMENA:

Muchas gracias Sr. Presidente por concederme la palabra

THE PRESIDENT:

Excuse me, you are present, good!

HON. OYO EBULE EVANGELINA FILOMENA:

He pedido la palabra en este tema para sugerir que ese tema puede ser objeto de un seminario, ayer el informe del Presidente nos puso una lista de personal que asistió conmigo a ciertos seminarios.

HON. MEMBER:

Translation.

THE PRESIDENT:

English and French translation, please. Okay, Hon. Member, you may continue.

HON. OYO EBULE EVANGELINA FILOMENA:

Gracias Sr. Presidente.

Felicitar al ponente y solicitar que en estos seminarios deberían participar todos.

Sería bueno que nos hicieran llegar...

HON. MEMBER:

Translation, please.

THE PRESIDENT:

We still do not have translation in English. What about French? Oh, there is a technical problem. May I then adjourn the house for 5 minutes so that this can be dealt with. Let us adjourn for 5 minutes. She says we continue. Okay, you may continue, Hon. Member.

HON. OYO EBULE EVANGELINA FILOMENA:

Gracias otra vez Señora Presidenta.

Estaba diciendo que felicitaba al ponente y que la información que nos dan en ese tipo de cuestiones sería bueno que también nos hagan llegar los documentos con más detalles, para que nos informemos muy bien sobre esos seminarios que versan sobre temas importantes. Porque el tema éste interesa pero es bueno que nos fotocopien alguna documentación para que nos vayamos enterando muy bien de lo que se dice en esos foros, porque es interesante para los países que están cercanos saber un poco más de lo que se hace sobre esos temas.

Gracias, esa era la sugerencia.

HON. LAHAI BERNADETTE [SIERRA LEONE]:

Madam President, I want to acknowledge the report of the presenter and the hospitality of the ECOWAS Parliament and the people, government and Parliament of Nigeria for a well executed workshop. The workshop was frank and information very apt and timely.

Madam President, with regard to the transformation of PAP into a legislative body, I want to follow on the statement made by the Member from Ghana that we do not need to reinvent the wheel. We were informed by the ECOWAS that they already have the ad hoc committee report on legislative transformation and visits were made to Parliaments like EALA and countries which are already on the paths to legislative transformation. Therefore, with all this information, PAP only needs to look at what has happened and proceed from there.

What happened this morning, in terms of our not being able to adopt the Rules, has serious implications on the speedy transformation of PAP into a legislative body. This is because, as of now, most Members may not be here because they are sponsored by their national Parliaments and some of those sponsors are not sustained.

In addition, because Members are also responsible for representing their constituencies and country, they can sometimes be prevented from attending PAP meetings to the end or can be stopped from attending them altogether. I hope that as and when we are fully transformed into a legislative body, some of these problems will be solved. This is because we will expect PAP to take full responsibility for financing the participation of Members to this meeting. At the same time, I hope that Members will only belong to the PAP and not be sandwiched between PAP and their national parliaments, which may also be a reason we have not formed a quorum.

Madam President, on the report, itself, particularly the Joint-EU and African Union Core Strategy, I am very heartened that peace and security, democratic governance and human rights are at the top of the eight thematic issues. As has been shown in the last two or three days, peace and security, democracy, governance and human rights are important to attaining development at all levels. I only hope that the EU-AU Joint Strategy will be adhered to as regards the eight thematic areas.

Let me say that Sierra Leone has already signed the Charter on Democracy, Elections and Good Governance and adopted it. I would like all the members to follow suit because it is very important for the development of Africa in terms of democracy and governance and will reduce the tendency of undemocratic change of governments. At the same time, where countries do not adhere or are not in a position to do this, as I said the last time, there is no reason why they should be protected.

The issue of climate change was welcome and I only hope that the communiqué was relayed to the necessary bodies.

HON. GEREMARIAM GEBRU [ETHIOPIA]:

Thank you, Madam President, for giving me the opportunity to take the floor. May I, with all due respect, request you to allow me to sit down and speak because of health problems?

THE PRESIDENT:

Excuse me, can you, please, repeat what you said?

HON. GEREMARIAM GEBRU [ETHIOPIA]:

Madam President, may I speak while seated?

THE PRESIDENT:

Yes, you may sit down.

HON. GEREMARIAM GEBRU [ETHIOPIA]:

Thank you very much, Madam President. Let me be on board to commend the First Vice President for his comprehensive and coherent Report on the Seminar that was held in Abuja.

Madam President, a lot of issues were raised at the Abuja Seminar, which I participated in. We learnt a lot from ECOWAS. We can take ECOWAS and the East Africa Legislative Assembly (EALA) as models to integrate Africa and, especially the example of EALA.

Madam President, it has been properly stated in the Constitutive Act that the Pan-African Parliament will be transformed into a legislative organ after five years. That has not been done so far and it seems that we are not serious about the Constitutive Act either or we are very negligent.

Therefore, Madam President, with all due respect, I would like to request this august House to work towards fulfilling the recommendations of the report and its demands for the transformation of PAP into a legislative organ.

Madam President, I am very disappointed whenever I come to this august House because of the issue of absenteeism. Look, the chairs are there, but they are empty. We take the paradigms of peasants of Africa, we are not serious. How will we seriously make the Pan-African Parliament a legislative organ?

(Applause)

Madam President, we have to be serious on this issue. You were calling names, and even as I speak, you are not listening to me.

(Laughter)

THE PRESIDENT:

I am very sorry, Hon. Member. You have all my attention!

HON. GEREMARIAM GEBRU [ETHIOPIA]:

Madam President, first finish with your consultations!

THE PRESIDENT:

I have finished.

HON. GEREMARIAM GEBRU [ETHIOPIA]:

Madam President, we have to be serious. We are sons and daughters of Africa and nobody will come to help us deal with the problems of this continent.

Madam President, as I said before, because of health problems, I was not here the other day. I was very disappointed that we were debating petty issues rather than discussing the lofty responsibilities of the people of Africa.

Madam President, the report has stated all the problems of Africa, but we have to read between the lines and deal with it properly. We travel thousands of miles or kilometers, not just in vain, but to deliberate on issues of the African people.

This might be my last chance to speak to this august House because of two things; health issues and the fact that there are elections in my country in one month's time. I do not know what my fate is. However, I pray that the Pan-African Parliament will be transformed into a continental organization, to take Africa out of the abyss it is in now.

Madam President, we, as parliamentarians, have to be serious. Ladies and Gentlemen, when we come here, we are loaded with heavy responsibilities. If we cannot meet those expectations, let us not come. Let us not take the paradigms...

HON. ASAGA ADUKO MOSES [GHANA]:

Madam President, can I then have about 10 minutes since a lot of people are not here.

(Laughter)

HON. ASAGA ADUKO MOSES:

Madam President, I rise to associate myself with the report of the Abuja meeting from 22nd to 25th November, 2009. For me, the meeting has fulfilled the protocol requirement of PAP to facilitate cooperation and development in Africa. Therefore, the Bureau should be highly commended for organizing this meeting.

Madam President, the meeting also afforded PAP members from the ECOWAS region the opportunity to understand and learn from the ECOWAS Parliament regarding its advisory and consultative opinions on a number of subject matters, including infrastructure and energy.

Madam President, with the cooperation of the ECOWAS Parliament, in West Africa, under infrastructure, we have been able to institute a West African gas pipeline. The idea of this is to develop and produce gas in Nigeria and to transport it to Benin, Togo and Ghana to fuel thermal plants for the production of power. The generated power will then be exported by Ghana to Cote d'Ivoire, Burkina Faso and Mali. As a result of this, there is a Memorandum of Understanding (MOU) for interconnectivity between Ghana, Cote d'Ivoire, Burkina Faso and Mali for the export of power and construction of transmission lines.

Madam President, I see this as a first class model and best practice which can be adopted in other regional economic communities. Therefore, as previous speakers said, we do not need to reinvent the wheel.

Madam President, how does this fit into the AU? I think that the strategic plan of the AU has always captured infrastructure and that is why NEPAD is in existence.

Secondly, we know that infrastructure is also required to promote regional integration. That is why, under the AU, we have the Minimum Integration Programme. I, therefore, propose that we use the ECOWAS model as

we do not need to reinvent the wheel. As regards the African Charter for the development of infrastructure such as aviation, highways, railways and gas pipe-lines, we, as PAP, will be able to provide consultative and advisory opinions for the AU. Once we become a legislature, we will be able to legislate this integration through infrastructure.

Madam President, I think that we must commend the Vice President and PAP as a whole, especially the PAP Secretariat, for the Abuja meeting. They did a lot for us and we did not have any problems in terms of hospitality and transportation. Most commendable of all is that the Vice President from Nigeria gave us the best hospitality I have ever seen travelling around Africa.

(Applause)

HON. ASAGA ADUKO MOSES:

Madam President, I am, again, demoralized this morning, [...]

THE PRESIDENT:

I give you one minute since you asked for it.

HON. ASAGA ADUKO MOSES:

[...] by the fact that we cannot form a quorum. However, I believe that as much as this is unfortunate, it is an opportunity for us to drive home to the AU and our member countries that we need to legislate PAP within the shortest possible time so that we have full-time work for PAP through Members who are elected by universal adult suffrage.

I thank you, Madam President.

HON. DUMBUYA SHEKU B. [SIERRA LEONE]:

Thank you, Madam President. Firstly, I would like to congratulate the First Vice President for his eloquent presentation.

Madam President, those of us living in West Africa look up to Nigeria as a big brother. It is, indeed, interesting to know that Nigeria, as a country and as a brother, has been living to this bidding. Many a time, Nigeria has really offered hospitality to African people, the type that Hon. Aduko Asaga talked about. Therefore, we are not surprised at all, particularly those of us who have been recipients of such hospitality.

Madam President, there appears to be unanimity that we transform into a legislative body. However, I have some reservations. Much as it is my wish, looking at it from other points of view and from what some people have been saying over the years, are we ready for this transformation? We, as a Parliament, could well be ready, but the question is, would some of our leaders be prepared really to accept the status of pAp as a fully-fledged legislative assembly? We all know what Parliament means. A Parliament with full legislative powers is, indeed, a very powerful institution.

That being the case, when PAP is made into such a powerful institution, will it not clash with some of the leaders who are undemocratic? When you are a Parliament with full legislative powers, you legislate on certain issues which become binding. But will they be accepted by those leaders who think democracy is a curse for them? That is the question.

Madam President, therefore, I would like to suggest that if we can find time, let us try to see how we can talk to some of these leaders who do not want to go the democratic way. It is useless for us to become a full legislative body when some leaders do not listen to what we say or accept what we do.

Madam President, I want to ask a question. Are we really very serious about countries adopting democratic values consistent with present day political realities? If that is the case, why have some countries still not signed and ratified the African Charter on Democracy, Elections and Governance? The fact that they have not done so leaves me with the impression that they are reluctant to identify themselves with democratic values; values that we advocate in this Parliament.

Madam President, this is where I will remain bold to say that some of the countries that have not signed or have refused to sign, as it were, this Charter, should be suspended from the AU until such a time when they are ready to do what we think they should do.

I thank you, Madam President.

(Applause)

HON. CHEYO MOMOSE JOHN [TANZANIA]:

I thank you very much, Madam President. I was actually giving up.

Firstly, let me thank the First Vice President for a wonderful presentation. Although I was not in Abuja, it looks like people were well received. This is an excellent example of African hospitality.

I would like to basically comment on the issue of transforming our Parliament into a legislature. Here, I want to take note of what the last speaker said. The biggest problem we have is the Constitutive Act, in particular, Article 6 of the Constitutive Act. This Article gives supremacy of the AU to the wrong people and that is the Heads of State. Supremacy should be in the hands of the people. The people are represented by people like us - the Parliament of Africa. So, by the same protocol which we now have, I suggest that we use Article 11 of the Protocol, which gives us the opportunity to recommend a change in the Constitutive Act. Number one change should be in Article 6 where the supremacy of the AU should be in the people of Africa and that is in the Parliament of Africa.

The second change should be in Article 5 of the Constitutive Act which talks about several organs. There should only be three organs in the AU, the Legislature, the Executive and the Judiciary. All the other organs which are stated there are only instruments of administration.

Furthermore, Madam President, we should not allow some of the powers which we already have to be taken away. For instance, we have powers under Article 2 of the protocol to debate the budget of the AU as well as our own budget. If that is our power, why on earth should we experience a situation where the budget of this organization is cut by the Permanent Representatives Commission (PRC) or anybody else? The Budget of the Pan-African Parliament should have only one stop and that is the approval by the Assembly.

Madam President, what I am advocating is that we have been too receptive. We should be proactive. Africa is waiting for us to see that the Pan-African Parliament is a voice of one Africa. Let us take up our efforts and go for that.

I thank you.

(Applause)

THE PRESIDENT:

Thank you, Hon. Member, for those constructive views. I have come to the end of the people who wanted to make a contribution.

HON. MEMBER:

Madam President, I submitted my name for this the day before yesterday.

THE PRESIDENT:

Your name could have been read when you were outside

AN HON. MEMBER:

I was not outside.

THE PRESIDENT:

Okay, you may take the floor, Hon. Member.

AN HON. MEMBER:

Thank you, Madam President. The issue here is very important. I want to thank the Vice President for the presentation. In his report, he mentioned continental unity, regional cooperation, continental integration, emancipation of the African people and the support of PAP to attain legislative status. I wonder why ECOWAS only had twentyone people and PAP had fifty-six people attending the conference. I am sure ECOWAS should have had more representatives there.

Madam President, may I just give a roundup of certain issues that ECOWAS has achieved. Like the previous speaker from Sierra Leone said, Nigeria has played a very important role in consolidating the West African Region. If we could all remember the problems we had in Sierra Leone and Liberia, it was the Economic Military Organization Grouping (ECOMOG) of West Africa that came to their aid. But 90 percent of the body was with Nigeria, then Guinea and Ghana. Others gave some support. But we know how much manpower Nigeria gave to Sierra Leone. We are always grateful for the protection they give to us as a big brother.

Madam President, when we talk of the unification of the African countries, we have to think of common interests, for instance, the military. You cannot unite with people that do not have military comparisons. How can Djibouti, Somalia and Eritrea unite when their militaries are not working together? Then we have to think of trade, governments, common language and finances.

Madam President, ECOWAS is now trying to have a monetary union. We have what we call, the West African Monetary Zone (WAMZ) and the West African Monetary Union (WAMU). We want to have the same currency, so that when you visit Ghana, Nigeria, Mali and Burkina Faso, Guinea, Liberia and so on, you carry the same money. That is one issue that they are now working on.

Madam President, on the issue of travelling, they have come up with one passport that they are going to use. When you have that passport as a person from Sierra Leone, Liberia, Ghana, Nigeria and so forth up to about fifteen countries, you can travel without requirements. I am sure, East Africa had that arrangement. It was more successful before, but because of certain coups that took place in Uganda, the East African Community collapsed. I am sure they are now working on that.

If we are going to attempt this regionally, how are we going to coordinate? So my recommendation, because of time, is that there should be ad hoc Committees between the five regions; the North, Central, East, West and Southern regions, so that we can coordinate activities to know what ECOWAS is doing and what the central aspects of...

THE PRESIDENT:

Thank you, Hon. Member; you have come to the end of your time. I now would like to invite the Hon. Vice President to respond to the issues raised.

Hon. Vice President, please!

HON. AMADI BETHEL [NIGERIA]:

I would like to thank you, Madam President and distinguished, Hon. Colleagues.

Madam, I have heard the comments and contributions of my colleagues who have contributed to this topic and I sincerely thank all those who participated in this very successful meeting. Basically, I believe that the meeting will facilitate the cooperation amongst the regional economic communities under the Parliamentary fora, as illustrated in the protocol establishing the Pan-African Parliament.

Members have raised issues on various topics and I will just touch a few of them because most of them are actually not questions, but contributions.

The issue of transformation of the Pan-African Parliament was discussed at length at the summit and has been raised here by many Members. I believe that the transformation of the PAP into a legislative body is something that needs to be done now.

Madam President, the African Union Commission is in the process of being transformed into an African Union Authority with more Executive powers and influence without any legislative body to have an oversight role over the activities of this transformed, more powerful and potent African Union Authority. We believe that as we give more powers to the commission and the Executive arm to determine the affairs of Africa, the people of Africa must be given a voice, through this legislative body, to ensure that what is being done by the authority is in the interest of Africans.

We are the only body that has the possibility of airing the views of the voiceless millions of Africans. We are supposed to be a platform to deliver to the leaders and to make an impute on the decision-making process of the African Union Commission, the African Grass root organizations and the people of Africa

Hon. Colleagues, I do not think that the transformation of PAP into a legislative body is something that is up for bargain. I think that its time has come.

(Applause)

I believe that the fear that has been expressed about the support that our Heads of Governments would give to this process is real. However, we cannot say that because of it, we will not move forward. We must demand it because its time has come. If it does not happen now, then we can be rest assured that it might never happen.

The protocol is very clear. After the first five years, the protocol must be reviewed. As Hon. Members, we must ensure that we are committed to this process.

As you saw this morning, it is almost impossible for us to deliver even something as simple as the amendment to our rules of procedure. I think that this is a very sad development.

In the Bureau, we have discussed and agreed that national Parliaments will send lists of attendance of Members to this Chamber.

(Applause)

We believe that it is important for Hon. Members who have been sent by their various national Parliaments to be present in the Chamber to do the business for which they have been sent here. That problem is not peculiar to any country or region, but cuts across. So, we have decided that the report that will be sent to national Parliaments Safter every Session will include the attendance of Hon. Members in Chambers.

(Applause)

We are not looking at it as something punitive, but will take it as something that will encourage Hon. Members to attend the sittings when they have come here already.

We also believe that the economic integration which has happened in West, East, Southern and Central Africa is a process that should be the basis on which we can continue with the integration process. Political integration without economic integration will not give Africa the required unity and development that we need at this time. I believe thatthe process of economic integration is essential mainly because I have talked about how we have achieved the little progress we have made in West Africa; the free movement of goods and services and people and labour. Somebody from one part of West Africa does not need a work permit or visa to visit another part of the region. We have achieved that in the ECOWAS Region and we are still moving forward. As we mentioned, we have our new ECOWAS passports which is going to further the course of integration. I think, on a continental level, it is an essential part of continental integration to have economic integration.

There is excess manpower available in many parts of Africa that is needed in other parts of Africa that is not being moved to this part of Africa. We need to look at that as a basis for economic integration.

We also have to look at the fact that the trading partners of West African countries are out there in Europe, America and Asia and not the neighbouring countries which need the goods and services available in their neighbouring countries.

We need to bring down the barriers that that are stopping economic intergration in Africa.

We also need to standardize. In West Africa, like the report said, we have standardized education. For years, we have had the West African Examination Council for the English speaking countries and the positive integration of education is on-going to cover the whole of West Africa so that we can have the same education standards. This will help us ensure that the skilled manpower in the region is of the same standards. Thus, you can measure the same items when you look at them.

Hon. Colleagues, another major issue that was raised at the meeting in Abuja was the issue of the Charter on Democracy, Good Governance and Elections. Integration must be amongst people with shared values. If you do not have shared values and the same standards, integration will be very difficult. I, therefore, believe that this charter which a lot of African countries have failed refused and neglected to ratify should be a document that will champion integration. It is only when you have the same standards of governance, similar platforms and similar shared values, that it becomes easier to have political integration. I believe that the process is one that each and every one of us here has a responsibility to pursue with our national Parliaments to ensure that this charter is domesticated amongst our various countries.

We have also had the opportunity, during the meeting that was held here with the Speakers of various national Parliaments, to try and sell this concept of the Charter being domesticated by those who have not signed it. I believe that everybody present during this session has the direct responsibility to try and file a report back to their Parliament on their return to ensure that the issues that have been discussed at this Parliament are passed on to the Members of the various national Parliaments.

Hon. Colleagues, I would like to thank you for your contributions.

(Applause)

THE PRESIDENT:

Thank you very much, Mr. Vice President.

As I said before, we are very grateful that Nigeria and ECOWAS hosted us and that the seminar was very successful. Indeed, subsequent to what I said, everyone who spoke and who attended that workshop agrees with my position.

So, we thank you and hope that this can be duplicated in other economic communities. It is within the Rules of the Bureau of the Pan-African Parliament that we are going to hold these seminars one after another. The next one should be in the Northern Region.

May I now invite the Clerk to read the next order of the day.

Mr. Clerk.

THE CLERK:

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THE PRESIDENT:

Hon. Ambrose Dery, please, do present...

I think there is confusion on the Order Paper and we cannot keep it like that.

Hon. Members, let me make a suggestion. Under Rule 37 (3), we are allowed to amend the order of the day to allow our business to continue. I would like to request the House to amend the Order Paper, if you have a different one from what we have, so that the Report of the Pan-African Parliament Election Observer Mission to the Presidential and National Assembly Elections in Namibia can be presented.

Hon. Members, is that agreed?

HON. MEMBERS:

Yes.

THE PRESIDENT:

Thank you, very much. Hon. Ambrose Dery, please, take the floor.

AN HON. MEMBER:

On a point of order, Madam President.

4.0PRÉSENTATION ET DÉBAT DU RAPPORT SUR LA MISSION D'OBSERVATION DES ÉLECTIONS DU PAP EN NAMIBIE HON. DERY AMBROSE [GHANA]:

Thank you, Madam President, for the ruling which I think is spot-on. This is because on the master programme for the whole period, this appears on Thursday, and today there are two versions of the Order Paper. One is congruent with the composite programme and the other is not. Thank you, Madam President.

Your Excellency, Madam President, Your Excellencies, Vice Presidents of PAP, my dear Hon. Members of PAP, please, permit me on behalf of the Mission to the Namibia Election, 2009, to present the Report of the Pan-African Parliament Election Observer Mission to the and National Assembly Namibia 2009 from November 28th to 2nd 2009.

Madam President, it is common knowledge that the Pan-African Parliament was established by Article 2 of the Protocol to the Treaty establishing the African Economic Community relating to PAP. This was done in accordance with Article 17 of the Constitutive Act.

The establishment of PAP was done or formed by the vision to provide a common platform in Africa for African citizens and their grassroots organizations to take part in making decisions relating to challenges or problems facing the continent.

Madam President, this vision has found expression in a number of declarations and instruments. One of those is the African Charter for Popular Participation and Development adopted in Addis Ababa, Ethiopia, in July, 1990, which emphasized the need for the people of Africa to take the initiative in the economic and political spheres.

The objectives of PAP accordingly, as per Article 3 of the protocol, are in tandem with this view. Among the objectives are the following:

To promote the principles of human rights and democracy in Africa, encourage good governance, transparency and accountability in member states, promote peace, security and stability, encourage continental solidarity and bring a sense of common destiny among the peoples of Africa. Finally, in respect of this report, to facilitate the effective implementation of policy decisions and objectives of the OAU/AU and AEC.

Madam President, it is within this context that the PAP Election Observer Mission was sent to Namibia. It was in conformity with Article 3 (g) of the Constitutive Act which promotes democracy and popular participation and 3(h) of the same Constitutive Act which deals with human rights, which includes the political rights to associate and to vote.

Pursuant to that, Madam President, therefore, the PAP Mission to the 2009 Namibia elections had these specific objects:

The first was to assess whether the 2009 Presidential and National Assembly Elections in Namibia met the guidelines set out in the OAU/AU Declaration on Principles Governing Democratic Elections in Africa 2002. After this, I will refer to this declaration as the AU Declaration 2002.

Secondly, we were to determine whether these elections were conducted in accordance with the constitutional and electoral frameworks in force in Namibia.

Thirdly, to establish whether the results of the elections are a true reflection of the democratic values of the people of Namibia duly expressed through a free and fair electoral process.

Fourthly, to establish that the principles of human rights and democracy were respected in an atmosphere of peace and security, and to make recommendations to improve the holding and conduct of subsequent elections in Namibia.

In view of the foregoing objectives, therefore, Madam President, the mandate of the mission was to make an independent, impartial and objective assessment on the electoral process in Namibia which shall then form part of the report that I now have the privilege to present to the plenary.

The composition of the team was eighteen members from the five regions. The names are as stated in the report. They were supported by eleven support staff from PAP and ESA.

As regards the methodology, Madam President, we first had an advance team deployed. It was led by the mission leader, the deputy and mission rapporteur with the support of the seven support staff on 20th November, 2009, with the primary objective of assessing the prevailing pre-election environment and the state of preparedness and to collect necessary information for the mission's assessment. The advance team held preliminary meetings with relevant election stakeholders and visited some suburbs of Windhoek.

Madam President, there was a press conference on 23rd November, 2009 to announce the arrival of the team and also to tell the media and the people of Namibia our mission.

Subsequent to that, the mission held interactive sessions on November, 23rd and 24th 2009. This interaction provided an opportunity for the PAP mission to exchange views and notes with the electoral stakeholders, which included the Electoral Commission of Namibia, representatives of political parties and civil society organizations.

After this pre-deployment session, we deployed. We firstly deployed the team led by the leader and then eight other teams which comprised two MPs and support staff. Therefore, on 25th November, 2009 the teams were deployed to eight of the thirteen provinces of Namibia.

On arrival in the various provinces and stations, these teams held consultations and meetings with local election stakeholders such as regional elections commission officers, political party

representatives in the areas, civil society organizations, the police and the media. The teams also observed rallies and other political campaign activities.

In Windhoek, the mission leader's team continued to consult electoral stakeholders, including the political parties and other mission observers from the AU, SADC and other groups. The mission leader was interviewed

by local and foreign media organizations such as the Namibian Broadcasting Corporation, South African Broadcasting Corporation and the Voice of America, among others.

Madam President, there was subsequently an interim statement issued on 2nd December, 2009 to the press pending the final report, which I now have the privilege of delivering.

Madam President, in these interactions, there were concerns and issues raised by the stakeholders. Firstly, there was an alleged abuse of state resources by the ruling party. It was alleged that they used state resources to support their campaign and granted hand-outs such as forty-eight vehicles to traditional leaders just days before polling day.

The second allegation was of intimidation or victimization of government officials who were perceived as members of opposition parties by the government. In this context, the allegation was meant to show that the freedom of association, a right of Namibians was violated.

The third allegation was that there was unequal access to state media which was skewed in favour of the ruling party, the South West Africa people's Organization (SWAPO), suggesting that the state media was partial.

The next allegation was of violence and intimidation of supporters of the opposition parties, particularly in SWAPO strongholds. A specific example in this case was that of Omasati.

Another allegation was the inability of the Electoral Commission of Namibia to provide stakeholders with a credible voters' register within reasonable time. It was further alleged that subsequent to the publication of the register of voters in the government gazette, three versions of the voters' register were given to political parties with different voter populations in each version. The last version of the voters' register, which was used for the elections, was given to political parties on November, 25th 2009 while the polling days were November, 27th and 28th 2009.

As for the population of registered voters, the last register submitted on 22nd November, had a total voter population of 822,344 as against the gazetted population of 1.1 million which was contradicted by two earlier versions; one which had 1.3 million voters and another which had 961,000 voters.

The decision to print 1.6 million ballot papers, which was in excess of all these voter populations per various version of the voters' register, was seen by the opposition parties as a recipe for vote rigging.

There was also an alleged faulty issuance of duplicate voters cards upon request that had the potential of encouraging multiple voting.

There were allegations that the indelible ink that was used to mark voters that had voted easily washed off after you voted. Therefore, it was feared that it was not a full proof check against multiple voting.

There was a concern that after the counting of votes at the polling stations where the results were declared, there was a delay between that declaration and the final declaration of the certified results in Windhoek.

Finally, there was an allegation that the Electoral Commission of Namibia was partial. This was from the opposition parties. The reason for this was that allegations of irregularities were not attended to.

Madam President, subsequent to these allegations, the mission made the following observations and findings:

After due consultations and assessment of evidence available to the mission and in consonance with the AU Declaration of 2002, we made, first in relation to the media coverage, the following observations: The coverage of election campaigns by the state media, the Namibian Broadcasting Corporation television, was heavily skewed in favour of SWAPO. However, it is important to state the other state media, which was the newspaper, the New Herald Newspaper did a better job of emulating the coverage of political party campaigns in its publications.

There was also the allegation that the state media is under the direct control of the government and, therefore, the Director General of the NBC is appointed directly or under the auspices of the Minister for Information.

Madam President, the NBC's impact cannot be underestimated because apart from having a television station, NBC TV, which has national coverage, it also has a radio network in nine local languages making it the dominant media player in the country. Without prejudice to the alleged government control of the state media, the mission wishes to state that the staff of NBC were very professional in the discharge of their duties.

In view of the foregoing observations, the mission found that the AU Declaration 2002 Section (iv) Clause 12 which stipulates equal access to public media for all candidates and political parties was not fully respected in the Namibian elections since the SWAPO party had an advantage to other parties in that regard.

Madam President, campaigns by the political parties were conducted in a peaceful and orderly atmosphere. The mission observed that officers of the Namibian police discharged their duties and obligations with diligence and in a professional manner. A very unique aspect was that all the stakeholders in the Namibian election agreed that the Namibian police was independent, objective and accessible at all times. The Namibian police were present at all polling stations observed by the mission and by their presence enhanced the security of the ballot.

Madam President, the AU Declaration 2002, Section (iii) Clause H imposes a responsibility on the governments of member states to ensure that adequate security is provided to all parties participating in elections. We find that the performance of the Namibian police during the elections made good this responsibility.

Madam President, the opening, voting and closing at all polling stations observed by the mission was generally conducted in a peaceful, orderly and transparent manner. Political party agents of SWAPO and the Rally for Democracy and Progress (RDP), which is a breakaway group from SWAPO, were present at all the polling stations observed by the mission. Other political party agents were represented at only a few of the polling stations observed.

Accordingly, apart from SWAPO and RDP, the other parties did not and could not make good their right to be present at the polling stations pursuant to Section (iv) Clause S of the AU Declaration 2002. However, the electoral officers were generally able to handle the voting process professionally.

Madam President, on 23rd November, 2009, the Director of Elections of the Electoral Commission of Namibia, in response to a question posed by the leader of the mission about the effectiveness of the indelible ink used on the voters who had voted earlier, as a reference on 30th November, 2009, whether the indelible ink could be checked against possible multiple voting by the same voters on the 27th and 28th November, 2009, responded that he could not vouch for the effectiveness of the indelible ink used during voting.

Madam President, the mission observed that the voter education was generally adequate. This was evidenced by the low number of spoilt votes at the stations observed.

Madam President, the decision to allow voters to cast their votes in areas other than their areas of registration, which was a welcome innovation, that is, tendered votes, ensured that all eligible voters exercised their right to vote and they had their votes recorded in their various constituencies. However, the counting of standard votes posed a challenge to the electoral officers who could do with a little more training. The tendered votes, even though a very good innovation, also posed a challenge of possible serious consequences on the confidentiality of the vote. This is because at certain polling stations observed, you had a single vote in respect of a particular constituency. In view of the fact that the number of the voter's card was sticking on the counterfoil, you could tell who the voter was where there was a single vote. We have, however, no cause to believe that this was done with any bad motive.

Madam President, the teams observed that the mobile stations which moved from place to place to ensure that everybody voted were generally well scheduled and organized.

The time allowed between the counting of votes and a polling station's declaration of certified votes was obviously a concern, especially because people were beginning to send SMS messages of purported certified results and that you know had the potential to threaten security.

We observed that the political parties in Namibia, which has a proportional representation system, had not met the minimum 50 percent threshold that they, themselves, agreed upon for women on the party list for the National Assembly. It is important to note that women constitute over 50 percent of the population of Africa and that we need to work hard to ensure that this is reflected in the way we are represented.

We must commit ourselves to make good our obligation under Section (iii) Clause J of the AU Declaration 2002 to encourage the participation of African women in all aspects of the electoral process, including representation in Parliament or the National Assembly. They should not only be represented when it comes to voting and not on representation.

Madam President, the final results of the Presidential and National Assembly Elections of Namibia were declared by the Electoral Commission of Namibia on December 4th 2009. The details are stated in Annex A and B to your report.

Madam President, it is important to comment that subsequent to the declaration, nine of the opposition parties filed an action before the High Court which, however, was dismissed and the appeal is pending before the Supreme Court.

Madam President, the mission, therefore, humbly makes the following recommendations:

Firstly, the state media in Namibia be insulated from direct government control by the establishment of an independent media institution with the responsibility of the appointment and dismissal of state media officials.

Without prejudice to the allocation of time to reflect the representation of parties in Parliament, a certain minimum free air time be allocated to every contesting party. Indeed, the proposal that we make here was made by the Namibia Broadcasting Corporation, itself, and we found it to be good. This is 60 percent for parties represented in Parliament and 40 percent for other contesting parties which are not represented in Parliament.

The independent capacity of the Namibia Police, which is remarkable, be enhanced to ensure peace and stability in Namibia. Madam President, there is a tendency, in Africa, for people to become complacent and backslide when they are praised.

Madam President, currently, political party funding is provided to parties in Parliament. The mission recommends that political party funding be extended to all political parties contesting in an election. However, we are also conscious of abuse so we recommend that all registered parties in Namibia should meet the preconditions of a certain minimum presence in all the regions of Namibia to safeguard against parochial ethnic based parties and the abuse of the proposed public funding of parties. There are certain parties which were virtually family parties and if you finance them, you will be abusing the system.

THE PRESIDENT:

Excuse me, Hon. Member, there still needs to be translation of Arabic. Arabic, are you on?

AN HON. MEMBER:

There is no problem.

HON. DERY AMBROSE [GAHAN]:

Madam President, the training of electoral staff, particularly in counting and processing, and electoral agents, in respect of tendered votes, should be encouraged. There needs to be a review of the electoral process in view of the confidentiality of the vote which we pointed out.

Madam President, the time between the provisional announcements at the polling stations and the final announcements should be abridged. We recommend that a gazetted voters' register be used in an election and made available to parties in a reasonable time and not a day before the election.

Madam President, the quality of indelible ink used in subsequent elections must be assessed in mock trials to encourage the Director of Elections to be confident about its efficacy.

Political parties should endeavour to achieve the 50 percent women's representation on their party list to the National Assembly.

Madam President, subsequent election observer missions should be given ample time before and after the voting dates to be able to do a better job of the observation.

Madam President, in conclusion, the mission states as follows:

Notwithstanding the observations made and issues raised by the mission, the Pan-African Parliament Observer Mission to the Presidential and National Assembly Elections 2009 in Namibia is not aware of any evidence of irregularities which substantially compromise the credibility of the election results.

Accordingly, it is the mission's considered view that the irregularities that were observed by the mission have not substantially compromised the integrity of the electoral process nor denied the expression of the rural people of Namibia.

Madam President, we, therefore, declare that, on the whole, the basic conditions of credible, free and fair elections, as contained in the AU Declaration of 2002, were satisfied in the Namibian Presidential and National Assembly Elections 2009 and we accordingly declare them free and fair.

The mission proposes that all member states of the AU should make good their obligations to bring into force the African Charter on Democracy Elections and Governance adopted by the 8th Ordinary Session of the Assembly held in Addis Ababa, Ethiopia on 30th January, 2007.

Madam President, I am impressed that since the beginning of this session, many people have been raising this point and that Charter is the blueprint for us to move forward.

Madam President, let me take this opportunity, on behalf of the mission, to thank the Pan-African Parliament for the privilege to represent this august body in this exercise.

Thank you, Madam President.
THE PRESIDENT:

We thank you for two reasons, one, for precisely presenting this very good report. The report has been elaborate and clear for all of us to understand. We also thank you for leading the mission to Namibia. On behalf of the Bureau, I want to express our gratitude to the team that went to Namibia and observed elections on our behalf.

I will now allow debate on the presentation on the Election Observer Mission to Namibia. I have a list of twenty two Hon. Members who have so far registered their names to respond. I will give each Hon. Member three minutes to contribute because I am looking at the time that we have. Our time has reduced from four minutes to two.

The first name on my list is Hon. Walter Masisi of Botswana. Is Hon. Masisi around? It seems he is not around. So, I will now give the opportunity to Hon. Christian Ossagou of Gabon.

HON. OSSAGOU GUY CHRISTIAN [GABON]:

Merci Honorable Présidente. Je prends rapidement la parole pour, dans un premier temps, féliciter le responsable de l'équipe qui a observé les élections, au nom du Parlement panafricain, pour l'excellence ou, du moins, la bonne qualité du rapport.

Je voudrais simplement exprimer un souhait; celui qui consiste à faire observer que, lorsque c'est une mission dirigée par le Parlement panafricain lui-même, il me semble qu'il n'y a pas d'interférence avec une autre autorité. C'est en cela qu'il est regrettable que l'Union africaine ou la Commission de l'Union africaine nous impose, désormais, d'avoir à effectuer les missions d'observation des élections, concomitamment avec des experts qui viennent de l'Union africaine.

Je pense que le Parlement a un travail à faire, qui est un travail de parlementaires. La Commission de l'Union africaine me semble être un organe exécutif et le Parlementaire ne devrait pas faire ce travail, en même temps que le pouvoir exécutif. Peut-être, pour l'avenir, il serait souhaitable que le Parlement panafricain adopte une motion qu'on adresserait à l'Union africaine, pour demander que le Parlement panafricain puisse, de façon autonome, continuer à observer les élections, sans l'association de l'Union africaine.

Merci, Madame la Présidente.

HON. MABILETSA ISAAC STEPHEN [BOTSWANA]:

Thank you, Madam President. I am new at the Pan-African Parliament. This is my first maiden presentation. First, let me thank you for the floor. Let me also commend Hon. Ambrose Dery and his observer mission team for a successful observation mission in Namibia. On the basis of his conclusions No.s. 8.1 and 8.3, let me also take this opportunity to commend the people of Namibia for staging successful elections.

Madam President, I wonder how serious the observer mission takes the concerns and issues raised by the stakeholders. In particular, there were allegations by stakeholders, for instance, allegation No. 5.1 on alleged abuse of state resources by the ruling party and also allegation 5.2 on alleged intimidation and victimization of government officials who were perceived to be members of the opposition parties by the Government as well as allegation No.5.3, which he has adequately addressed in his submission.

Madam President, my point is that I have observed elections on behalf of the Southern Africa Development Community Parliamentary Forum (SADC-PF) in Zambia. I have also been through, at least, five elections in Botswana. This issue of incumbency, particularly the government party using state resources to its own advantage is always the outcry of the parties that are not in government. This is a general outcry. I have also seen it here in South Africa and Zimbabwe, not to mention many other countries.

I wonder what the responsibility of PAP is in ensuring that the playing field is level for all the contesting parties to engage in peaceful and fair elections. Otherwise, the incumbent, like I have observed, both in my country and elsewhere, can use state facilities to easily traverse the country where terrains are not easy to traverse using, maybe, state helicopters or aeroplanes while others are battling to travel from one point to another. I think this type of situation...

THE PRESIDENT:

I will give you two more minutes since it is your maiden speech. So, you may continue!

HON. CHEYO MOMOSE JOHN [TANZANIA]:

Madam President, I would like to thank you for this opportunity. I do not have the list with me, so I was not too sure that I was going to speak.

Madam President, first of all, I would like to congratulate the presenter of the Report on the Election Observer Mission to the Presidential and National Assembly Elections in Namibia. The interesting part is that almost everything which is narrated as allegations is so true of every country, including Tanzania. One wonders whether this is a mirror image across the board.

I share the position with my friend from Botswana. What can we really do? I suggest going back to the protocol which establishes the Pan-African Parliament. We really have the powers, through the protocol, to review or harmonize our laws as well as review our procedures.

(Hon. Members consulted in hightones)

THE PRESIDENT:

Could we, please, have silence in the Chamber?

HON. CHEYO MOMOSE JOHN [TANZANIA]:

Madam President, for the plight of women, the demand is that each African country should have at least 50 percent representation for women. I cannot see how on "earth anybody who follows the First-Past-the-Post System can achieve that with all the things which are connected to the First-Past-the-Post System such as rigging and the involvement of money. I cannot see how women can manage to stand against men and do the sort of things which happen in the First-Past-the-Post System.

Madam President, therefore, my suggestion is that, maybe, part of our job, as the Pan-African Parliament, is to push for the harmonization of our electoral systems. Maybe, we should all go for proportional representation. Namibia and South Africa are good examples of countries with the proportional presentation system. Maybe, this will be a recipe for ensuring that we have 50 per cent female representation in our Parliaments. However, it could also be a benchmark for assessing a lot of our elections. We have the First-Past-the-Post System in Tanzania. We have proportional representation in Namibia. I do not see how we can really come to a consensus.

Madam President, I do take concern when some of these missions come with a decree or, for that matter, an observation that the election is free and fair. It is actually sometimes just a ticket for the ruling parties to continue to be in power and continue to...

(Applause)

HON. KPARKAR EUGENE [LIBERIA]:

Thank you very much, Madam President.

First and foremost, I wish to congratulate the leader of the mission, Hon. Ambrose Dery, and all the members of the Mission for the professional, distinct and unwavering manner in which they carried out their responsibilities in keeping, of course, with the Charter on Democracy, Elections and Governance as well as the mandate of the Pan-African Parliament.

On the question of the integration of the Pan-African Parliament and the AU to carry out their own observation mission, before this proposal is endorsed Madam President, the stakeholders that decided on this matter will have given us their due difference from knowing the rationale behind such a decision.

Madam President, as it is now, I think we are seen as a toothlessbulldog. We may have teeth, but we cannot bite. So, the transition into a full fresh legislative body is more than necessary.

On the other hand, in Section 6.1 of the Report it is indicated that: "Coverage of election campaign on the state media (i.e. NBC television) was heavily skewed in favour of SWAPO."

But, then in Section 6.4 the Report states: "Without prejudice to the government control of the state media, the staff of NBC were very professional." I would like you to juxtapose Section 6.1 to Section 6.4.

Madam President, the mission has done a good job. We need to endorse the recommendation by the mission, so that at least two weeks before the poll on subsequent missions they can go to acclimatize themselves with the political environment and the legal frame work in order to easy the mission's work.

Thank you, very much.

HON. SHAMAKOKERA THARCISSE [RWANDA]:

Merci Madame la Présidente.

Madame la Présidente et chers collègues,

Je voudrais d'abord féliciter le présentateur du rapport et toute la mission du PAP en Namibie, pour le travail bien fait.

La Namibie est parmi les plus jeunes États de notre continent. Elle ne cesse pourtant de nous étonner par son organisation d'élections pacifiques, libres et crédibles. Elle est un modèle que devrait suivre tout pays africain qui va élire ses responsables politiques. Je crois que ce que nous attendons, tous, d'une organisation d'élections est ce qui est dit, à la page 14, dans la conclusion de la Mission et je cite -

«On the whole, the basic conditions of credible, free and fair elections (...) were satisfied in the Namibia Presidential and National Assembly Elections 2009."

Je crois que la Namibie est une fierté pour l'Afrique. Je voudrais simplement dire qu'il y a certaines améliorations mineures à accomplir pour les élections prochaines. Mais, pour le reste, Long live Namibia'.

Merci beaucoup Madame la Présidente.

HON. ABDUL-RASHID PELPUO [GHANA]:

Thank you, Madam President. Let me start by thanking Hon. Ambrose Dery for the very clear and concise report that he presented to this House.

To start with, his report has brought out a number of issues. These issues are of general concern to most African countries. The fact that in all elections people have to complain about the media, manipulation of resources before an election day and so on shows that concern has to be expressed here and to the rest of Africa.

Madam President, I believe very strongly that we should not only be looking at the election day results. The processes through which the elections are finally conducted are as crucial as the day of the election itself. A situation where the media is cowed and made to sing the song of the ruling government and eventually present issues as if they were normal is unacceptable.

Madam President, I believe that we need to do two things here. First of all, we need to advise the Executive Council or, maybe, the AU as a whole that we need to set standards about media operations in our own countries. The media has to be free and liberated, so that we can have a lot of private people coming in. Even if the state media will sing the song of the state, the private media will have an objective view about issues. So, that standard has to be set.

Madam President, the second standard that has to be set would be to make a recommendation for the NEPAD Peer Review Mechanism to be operative in a wider scheme than is happening now. The Peer Review Mechanism would have to look at the operations in each country and make concrete recommendations on how they can be

changed. If countries insist on doing what they do to create problems in their elections, then they would have to impose some sanctions on them.

Madam President, the third recommendation I want to make is that these things mostly happen in places where people are not properly educated and are easily moved by people and they destroy their hearts and minds before the elections.

So, another standard has to be set that, between certain periods of time, literacy levels would have to be stepped up to a certain standard. Education has to be crucial in all African states within a certain period of time. So, for example, within a decade, we want to ensure that education reaches a certain standard, so that Africa does not have to go through all these things

THE PRESIDENT:

Hon. Member, I do not know whether this is your Maiden Speech. If it is, you may have another minute to finish what you were saying.

HON. ABDUL-RASHID PELPUO [GHANA]:

Madam President,

yesterday I made a speech without informing you that it was my Maiden Speech, so I can take up the time you have offered.

[Laughter]

THE PRESIDENT:

You may have a minute.

HON. ABDUL-RASHID PELPUO [GHANA]:

Thank you, Madam President, I am very grateful.

So, it is important that we salvage Africa from the pain of electoral processes where every year, in a routine, as if in a vicious cycle, anytime a change of government has to occur, wars have to be fought, people have to be maimed and buildings destroyed. The nation goes through a lot of disgrace and unacceptable consequences of election results.

Madam President, I believe that we need to do something about it now. We need to send signals throughout the continent that Africa in the twenty-first century should not be the Africa of the twentieth Century or before.

Thank you, Madam President.

HON. DUMBUYA SHEKU B. [SIERRA LEONE]:

Madam President, I would like to commend the Hon. Ambrose Dery and his team for a job well done. It is gratifying to note that despite budgetary constraints, the Bureau was able to dispatch people to observe elections in some parts of Africa. This is very important because taking into account the objectives of PAP, if this is not done, then one begins to question the existence of PAP as a responsible institution.

Madam President, I agree with Hon. Kparkar Eugene from Liberia that in dispatching people for election observations, we do it exclusively on our own. We do not have to join forces with officials of the AU. This, to me, gives the impression that we are not competent. Let it be said, here, and I want the message to go to the AU, that, in this Parliament, we have people with the requisite capacity to do anything that is assigned to us. That is why we should continue with the election observation missions exclusively on our own.

Madam President, I am very concerned about women. As it has been said in Paragraph 6.20, women had to take part in this election and 50 percent of the seats in the National Assembly should have been for women. To me, this is almost impracticable because women do not normally have the courage that men have, particularly in elections where most of the time, there is a big fight. Women do not like fighting like we men do. This is why I have always advocated for electoral laws to have a provision for proportional representation. If we have proportional representation, as a party, perhaps, we could make provision for women. This is the only way we can guarantee the participation of women in Parliament. Madam President, I am also concerned about the funding of political parties. As has been said by the leader, if you only fund parties that are in Parliament, then, you are meeting democracy halfway. I think that it is both right and proper that parties that are not in Parliament be funded by the state. That way, we can be sure that democracy is being given a full meaning and sense.

I thank You, Mr. President.

(Applause)

THE PRESIDENT:

I just wanted to say something about women and their participation. First of all, I am encouraged by the fact that more and more Members of the PAP come up to support the view that more women should participate in politics. That is encouraging to us. I think where there is a will, there is a way. I think the beginning is the realization that we need women to participate in politics. Once we have realized that, then we put mechanisms in place to allow that to happen.

I thank you very much, Madam President.

HON. ABDULKADIR ANEB [ETHIOPIA]:

Madam President, I would like to thank you for giving me the Floor.

From the outset, I would like to thank Hon. Ambrose Dery for the leadership of that mission. I was a member of that mission and was extremely lucky to have taken part in that mission as it was the very first time for me to take part in any observation mission.

Madam President, what was extremely impressive and lessons that we can learn from is how orderly and transparent that election was, all the way from polling to the closing.

I was one of those Hon. Members who stayed on during the closing from the first minute up to the last minute, which was a full night from 0700 hours in the evening until 0730 in the morning. The entire environment of transparency, orderliness, neatness and friendliness was just unbelievable. This is something that Africa can learn from.

Madam President, the other issue concerns voter education, which is in the report. This was extremely impressive and orderly. We realized, especially at the polling station, that during the closing, there were hardly any spoilt votes. That was extremely impressive and unbelievable.

Madam President, the mobile stations were another impressive thing. They were to reach the outposts and rural communities where we witnessed that they had to go round to the smallest villages.

The majority of the election staff in the polling stations were women and most of them were very young as well. They knew what they were doing. They were well educated, informed and very friendly. The environment was generally very friendly all the way through. I think Namibia will be in the history books of Africa on the question of elections.

Madam President, I think we should give a huge applause to any Namibian Hon. Member who is in this House. Congratulations for a job well done.

THE PRESIDENT:

Are there any Hon. Members from Namibia here? Stand up, please. There is only one.

(Applause)

HON. ABDULKADIR ANEB [ETHIOPIA]:

I congratulate him.

I thank you, Madam President.

HON. MOISERAELE MASTER GOYA [BOTSWANA]:

Thank you very much, Madam President, for giving me the floor. I must hasten, from the outset, to state that I would like to express my sincere thanks to the leader of the observer mission to Namibia together with his delegation for the concise yet succinct report that they have just read out to us.

Madam President, like you said, I come from Botswana. Botswana and Namibia have a lot of things in common. We share borders, the Kalahari Desert, and the high density of pre-modern people commonly known as the Basarwa or San.

So, when we received reports that the elections in Namibia were conducted in a free and fair manner, we had every reason to celebrate in Botswana.

Madam President, I think we, in Botswana, being the oldest democracy in Southern Africa, can learn a lot of things from countries like Namibia. Namibia's democracy is relatively new, but they have more democratic value systems like the direct election of the president.

In Botswana, we still use rudimentary democratic value systems. We don't have the direct election of the president in our country. It is pleasing to hear of political funding in Namibia. There is no political funding in Botswana yet.

Madam President, something needs to be done as regards the inequitable access to state controlled media by all political parties during election periods. It came out very clear from the presenter's report that this is happening in Namibia. It is also happening in Botswana like my colleague Hon. Mabiletsa said earlier. All opposition parties are crying foul on this issue and something needs to be done.

The African Charter on Democracy, Elections and Governance is very succinct and it has this to say, "State parties shall ensure that political parties can equitably access state controlled media during election periods." So, this needs to be respected by all and sundry.

It is not fair on the part of opposition parties and this is tantamount to abuse of State resources.

THE PRESIDENT:

No, Hon. Member. Your time is over.

HON. MOISERAELE MASTER GOYA [BOTSWANA]:

Madam President, since I am from a country that is Namibia's neighbour, would you allow me just a minute or two to wind up?

THE PRESIDENT:

You should ask for permission before you continue.

HON. MOISERAELE MASTER GOYA [BOTSWANA]:

I am humbly asking, Madam.

THE PRESIDENT:

Okay, I give you one minute.

HON. MOISERAELE MASTER GOYA [BOTSWANA]:

Madam

President, I am not amused that forty-eight vehicles were handed to traditional leaders days before the elections in Namibia. Traditional leaders are not politicians, so they should be absolved from politics.

Madam President, I think that as the Pan-African Parliament, we need to nip this in the bud. Once we have full legislative powers, we need to do something about it.

Madam President, democracy is like a small tree and for a small tree to grow it needs to be watered, nurtured and protected from weeds that prohibit it from growing. So, we need to review the democratic value systems of the oldest democracies that we have in Africa.

HON. ABDUSELAM AHMED HASSEN [ETHIOPIA]:

Thank you, Madam President, for this opportunity. I congratulate the team led by Hon. Ambrose Dery for the successful job done. I keep on hearing, in this House, people complain about the imposition of the AU on election observation missions. Yesterday, it was explained that the budget had been withdrawn because of the absorption of NEPAD into the AU. This was a temporary arrangement and it is really something which we can accept, but we cannot keep on complaining about it.

The question of indelible ink has been raised and this is the plight on African soil because this issue comes up wherever there are elections. This is because our colonial masters used to donate indelible ink during election time instead of giving us money to purchase it from wherever we want. As a result, we got dirty materials thrown at us.

When it comes to the media, I hear Members talk as if the incumbent parties or governments are un-democratic and the opposition is for democracy. I think we must simply see if the media rules in a country allow fair access to

parties during elections. We must really go into whether media rules allow free and fair elections to be conducted and all the parties have equitable access to the media instead of prescribing that all media should be privatized or whatever. That is not in our realm in Africa. We cannot have that sort of sweeping solution.

The host country's election laws should be studied when we conduct elections. Are the concerned parties abiding by the country's election laws? Is funding being provided by the election board for all the parties in the elections according to their members whether they have a seat in parliament or not? These are the issues that I am sure we should be following seriously. Otherwise, the recommendations I see here need to be taken seriously. We need to brush them up and establish our own standards and I agree with the rest of the speakers.

Thank you.

HON. LAHAI BERNADETTE [SIERRA LIONE]:

Thank you,

Madam President. Let me congratulate the delegation for a job well done. Let me also congratulate Namibia for the relatively free and fair elections that were held despite the concerns and issues raised by stakeholders, which are not new. I am sure they are very valid.

Madam President, what I see in Africa is a situation where opposition parties and their supporters complain of alleged malpractices by ruling governments. The sooner that these opposition parties assume governance, they do either the same or even more of the things that they accused their predecessors of doing. So, this problem is going to be with us for quite some time until we put stringent measures, in terms of sanctions, against political parties which violate these rules.

Madam President, having said that, let me salute those institutions like the police and the MDC for their professional role and the political parties for the peaceful and orderly campaigns. I also wish to salute them for the adequate voter education, funding of the political parties and the mobile stations which ensured that everybody's vote was counted.

However, let me condemn the low participation of women by the political parties on the list. No political party should be funded without meeting these conditions. However, PAP should lead by example by having fifty-fifty representation of women in future in their election observation missions.

Having said that, I endorse all the recommendations of the observer team. I hope that they will take part in the pre, during and post-election activities, which I strongly support and recommend.

I thank you.

HON. LASSANE SAWADOGO [BURKINA FASO]:

Merci Madame la Présidente!

Après ce que je viens d'entendre, je n'ai pas grand-chose à dire, sauf pour remercier la mission pour la qualité du travail qui a été fait, remercier également la même mission pour la qualité du rapport et également pour la qualité de la présentation.

Je voudrais juste appuyer la proposition faite par mon collègue du Gabon, en ce qui concerne la distinction qui doit être faite entre les missions d'observation des élections conduites par le PAP et les missions d'observation conduites par la Commission de l'Union africaine. Ce sont deux institutions de nature différente, et l'on sait également que la marge de manœuvre, la marge d'indépendance que la Commission de l'Union africaine peut avoir vis-à-vis des gouvernements n'est pas la même que celle dont dispose le Parlement panafricain.

Et, si on ne prend pas de dispositions pour séparer ces deux types de missions, cela risque de se traduire par une baisse de la qualité de ces missions d'observation.

Donc, je souscris entièrement à cette proposition et je souhaite qu'il y ait une motion, dans ce sens, pour donner au PAP son autonomie et son indépendance, par rapport aux missions d'observation d'élections. Je vous remercie!

THE PRESIDENT:

Thank you very much, Hon. Member. I think this is a concern of many Hon. Members. The President reported on this issue on Tuesday. We will continue to negotiate, but as of now, it is better to negotiate than try to use force

because that will not lead us anywhere. So, let us continue to negotiate along those lines until we are able to convince the African Union Commission (AUC) that this is necessary for our independence of view.

HON. GEREMARIAM GEBRU [ETHIOPIA]:

Thank you, Madam President, for offering me this opportunity.

Madam President, first and foremost, allow me to congratulate the Bureau for selecting the team leader from Ghana, the country we take as an example of African democracy. I thank you very much.

Madam President, let me also congratulate the leader for his coherent and very good report, even with all my reservations. The Report literally says that the Namibian elections were sacrosanct. I repeat, sacrosanct. Why did the Opposition go to court? One of our Hon. Members, who is not here, is the one who went to court. I appreciate all what they did, but always the incumbent sees the opposition as a ghost. Look, the opposition is in power in Kenya. They were literally cursing the former President. What happened when the opposition went into power? I think that there is a disease when we get to that chair in Africa. No one can tell me everything is 100 percent correct. I appreciate what they have done, but there are still problems.

Madam President, on the issue of the media, the incumbent crafts rules in such a way that they serve them. The incumbent takes the media all the way until the elections come while the opposition usually gets only one month or two before the elections.

Election observation is not taken seriously by Africans. I know of AU officials who were sleeping in the hotels while elections were in progress in my country in 2005. We should avoid this kind of situation and this Parliament should fight this. I do not know whether this Parliament has been invited to observe elections in my country, which are due in one month's time. We have to be serious.

I appreciate what they have done in Namibia. I was following the process and a lot of good things were done, but there were complaints. They even went to court. What happened to that court case? This is the question I want to ask the team leader. Let us not make it sacrosanct once again.

I thank you, Madam President.

HON. MASEBO TEMBO SYLVIA [ZAMBIA]:

Thank you, very much, Madam Chairperson.

Firstly, I want to commend the team leader and his team for presenting a very comprehensive report. From the outset, I would like to say that it was eyeopening.

Madam President, what worries me is that the concerns being raised in this report are very common stories that we hear after every election. I keep wondering to myself when Africa will have an election in which, at the end, nobody goes to court. This is because most elections in Africa result in people going to court. It means something is always wrong. I keep wishing that one day we will reach a point where the losers accept the results.

Obviously, the fact that people go to court simply means there is a problem. Concerns have been raised and I would like to ask the Chairperson of the Committee to give me answers to all of them. The concern relating to the media has been adequately addressed.

However, no comments have been made on the alleged abuse of state resources and the forty-eight vehicles that were given to traditional leaders just before polling day.

Madam Chairperson, some electoral rules, for example, in my country, allows only the President and Vice President to use state resources during campaigns. So, in order for us to make judgment, it is important to have an understanding of what the local electoral rules say.

Madam Chairperson, is the issue of handing over vehicles true or not? Speaking for myself, I do not think it is in order or fair for the government to dish out vehicles a day before or on the polling day because that will obviously have an influence on the results.

The other point, Madam Chairperson, is the issue of alleged violence and the victimization of government officials perceived to be supporting the opposition. There was no comment on this.

Much more serious to me was the issue of the voters' register. The decision to print 1.6 million ballot papers, which was in excess of the estimated total voter population, was perceived as a recipe for vote rigging. There is

no comment as to whether this, indeed, was the case and what happened to the extra or whether there was a verification that the extras which were not used were there.

Lastly, Madam Chairperson, I also wanted to find out from the Chairperson.

HON. HAKAYE HAIKELLA [NAMIBIA]:

Thank you very much, Madam President, for this opportunity. It would be naive of me to keep quiet on an important aspect touching on my country.

First of all, let me use this opportunity to thank the leader of the group that observed the elections in Namibia for a report that reflects the truth on what happened in my country. Some people think that some delegates carry old reports and just rub off the name of the other country then declare that the elections were like this or that. But in this regard, all that is reflected here is actually what happened. Whether it is true, is up to the people of Namibia to decide, especially as regards the allegations.

Madam President, for the past twenty years, Namibia has made it a point to hold timely and wellorganized elections after every five years, and after every six years in accordance with the supreme law of the land. This happens all the time with the observers accorded the opportunity to do so.

Madam President, because of time, let me focus on the issue of allegations. When we make laws, for example, on the media, we have a media body. The allocation of time to political parties was made in Parliament. This was made in such a way that time should be given to political parties represented in Parliament according to their numbers in Parliament.

Unfortunately, some members of the opposition parties were part of the ruling party at that time, but it also benefitted parties that were not represented in Parliament.

Unfortunately, it has to be there because it is prescribed by law.

Madam President, there is also the allegation that the media is controlled. Yes, because it is the state media, but there are private media firms as well that control themselves. But, what I want to make clear is that there is a body that appoints the Director General of the Namibian Broadcasting Corporation and recommends to the Minister to just endorse the appointment ceremonially. The Minister does not Xappoint the Director General directly.

Madam President, on the issue of the forty-eight vehicles that were given to traditional leaders, yes, it happened but not on the day or a day before the elections. There was a request from the Chairperson of the Council of Traditional Leaders...

THE PRESIDENT:

Hon. Member, we have run out of time. I would have given you more time, but---

HON. HAKAYE HAIKELLA [NAMIBIA]:

Madam President, I have something to clarify.

THE PRESIDENT:

I give you one minute!

HON. HAKAYE HAIKELLA [NAMIBIA]:

Madam President, I think this was just made a political issue. The Chairperson of the Council of Traditional Leaders had made the arrangement two years back. The arrangement was to make sure that these vehicles reached them. They were supposed to be fifty, but two traditional authorities had a conflict and they were not given until they resolved the issue. This was not meant for political gain. However, as a person, at a surgery, for example, I am not trying to hold the hand of the doctor or to prescribe what medicine I need, but to appreciate that when the doctor comes the next morning, I have a smile on my face to say that the medicine worked.

Madam President, this is the report that was produced from my country and presented to this House. It is up to this august House to either take the example or take what is good in it.

Lastly, Madam President, I would like to request that they allow more time for mission observers, before and after, so that they get the correct information that they need to have. Otherwise, in such a short period, some information may...

THE PRESIDENT:

Hon. Members, with your indulgence, we have two people that wanted to make contributions. These are Hon. Dr. Mohamed Gebril of Libya and Hon. Mamma Kandeh of Gambia.

I will give two minutes to each one of you. Two minutes to the time-keeper, please.

HON. DR. ALORAFY MOHAMED GEBRIL [LYBIA]:

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HON. KANDEH MAMMA [GAMBIA]:

Madam President, I would like to thank you for giving me the floor. I will be very brief.

First of all, let me congratulate our colleague, Hon. Dery Ambrose, from Ghana for the very good and comprehensive report that they have given us on the elections in Namibia.

Let me also congratulate the security personnel in Namibia and the people of Namibia for having conducted a very peaceful election. I hope other African countries will follow suit.

Madam President, looking at the report, I think we, as Parliamentarians, sometimes, need to be very cautious. In the report, there are so many allegations by the Opposition against the ruling party.

Elections begin at campaign level and the messages you send to the people. Are the people going to listen to you? If you are not given that chance, the same mission will tell you that the election was free and fair. How true is that?

Madam President, the other point is that the parties involved in the Namibian elections were not only Opposition parties. Where is the point of view of the ruling party because it is not stated here? Why was the ruling party not met? If there was a possibility of meeting the ruling party, what was their view? It is not stated in the report.

Therefore, it is like, many times, the reports that we get say that the Opposition has been hijacked or denied their rights. What about the ruling party?

I think we need to be neutral.

HON. DERY AMBROSE [GHANA]:

Thank you, Madam President. First of all, let me thank my colleagues for their kind words and say that I was fortunate to have a group of really committed colleagues on the team.

Madam President, the first issue has to do with merger missions between the AU and PAP. Well, coming from the AU, we respect the decision. But after that, we need to point out certain challenges that the decision poses for us. First of all, I agree with those who think that there will be a difficulty. The AU is made of heads of executive and there is a problem of peer pressure. It is not easy for one President or former President to say that an incumbent President has done something wrong in an election. That is one challenge that we need to point out to them. It is better if they give this to us because PAP comprises people from both the government and the opposition, and has greater independence.

We also made the point that we have quality here. In fact, when we presented our interim statement, two ambassadors, the High Commissioner for South Africa and the High Commissioner for Nigeria, as well as members of the various parties, said that our report was the best because we took on board all the allegations, analyzed them and drew conclusions to the extent that the representative of the RDP at our press conference said: "We respect your Report."

It is not as if we took one side. We engaged the Government and all the opposition parties. The leader of the delegation of the RDP, which is a break-away group of SWAPO, said at the press meeting, "We have taken note of

the rest of the reports of the AU and the SADC and there was nothing. But we respect your Report. You took on board our allegations, addressed them and we are satisfied." So, both the diplomatic missions and representatives of the various parties agreed that the PAP Interim Report was the best. This is why we need to continue. I believe that the challenge the AU is facing is of finance. So, let us talk to them. We could make a case and get other sources of funding.

Madam President, one challenge that I want to address is No.4 of the Mission Report stating the way the joint mission report should be treated. With your permission, let me read: "The PAP explained that reports on election observation missions that are submitted to the plenary for debate are usually coming with recommendations. It was agreed that the report on the election observation mission will be submitted to the plenary of the PAP once approved by the Chairperson of the Commission."

I am concerned that even as we try to implement this joint action, it is subject to approval by the Chairperson of the Commission. Our legitimacy in all this is because of popular grassroots participation. So, if popular grassroots participation is now going to be subject to the approval of the Chairman of the Commission, it is a matter of concern. These are the things on which we should continue to engage the AU.

Madam President, it was said that we did not say anything on the allegation of abuse of state resources. We did say something about this issue. When I stated the allegations, I also said that after consultations and analysis we made findings. In the case of the forty-eight vehicles, the presentation was made within a week of the election. We met SWAPO and they accepted it except that they said, as a Member of Parliament did, that it was in response to a request. A two-year request could only be satisfied within a week to election.

The saving grace, however, is that the mission was working according to the rules and guidelines of the AU. If we were under the new rules that are to come into force, that would have been a complete breach. If we were under the African Charter on Democracy Elections and Governance it would have been a breach, but with the rules that we were using, it was not a breach.

Furthermore, we tried to find out the influence of the traditional authorities and the opposition led by the RDP said the traditional rulers are of no political consequence. So, you first need to see the complaint, assess it and then see what the impact is. Does it substantially affect the results? So, they agreed that the traditional rulers did not have any such control and, therefore, that is why we rested the matter.

Madam President, Hon. Members have said that these allegations are across the board. Yes, they are across the board and, therefore, we need to examine them. We do not just take them on the word, as some people would think we did.

Madam President, on the issue of the 50 percent representation of women, yes, one way forward is to adopt proportional representation. That is the only way we can ensure that women are represented. So, yes, we met SWAPO and the RDP and they all agreed on the principle, but why are they not following it? That is why we called for the adoption of the new Charter because it is more elaborate. In the old law which we used it only said that women should participate and that is why we gave that argument. When we have proportional representation applying across the board, we will have better results.

Why do we say that the process was free and fair? It is trite, my dear Members, that in every state there are laws and you only take a matter if it substantially affects the outcome of the elections. So, an event may be an important one, but if it does not substantially affect the outcome, you would still come to the conclusion that it does not affect it.

Madam President, on the issue of coverage of the political party campaigns, one Hon. Member asked, quite rightly, that we said the coverage was skewed in favour of SWAPO. We also said that the officers of the Namibia Broadcasting Corporation were professional. How do we reconcile that? I will do that for you.

First of all, yes, we found that the coverage was skewed in favour of SWAPO and we said so. We made recommendations that there should be an independent media institution. Some people think it is impossible. It is possible. In Ghana we have a Media Commission whose representation is by institutions. It is not appointed by the Government. Media practitioners, private media practitioners, journalists, training institutions and such like organizations are part of it. We have had a situation in Ghana where a dismissal by a President was sent to court and it was struck down. So, it is possible and we think that the appointment of the head of the NBC by the Minister for Information is wrong. The officials of the NBC themselves admitted it while we were talking to them. Why are they professional? They agreed that there was a need for a more balanced representation. But there is no

legal framework for that. So, the 40 or 60 percent proposed was actually a proposal from the officials. We need to acknowledge that they were professional, at least. That is why we put it in the report.

Madam President, as the Hon. Member from Namibia said, from the beginning there was a 40 to 60 percent representation, then opposition parties continued agitating. The NBC, in its frustration, said, "Look, we are not going to do it. After all, there is no law compelling us to do so."

So, we are now saying that let there be a legal framework compelling them to do so. So, we looked at it in that manner.

Madam President, when we talk of the private sector, we are not saying that the public sector should be privatized. The public sector should be more balanced and encouraged. But the private sector media that we met there did not have the resources to cover the whole nation. They just covered parts of Namibia and, therefore, they were at a disadvantage. In areas where you have a vibrant private media as you have in Ghana, the election goes on and there is live coverage. There is nothing you can hide. If you are a Minister and you are moving around, this will be reported. In fact, anything that is happening is reported because of live coverage. So, we want to encourage that.

I agree that Namibia is a shining example. There are many good things about Namibia such as the peace and orderliness. There was also the saving grace of Namibia, which I mentioned and which other Hon. Members did not take note of, the Namibian police. They were truly independent and very much so.

Madam President, in spite of all the complaints that the other parties made, when you asked them: what do you think? They would tell you, "Look, with the police involvement, we are confident."

Indeed, in about two cases, the police arrested people who were attempting to adversely affect the results. Although there were excess ballots, they were not abused because of the effectiveness of the police. All the opposition parties said that at any point in time that they made complaints, within 24 hours, the police reacted professionally.

Indeed, I can now confess to you that the idea of the confidentiality of the vote was brought up by an officer of the Namibian police. He called me aside and said, "Look at this place we have only one voter. Is it possible to know their identity?" That is how professional the Namibian police was. At the end of the day, that is why we analyzed and maintained that there was security of the ballot.

There is something about the voting process that we need to applaud; the whole idea that a voter can register at a particular place and vote anywhere in the country. This is an innovation that I think everybody should applaud. But having said so, there are challenges of counting and confidentiality, which we accordingly recommended, that something should be done about.

Some Hon. Members said that we did not report on the court case. I reported that the court case was dismissed by the High Court and an appeal is pending in the Supreme Court. So, let us be very clear on this.

Madam President, there was an allegation of violence, though we asked for evidence of violence. There was no violence when we were present in Namibia, but then they alleged that it happened earlier. That is hearsay and was not verified. That is why we said we need more time pre and post the election. You will realize that we left on 2nd December and the elections results were announced on 4th December. So, all we had to do was monitor from afar. Fortunately, the AU has said that there will be need for training and to go earlier and come later. We have addressed this issue as well.

I have already addressed the issue of the private media. There is also the issue of messages. Yes, I agree with Hon. Kande that the messages are important. SWAPO admitted that it was skewed in their favour. We gave them evidence. I told the RDP, "You people are just as good as SWAPO because you broke away from SWAPO. Until recently, you were the same." These are things they agreed with.

In the case of victimization, there was no clear evidence on victimization, but there were places that we met SWAPO officials who were complaining that people in the official positions were using their positions to campaign against SWAPO and we said, "Watch it, there is a potential that it is true."

So, we did a thorough job and kept neutral and examined every aspect of the allegations and came to a conclusion. The conclusion is that the basic conditions were met and we were satisfied that the process was free and fair.

I do want Namibia, like Ghana, not to be complacent. I do not believe that when we say Ghana and Namibia have done well, the two countries should be complacent. There is only one league of democracy; the global league. Do not let us think that we are the best in Africa. This is like when you go to your village and play football with the primary school boys and win a match and say you are the best in your district.

(Laughter)

That does not qualify you for the World Cup. The World Cup is the standard. So there is one democratic standard. Therefore, we should not be complacent. All in all, Namibia was a very good example. There are many things that I admired about Namibia; the peace, transparency and even when they interviewed us, we gave our views and they were not hostile to us. So, let us say that Namibia can do better, but so far it has done very well and we should accept that.

Thank you, Madam President.

(Applause)

THE PRESIDENT:

I wanted to make an announcement before we close that the item on agriculture is no longer on the agenda as the Commissioner for Agriculture from the AUC has not come neither has she confirmed whether she will come. So, since she has not communicated, we assume that she is not coming. In case she comes early next week, we will inform you and put it on the Order Paper accordingly.

I now wish to call upon the Clerk to make announcements before we adjourn. Yes, Hon. Member.

AN HON. MEMBER:

I think after debating, the motion should be put for us to adopt the report. You have not done that, Madam.

THE PRESIDENT:

Okay. Yes, forgive me. I take the point of order. I would like to put to the house that the report of the mission on the elections in Namibia be adopted.

(Applause)

THE PRESIDENT:

Thank you so much. The report is adopted and, indeed, again, we congratulate you for a job well done. Thank you for that point of order. I now call upon the Clerk to make announcements.

5.0ANNONCESLE SECRÉTAIRE GÉNÉRAL PAR INTÉRIM:

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THE PRESIDENT:

Thank you very much, Mr. Clerk.

I just want to make one correction because the English translation was probably not right. The video is about our activities as an institution, the Pan-African Parliament. It is supposed to help us raise the visibility of the Pan-African Parliament. So, it is meant mainly for the people out there, that is, our parliaments, populations and development partners. I thank you.

AN HON. MEMBER:

Yes, Madam President, please. Did I hear that the committee on transport has been meeting since 12 O'clock?

AN. HON. MEMBER:

Yes.

AN. HON. MEMBER:

But, I am sorry, I am sitting here. I am a member of that committee and I am not aware of any announcement regarding the time of the meeting. Yes, I am just sitting here and am not aware of any meeting of the Transportation and Communication Committee.

THE PRESIDENT:

So, Clerk could you explain how this information was made available to the Members. How come the Member is not aware? Was the information given out?

AN HON. MEMBER:

Madam Chairperson, before you speak, [...].

THE PRESIDENT:

Yes, Hon. Member.

AN HON. MEMBER:

I am suffering a similar fate because I saw my colleague being given documents pertaining to the meeting that he is going attend. I, as a new Member, was asked whether I had received any notification, and said I had not. Maybe, there are many with a similar fate as us. Thank you.

THE PRESIDENT:

So, let the Clerk inform us whether there was a notification about this Committee meeting.

Hon. Members, do bear with us. I think the failure, this morning, to announce that there would be a meeting of this committee was a serious omission. So, please, join the meeting now and accept our apology.

Hon. Members, may I now announce that we have come to the end of our business for today.

I want to thank all of you, who have attended and gone beyond that time, we are grateful.

The House accordingly adjourned at 01.02 p.m. until 0900 a.m. on Friday, 16 th April, 2010

Vendredi 16 avril 2010.1.0COMMUNICATION DE LA PRÉSIDENCELE PRÉSIDENT:

Honorables membres du Parlement panafricain, je vous dis bonjour.

Dans les communications du Président, il est demandé aux membres du Parlement panafricain, intéressés par le groupe d'intérêt sur les changements climatiques, de s'inscrire. Une liste est ouverte à cet effet, au niveau du Secrétariat et qui comprend déjà une quinzaine de membres.

À présent, je vais donner la parole au Secrétaire général. Monsieur le Secrétaire général, vous avez la parole.

LE SECRÉTAIRE GÉNÉRAL PAR INTÉRIM:

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2.OPRESTATION DE SERMENT

The following Hon. Member took Oath of Solemn Declaration, signed and took his seat:

- HON. ABDULAZIZ ABDULHAHI MOHAMMED

LE PRÉSIDENT:

À présent, je vais donner la parole à l'honorable Tidjani-Serpos Ismaël, président de la Commission des Règlements, des Privilèges et de la Discipline afin de lui permettre de présenter oralement, un avis de motion.

(Une voix fait savoir au Président qu'il n'est pas dans la salle).

Il n'est pas là! Est-ce que sa motion est parrainée par un autre parlementaire, auquel cas, on peut avoir lecture?

Non! C'est le viceprésident de la Commission?

AN HON. MEMBER:

Mr President, point of order, please.

THE PRESIDENT:

Yes, point of order!

HON. MEMBER:

On the side.

THE PRESIDENT:

Which side?

HON. MEMBER:

May I address you?

THE PRESIDENT:

Yes!

HON. MEMBER:

Mr. President, there does not seem to be an Order Paper available for this morning's proceedings.

THE PRESIDENT:

You did not receive the Order Paper?

HON. MEMBERS:

No!

LE PRÉSIDENT:

Distribuez rapidement le programme de la journée.

Honorable Tidjani-Serpos Ismaël, président de la Commission des Règlements, des Privilèges et de la Discipline, je vous donne la parole pour présenter verbalement votre avis de motion.

3.OAVIS DE PROJET DE RÉOLUTION RELATIVE À L'ACCÉLÉRATION DU PROCESSUS DE RATIFICATION, DE SIGNATURE ET D'ADHÉSION AUX TRAITÉS, CONVENTIONS, CHARTES ET PROTOCOLES DE L'OUA/UAHON. TIDJANI-SERPOS ISMAËL [BENIN]:

Merci Monsieur le Président. J'ai un petit problème. Je voudrais vous demander une petite minute pour avoir la version mise au propre. Effectivement, j'ai proposé que nous puissions examiner, avant de nous séparer, une résolution concernant l'accélération des procédures de ratification des traités qui sont adoptés par l'UA et signés par nos différents pays.

À la dernière Conférence des chefs d'État, il a été demandé spécialement au PAP et à d'autres organes de faciliter l'accélération de la procédure de ratification de ces traités et, probablement, à la prochaine Conférence des chefs d'État, il nous sera demandé ce que nous avons pu faire.

La simple évocation de la question, en plénière, ne suffira pas. Donc, j'ai proposé, dans cette résolution, que le PAP se donne des tâches non seulement au niveau du Bureau, mais à chacun d'entre nous, dans nos différents Parlements nationaux, afin que nous puissions utiliser tous les artifices, toutes les possibilités contenues dans les textes de nos différents pays, y pour qu'éventuellement, nous interpellions nos gouvernements respectifs, nos Parlements respectifs, pour que nous puissions donner un coup de boutoir aux différentes procédures de ratification et, particulièrement, en ce qui concerne la Charte sur la démocratie.

Voilà, Monsieur le Président, la proposition que j'ai voulue soumettre à notre Parlement, pour que nous nous impliquions, de façon formelle, avec également pour tâche, pour le Bureau, de transmettre, ne serait-ce que pour information, cette résolution, si cela était adopté.

Voilà, Monsieur le Président, schématiquement présentée cette proposition. Si le principe était retenu, je pourrais la présenter et les collègues pourraient en avoir copie.

LE PRÉSIDENT:

Merci honorable président de la Commission. Sur la base des exposés des motifs présentés par l'honorable Serpos, et conformément à l'article 61 du Règlement intérieur, considérant que ce sujet est d'une extrême importance, considérant que ce sujet a fait l'objet d'une décision du dernier sommet de l'Union africaine, avec votre consentement, nous allons l'inscrire à l'ordre du jour d'aujourd'hui juste après la résolution sur la Somalie.

La plénière donne son agrément?

(Applaudissements en signed'approbation)

Merci, merci beaucoup.

HON. NGUINI EFFA MARIE-ROSE [CAMEROUN]:

Merci Monsieur le Président. Nous attendons toujours le programme en français, pour être au même niveau d'information que tout le monde. Merci beaucoup.

LE PRÉSIDENT:

Merci. L'agenda a pris du retard. La version anglaise est en train de circuler. J'espère que les versions française, arabe et portugaise viendront aussi au plus tôt. Monsieur le Secrétaire général, vous avez la parole.

LE SECRÉTAIRE GÉNÉRAL PAR INTÉRIM:

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4.0 MOTION SUR LA SITUATION DE LA SOMALIE HON. IBRAHIM HABEB NUR [SOMALIA]:

Thank you, Mr. President.

Mr. President, I wish to move a Motion on the Security Situation in Somalia. I am aware that Somalia has experienced almost two decades of severe instability, lack of security and countless human sacrifice. The blood of many women, children and the most vulnerable in society has been repeatedly spilled in the country.

Further, many people have fled the country and others have died on their way to seek refuge in other countries, including thousands who drowned in the Indian Ocean. Over one million refugees are in camps located in neighbouring countries and over one million individuals have been displaced in the country and live in makeshift shelters, especially in central and south Somalia.

The national Parliament approved the use of Islamic Sharia law as part of the shared political strategy with the many religious groups and as a mechanism to engage the radical groups in the country.

Mr. President, religious groups such as Al-Shabab and Hisbul Islam have engaged in endless conflicts creating the worst genocide in Somalia where over 100 lives are lost on a monthly basis and further creating an impending security threat to the region and international community.

Further, the current piracy in the Indian Ocean poses both security and economic calamity for the continent and world as a whole. On the other hand, over forty-five shipping companies from diverse countries are illegally fishing in Somali waters under the guise of mitigating the piracy problem.

Mr. President, the AU has continuously pledged to give military support to the government to the tune of 8,000 AMISOM forces, but only Uganda and Burundi have fulfilled this pledge and sent 5,000 peace-keeping forces.

The internal security forces put in place by the Transitional Federal Government cannot be sustained due to the lack of trained and sustainable financial support.

Therefore, the Pan-African Parliament resolves:

To urge the Heads of State of the African Union and the United Nations to implement its resolution regarding the military support to the Transitional Government to immediately send the remaining 3,000 peace-keeping forces.

To urge the African Union to put in place a support mechanism to train and retain the Somali internal forces, including facilitating the Transitional government's in recruitment and equipping of over 40,000 internal security forces.

To further urge the African Union and the United Nations to seriously engage in peace and reconciliation in Somalia and to specifically bring together the government and the rebel groups and to further take decisive action against those parties who are not supportive of a peace process.

Mr. President, enough is enough. Somalia has had twenty-years of civil war. Today, it is time for it to end.

Thank you very much.

LE PRÉSIDENT:

Merci beaucoup. Qui appuie la motion?

HON. SHEBESH RACHEL [KENYA]:

Mr. President...

MR. PRESIDENT:

Yes.

HON. SHEBESH RACHEL [KENYA]:

Mr. President, I will be seconding this Motion.

Mr. President, I would like to second this Motion on the Security Situation in Somalia. As I second this Motion, I would like to urge the Members of this House that for once today, let us treat Somalia, a country that has indigenous Africans just like our countries do, with a bit more seriousness, so that the resolutions that come out of this debate for once can be taken a bit more seriously, so that we can see a change in Somalia.

Mr. President, I am asking that this debate be not a debate that just ends on the Floor of this House but really can see change has been made. The first reason that I support this Motion is because it has been two decades, twenty years, of instability in that country.

Mr. President, anybody who has gone through a war situation, civil strife in their country knows what it means to have twenty years of civil strife. It means there is no way of life in this country. So the people there are not living like people, they are living like animals - everyday is a day of survival.

It is about time, Mr. President, that African leaders took responsibility. I ask: why is Somalia ignored? Why is it that when there is tension in any country, you will see forces running there to ensure that stability is restored but when it is Somalia, it is ignored. We need to start saying, what are the cards that are being hidden under the table. Today, Mr. President, I want to say the cards.

I want to say that there are foreign powers outside there that are happy with the instability within Somalia and as politicians and people who know the truth; we cannot hide as our people are hiding because of fear of fundamentalism. Fear of people who have decided to take over a country, fear of radicals who do not want see peace in a country, but who are benefiting financially from this radicalism.

Mr. President, we cannot hide from the fact that there is fundamentalism within Somalia that encourages piracy and lawlessness but most of all encourages the harbouring of terrorists in this country.

Mr. President, as a bordering country in Kenya we are suffering because of the instability in Somalia. The money that is acquired through piracy finds its way in Kenya. You can no longer buy property in Kenya as a Kenyan

because of the kind of money that is being offered by those who are coming with this money that is being collected from illegal means.

When we speak about these people Mr. President, we must be sure to differentiate them from the real Somalian who is living in dire straits - there is a big difference. Therefore, when African states have pledged to give support in terms of military support and only two countries that we must commend Mr. President, Uganda and Burundi - only those two countries have taken up that responsibility. Then we ask ourselves, what is it about Somalia that no other country wants to touch? What is it that we are benefiting from? What are we hiding from?

Mr. President, if we look at the situation of the young people in Somalia, they have no hope or future. We are simply saying that we are performing what can be equal to genocide. Why do I say this Mr. President? Why do I use such strong language? I use such strong language because if you have a country where there are young people who have no hope and no future, they can only resort to kind of criminal activities and they will only end up dead. There is no hope in this country. Hope must come from this Floor today, from the Pan-African Parliament.

I second this Motion and I ask for support for it.

Thank you

LE PRÉSIDENT:

Merci.

Nous avons donc, Honorables parlementaires, la motion de l'Honorable Ibrahim Habeb Nur, appuyée par l'Honorable Rachel Shebesh.

Nous avons un maximum d'une heure, conformément à l'article 61 du Règlement intérieur, pour débattre de cette motion et chaque orateur aura trois minutes.

La première de ma liste est l'honorable Kantengwa Juliانا.

HON. KANTENGWA JULIANA [RWANDA]:

Thank you, Mr. President. I rise to speak on the Somalia Motion with the intention of supporting it and calling on my colleagues here to become serious, like Hon. Shebesh, has said about Somalia. Hon. Members, Somalia is in our midst. It is part of the African continent.

(Interruptions)

HON. KANTENGWA JULIANA:

Mr. President, I was just saying that I rise to support the Motion and to urge my brothers here to think seriously about why Somalia is not getting out of the bad situation it is in. We have Parliamentarians from there, and yet we know that there has not been a functional Government in Somalia for the last twenty years. The Transitional Government is only in the capital. So, the Somalians are living in a state of prehistoric times.

Mr. President, we see members of the African Union committing themselves to addressing the situation there, but only Uganda and Burundi have contributed troops. What is happening to the other neighbouring countries? When I say neighbouring countries, I am talking about Senegal, Cote d'Ivoire and even South Africa. What about the immediate neighbours which are directly affected by this problem? Why can Kenya and Ethiopia, which are the immediate neighbours, not contribute troops so that we solve this problem once and for all because it is our problem? Let them feel like the Somalians by getting involved in this problem. How can you afford to have a country with no Government for twenty years? We are breeding and rearing criminals and we are going to criminalize the rest of Africa. It is either we get down on it now or we will never and we shall live to regret the consequences. For example, if America had fought Al Qaeda two decades ago, they would not have the problem they have today. Now, you see where it is taking us. So, if Africa does not get up and seriously address this problem, it will not be solved. Instead of just holding meetings and making resolutions, I am seriously challenging the immediate neighbours or the ones that are directly affected to come to Somalia's aid. I am not sparing Rwanda, but we are overstretched in Darfur. If that was not the case, I would also insist that my Government should contribute. However, we are heavily engaged in Darfur. Otherwise, I do not see why the immediate neighbours do not help them.

Mr. President, I would like to urge Members here to support a call and challenge to the neighbouring countries to seriously engage with Somalia by contributing troops so that we have enough troops for that country.

I thank you, Sir.

HON. MABILETSA ISAAC STEPHEN [BOTSWANA]:

Mr. President I rise to speak in support of this Motion.

Mr. President, there is no substitute for peace in human life. So, if a country is in a war situation, you remember and consider the innocent people; the women, children, disabled and ordinary civilians. How do they move around freely and perform their agricultural activities? How do they take care of their educational needs? How do they meet the basics of life?

Mr. President, therefore, I do not see why a beautiful country such as Somalia can go for as many as twenty years without any solution in sight. My biggest question is: Who is really supporting the militias with arms of war that are continuously perpetuating this conflict in Somalia?

Mr. President, we, as the Pan-African Parliament, must speak in one voice to say to the AU leaders that the time is now that we must act together in one voice to say enough is enough. The people of Somalia, like those in Botswana, Zambia, Namibia, and Algeria, and anywhere in Africa where there is peace, also deserve peace. Sponsors of terrorists and troops that are killing innocent people day and night should, please, stop. War is not the right way to go. We need peace in Somalia.

Mr. President, I wish to support the Hon. Member for bringing this Motion because I believe that this Motion should not just end on the Floor of this House. It must actually reach to the Head of State to say, like my previous speaker said, contribute to a peace keeping army that will try and maintain law and order in Somalia. We need the return of civilian rules and a system of governance in place. We cannot carry on with war like this.

Mr. President, I tried to visualize the situation of the neighbours of Somalia. Remember if the house of a neighbor catches fire, it is the neighbour who is affected the most, like it has been said how the neighbouring countries are affected by this situation.

I think the time is now that the AU must act...

HON. OBAMA NVE JUSTINO [EQUATORIAL GUINEA]:

Gracias Sr. Presidente,

Uno mi voz también para que desde mi escaño presente mi moción también de apoyo resuelto al Pueblo Somalí.

Haciéndolo, quisiera también evocar algunos aspectos que creo que deberíamos todos reflexionar y preguntarse: ¿es que esos señores de las guerras que están perturbando la vida a los seres humanos en Somalia, apoyados por unos intereses inconfesables, con unos aliados oscuros con intereses determinantes para desestabilizar el continente africano, son más poderosos que todas las Naciones unidas, más que la Unión Africana y los países del mundo? Entonces yo creo que... es un pueblo que está sufriendo. Llevan veinte años o más sufriendo ese pueblo, y esto está evidenciando que todas las Naciones unidas son impotentes ante una situación porque la situación de Somalia yo creo que es la crisis humanitaria más larga que hay hoy día en el mundo.

Y otra situación que también preocupa es que ¿por qué algunos países que dicen ser poderosos solamente se preocupan en poner seguridad a sus barcos a la hora de pasar por el mar índico donde están los piratas y no se preocupan de que un pueblo Africano está sufriendo?

Sr. Presidente, yo creo que deberemos hacer un llamamiento enérgico, no solamente a la Unión Africana, sino que deberíamos llamar a las Naciones unidas porque vimos como el pueblo yugoslavo estuvo en guerra y ¿qué hizo el mundo? Se movilizaron y ya no hay crisis en Yugoslavia, ¿es que Yugoslavia es más Estado o más país o el pueblo yugoslavo es más pueblo que el somalí?

Sr. Presidente, yo creo que debemos tomar medidas mucho más contundentes porque esto es unavergüenza para el mundo y para África.

Muchas gracias.

HON. ABDOULKADER MOHAMED [DJIBOUTI]:

Merci, Monsieur le Président.

C'est pour appuyer, ici, la motion qui a été présentée par notre collègue somalien. Je voudrais dire que la situation en Somalie est catastrophique.

Depuis 20 ans déjà, la Somalie est en proie à une guerre interminable qui n'a pas de nom. À cela s'est ajoutée, aujourd'hui, la piraterie internationale.

Nous voyons, actuellement, que la communauté internationale, notamment les occidentaux, a mobilisé toute une armada pour faire face à la piraterie. Par contre, cette même communauté ne fait rien pour mettre un terme à la souffrance du peuple somalien et restaurer l'État somalien. Or, nous connaissons que le problème somalien n'est plus, aujourd'hui, un problème somalien, mais celui de la communauté internationale, et menace la sécurité des pays voisins et d'autres pays encore.

Si, à travers toutes les conférences et négociations qui ont eu lieu, jusqu'à ce jour, des solutions n'ont pu être trouvées et que les frères somaliens n'arrivent pas à faire la paix entre eux, il est temps que la communauté internationale s'implique davantage. Et, je suggérerais que la Somalie soit placée carrément sous tutelle des Nations Unies, en vue de restaurer l'État somalien et de mettre fin à la souffrance des populations somaliennes.

Merci de votre attention.

HON. OBAMI-ITOU ANDRÉ [CONGO]:

Merci pour la parole, Monsieur le Président. Je voudrais soutenir cette motion, pour exprimer mes sentiments.

Honorable Président, voici vingt ans que la Somalie est en proie à la guerre. Je ne veux plus décrire tout ce que mes collègues ont dit, avant moi. Je voudrais simplement faire comme un coup de gueule à l'endroit de l'Union africaine et de la Communauté internationale.

Honorable Président,

2010 a été déclaré année de la paix. L'Union africaine veut de la paix, sans la Somalie. On veut faire l'Autorité africaine sans la Somalie; un gouvernement africain sans la Somalie. C'est une honte! Un collègue l'a dit: Trop, c'est trop! Vingt ans! Nous n'arrivons pas à mettre fin à cette interminable guerre.

Honorable Président, je voudrais simplement dire qu'il faut des mesures concrètes. Les négociations ont trop duré. Nous ne savons pas qui sont ceux qui sont derrière, mais il faut que l'Union africaine prenne le problème à bras le corps. Pas deux pays seulement en Somalie, pour le maintien de la paix! Pourquoi l'Afrique ne se mobilise-t-elle pas pour mettre fin à la guerre et imposer des solutions pacifiques?

Je peux dire, Monsieur le Président, qu'aujourd'hui, la Somalie est un non État. C'est une honte pour nous de parler de la paix, alors qu'il y a un pays de l'Union africaine qui, pendant vingt ans, ne connaît pas la paix. Les populations ne connaissent pas ce que c'est la paix.

Monsieur le Président,

Je répète que c'est, pour moi, un coup de gueule, pour dire: Trop c'est trop. Il est temps d'agir et agir en urgence.

Merci!

HON. KALYAN VINITA SANTOSH [SOUTH AFRICA]:

Thank you, Mr. President.

Mr. President, I rise to support the resolution because the situation in Somalia has really reached crisis point. South Africa is one of the main receiving countries of persons seeking asylum. I, in my capacity as a Member of the Home Affairs Committee, has visited the refugee reception centres in the Eastern Cape, the Western Cape and KwaZulu-Natal. It is tragic to see the conditions under which the Somali refugees wait outside, day in and day out, to get their permits.

One of the unintended consequences of seeking asylum in South Africa has been that of xenophobia. I do not think any of you can forget the burning of the Mozambican refugee, which portrayed South Africa in such a poor light internationally and dented our image.

The Chief Whips Forum, of which I am a member, set up a task team to investigate the whole issue of xenophobia on foreign nationals. The findings were that the looting and setting alight of shacks were of criminal intent and the areas engulfed by violence on foreign nationals were mainly in informal settlements.

Mr. President, foreign nationals leave their homes and countries of origin and come to South Africa and set up home in informal settlements. The trauma that they experience either of being attacked, killed, burnt or evicted

really impacts on their mental wellbeing. The South African communities living alongside them in those informal settlements are divided.

Many of the xenophobic attacks are based on unfounded and unverified fears stereotyping foreigners.

However, these xenophobic attitudes are seen as a result of the changing migration patterns and perceived threats to the citizens' rights and interests. Now, why is coexistence the desired outcome?

We, as the task team in the Chief Whips Forum, realized that, a general lack of knowledge by South African citizens on the rights of foreign nationals coupled with the challenges in our immigration laws and controls needs to be addressed.

We did find the degree of violence and the lack of contribution on the rights of the foreign nationals very...

Mr. President, if you can just give me a few seconds to complete. I cannot believe that my three minutes are up!
(Laughter)

THE PRESIDENT:

Okay. A few seconds.

HON. KALYAN VINITA SANTOSH:

The perception and reasons for the resentment are that some South African citizens believe that foreign nationals take up jobs at lower salaries than allowed by the law, take the women and houses due to them, that foreign national business owners do not comply with the law and that undocumented migrants receive benefits due to South Africans.

Parliament has taken the issue seriously. I have the document and would like to make it available. We have mobilized humanitarian support, increased security and access to medical care and trauma counselling and, most importantly, revived the South African Human Rights Commission campaign on rolling back xenophobia.

I support the resolution.

(Applause)

HON. HAKAYE HAIKELLA [NAMIBIA]:

Thank you, Mr. President and Hon. Members of the Pan-African Parliament. I would like to register my solidarity and sympathy for the people of Somalia. We have read, heard and seen a lot about the security situation in Somalia. This alone is not farreaching. We need to get to the bottom of the matter. What has made the people of Somalia suffer so much? People are maimed, killed and displaced in their own country.

Mr. President, the African people must emulate the spirit of our founding fathers namely; Dr. Kwame Nkrumah, Dr. Augustino Neto, Dr. Kenneth Kaunda and many more others whom some of us have begun calling names today.

My country, Namibia, is a product of international solidarity with Africa, including Somalia, at the helm. What happened to the front-line states policy and the liberation committee of the then OAU? Yes, Africa was supposed to have been decolonized, but what do we call the situation in Somalia, the Sudan, the DRC and many more countries? We always gathered in Addis-Ababa and elsewhere. Let the present generation revive and emulate the spirit of oneness that no African country or state will be at ease while another is in turmoil and horror. All we want is to see our kids playing around and going to school.

HON. RASHID ABDUL PELPUO [GHANA]:

Thank you, Mr. President.

Mr. President, I rise to support the Motion put here by our honourable friend from Somalia. The question about the war and disturbance in Somalia has become not just a local issue about one country struggling to solve its problems, but about a Continent unable to solve one of its problems. Beyond that is the fact that it has become a world problem. It has become a cancer and needs to be given all the attention to solve the problem.

Mr. President, I believe very strongly that the question of Somalia has gone beyond the fact that there is a fight in that country. It is about a people who are unable to reflect modern trends on how to solve modern problems. It is about a Continent that is finding it very difficult to stand up to say that this is our Continent and we do not want these things to happen there. I know that in my country we have a lot of thoughts, we think so much about what we can do to help Somalia. This resulted in Ghana sending police force there. We are only notches away from

sending an army to Somalia. This is to let everybody know that our thoughts about African unity and agenda, to reflect the African personality about who we are and what we can do in the world, are real.

Mr. President, I also feel that this Parliament has a major role to play. We need to begin to think about what to do to influence the larger African Union to take very concrete steps to solve this problem. It might not be a problem that can be solved within a time period, it is a process. We need to put in place a process that will ensure that eventually the question about Somalia will no longer be the negative images we see in pictures on television and what we hear on the airwaves. It must be something we can deal with.

Mr. President, what is most painful is that this war is a torture, not just to the people who are the big players in it but to the innocent, vulnerable women and children who everyday suffer the pain and degradation of the war and who are killed and maimed because some people have to fight religious battles which then do not reflect the concept of...

HON. KPARKAR EUGENE [LIBERIA]:

Thank you, Mr President. I want to thank the Hon. Member from Somalia for having tabled this Motion to address the excruciating situation in Somalia which has made the future of Somalia bleak. In every war situation, development is stifled because children do not go to school and there is no law and order. War destroys, it does not build and it eats up the fabric of every nation.

Mr. President, I also come from a country that experienced war. My country was so heavily annihilated following decades of war. As we all know, the cracks of the matter is the inordinate ambition of blot sty and marauding politicians, who feel that the best way to take power is through the gun other than through democratic means. Right now, the Somali children are considered to be part of the lost generation. As I indicated two days ago, peace is a catalyst for development.

Mr. President, it is incumbent on us, as African countries, to rally around our brothers in Somalia to salvage the deteriorating humanitarian situation there. I wish to challenge neighbours of Somalia, Central Africa and East Africa; I am also calling on the African Union and the United Nations to exert all efforts to put an end to this menace once and for all.

Finally, I listened to the African Union Commission, with all of their very ambitious plans, building the trans-African High way, the Pan-African University and the likes. All these plans cannot come to fruition if Africa is still prone and vulnerable to political instability, terrorism, fundamentalism and above all external manipulations. Let us all rally around to ensure that Somalia and Africa remain peaceful.

I thank you, very much, Sir.

(Applause)

HON. SIRMA MUSA [KENYA]:

Thank you, Mr. President, for giving me the opportunity to talk about the security situation in Somalia.

I want, from the outset, to say that as a Kenyan, I really feel saddened and feel the pressure as regards the problems faced by the people of Somalia. I think that it is time that action is taken.

Mr. President, Al-Shabab cannot be stronger than the Somali government. The people funding Al-Shabab are known by the African Union (AU), but it does not take any action. Even the reports which we have in this Parliament show that Eritrea is not playing a good game in Somalia.

What are we doing? The Ethiopian government gave its troops, but the international community did not support them with finances and the necessary military equipment to enable them clean up Somalia.

As a country, we are faced with price fluctuations because of piracy both in terms of the food which we import into the country and the ransom we have to pay. In addition, the ransom money ends up in Kenya to inflate the prices of property. Therefore, Kenyan citizens of ordinary standard will not be able to access what would be their right.

Mr. President, we are being told about fish to be the reason why pirates are arresting our ships. Is it really the fish? There is more than meets the eye in terms of the resources that are in Somalia which make some people interested in ensuring the instability of Somalia.

(Applause)

HON. SIRMA MUSA [KENYA]:

Let us not only look at the fish, but listen to what they are saying. If Al Qaeda is there, what are they looking for?

Mr. President, there is oil in Somalia and the international community and Al Qaeda are interested in it. Therefore, the international community should not turn a blind eye to this situation. The solution to the problem of Somalia is within Somalia itself. If we can train the Somalis to protect their country and have a military of their own, and not AMISOM, we shall succeed. Let us not beat about the bush. The solution is clear and we should just fund Somalia, so that they may be able to pay their soldiers and boost their morale.

Mr. President, thank you.

HON. TOSKIN JOHNSON BARTILE [UGANDA]:

Thank you, very much, Mr. President, for allowing me the opportunity to give my views on this motion.

Mr. President, from the outset, I support this motion. I want to say that, the situation in Somalia is a big problem and challenge to the African continent.

Mr. President, the issue of Somalia has dragged for a long time. This is a matter which must be examined. What exactly is happening? The Heads of State and Government meet and talk over the issue of Somalia and many countries promised to send in troops. However, up to now, as we have heard, nobody is going in apart from the two countries which have been there for the last four years now.

Mr. President, I want to inform you and this House that, just last month, I was officiating at the burial of two sons of Uganda who died in Somalia.

We have continued to bury quite a number of them in the Republic of Uganda and this cannot continue.

Mr. President, we need to take decisive measures as a continent which is aspiring for integration. If we are looking for the integration of Africa and we cannot solve a small problem like that of Somalia, then I do not know what else we are going to do.

Mr. President, one of the biggest problems in Somalia is the mandate given to AMISOM. The AMISOM is there as a peace-keeping force and as a peace-keeping force, they are not allowed to be on the offensive. Therefore, they are only on the defensive and only wait to be killed where they are posted. It is time to change the mandate of the peace-keeping forces in Somalia so that they are able to carry out some offensive operations.

Mr. President, the other issue is the question of training the Somalis themselves to take over the security of Somalia, as has been mentioned by a colleague from Kenya. This must be done and the Somalis are available. There are many youths that can be mobilized and trained to offer security in their country. I

Mr. President, the same goes for the police. This must be done and this Parliament must come out very clearly on this.

The other challenge is: what message are the Hon. Members taking to their countries? We are talking of the African states as if we don't come from there. Can we agree on what message we are taking to our own countries so that the countries which promised and those which are able to give support to Somalia can do so.

Mr. President, I thank you.

HON. ABDULKADIR ANEB [ETHIOPIA]:

Thank you, Mr. President, for giving me the chance to express my opinion on this issue. I support the resolution presented by Hon. Habib.

Mr. President, Somalia has become a lab for human destruction. It has become a trademark for piracy, terrorism and a failed state. That is the recipe of disaster for any state or any existence of any human being.

Somalia was unheard of or unknown twenty years ago. If you go to Haiti or Fiji now, Somalia is under discussion. From the Pacific Ocean to the Indian Ocean or from the Indian to the Pacific, Somalia is known. Somalia is a Member of this House, the AU, IGAT, the United Nations and a very supportive member, and I underline this, of the Arab League. Somalia is not alone in this issue by what I have mentioned which is a cross border issue throughout the world.

Afghanistan has become a center for terrorism. Every support has been given to that land in order to overcome the centre of international terrorism. Second to that is Somalia which affects every human being in the world.

There is no reason that we do not have to continue raising our voices on this issue. I call on all Hon. Members in this House to take this message back to their national parliaments and ask and debate and come up with a resolution, supporting the member states in their own organizations. The burden of the Somali crisis will be hard. From day one, open every door for the Somalis. Between 1992 and 2005, we had over 270,000 refugees in our country. The number has increased now, but I do not have the figures. We have given every possible assistance that we can. We even went further to support the people of Somalia by sending them arms at our own cost and from our limited resources which we badly needed hoping the rest of...

THE PRESIDENT:

Just one minute more!

HON. ABDULKADIR ANEB [ETHIOPIA]:

Mr. President, I strongly appeal to the women in this House especially to look into the issues concerning the women and children in the Somali crisis and see how much they can raise the voice on that line. However, the responsibility is on every Hon. Member of this House to see how much they can help. I still want to go back to the Arab Member States in this House to see what they can do for their brothers and sisters as well. IGAD Members have done a lot, but they still need to be more.

I thank you, Mr. President.

HON. MAKGALEMELE DIKGANG PHILLIP [BOTSWANA]:

I thank you Honourable President. Just like my colleagues, I rise to support the Motion on the Security Situation in Somalia.

Peace, Mr. President, is a must for every country. One has to reflect on the problems and the challenges faced by young people, women, people living with disabilities, people affected by poverty, to mention but a few. This kind of scenario does, indeed, dictate that each and every country must have peace. I, therefore, support this Motion and urge all my colleagues that in addition to the positive resolution which I am confident will come out of this honourable Parliament, we should also go back to our respective countries and lobby our governments and communities because any resources that come from any one of our countries, comes from the national purse. Therefore, it is important that even nationals must be fully abreast of the situation in Somalia.

Mr. President, I had the rare privilege of visiting Rwanda at the beginning of 2009, a country that faced a similar situation a couple of years back. That case study, indeed, demonstrates that where peace is restored, developments can actually come to that particular country. Therefore, I simply want to support and present a positive picture that where there is a problem and where there is no peace and peace is finally found, development can, indeed, be accelerated.

Mr. President, I also feel that within the confines of our responsibilities as the Pan-African Parliament, we must do all we can to ensure that we are always prepared through the African Union, to be proactive in assisting situations such as the one in Somalia. As part of our interventions for the situation in Somalia, we must look at the issue more comprehensively. Yes, we want the troops to help in enhancing or ensuring peace in Somalia, but my view is that the interventions that are going to be ruled out should actually be looked at more...

HON. DERY AMBROSE [GHANA]:

Mr. President, I rise to support the Motion on the Security Situation in Somalia. I would like to approach it from the point that Africa is one organic whole. The crisis in Somalia is a crisis in Africa. The First President of Ghana illustrated the organic nature of Africa when he made the profound statement that the independence of Ghana is meaningless unless it is linked with the total liberation of the entire continent; the validity of which all can now testify to. In the same way, it is an illusion for anybody to think that a crisis in Somalia is a crisis in Somalia alone. Let us remember that when one part of the body suffers from cancer and the body dies as a result of that cancer, it dies with those parts of the body that are not directly affected by the cancer. So, we can see countries like Kenya, South Africa and Ethiopia directly bearing the effects of this principle that it is an African problem and we should have no illusions about this. If we do not solve the problem, it will ultimately engulf the rest of the continent. We should know that it will come to our doorsteps very soon.

Mr. President, the other aspect which is quite shameful and tragic is that every time there is a crisis in Africa, you should watch television and see the movement of the people. Who are they? Women and children. The women want to carry the whole world with them. They carry their luggage on their heads. What does it mean to us? Another Ghanaian, the late Khoje Agrey, told us that when you educate a man you educate an individual,

but when you educate a woman you educate the nation. In the same way, when you kill a woman you kill the nation. The women of Somalia and other parts of Africa affected by crises are suffering. Moreover, the children, our future, are dying. We are going to be irresponsible if we look the other way. So, I believe that all of us must make an effort. Therefore, I would like to praise the efforts of Uganda and Burundi and to ask all of us to make an effort. My colleague from Ghana has talked about the effort we are trying to make with regard to the police. We are also in Darfur and other areas where there are crises. It is a problem, but what is our commitment? It is a shame that it is halfhearted. Even the Burundian and Ugandan forces that are there are sometimes not paid. What is our commitment? What are we saving the money for? We will all soon die and nobody will inherit the Holy Ghost.

Mr. President, I support this Motion and I want the message to be loud and clear. Finally, we must let the Somalians know that the rest of us can help, but they must make the definitive moves. Together we must get Somalia out of the crisis. It is only then that Africa can be safe.

I thank you, Sir.

AN HONORABLE MEMBER:

Mr. President, I would like to support the resolution.

Mr. President, as a Member of Parliament from Somalia, I know the Somali problems better than any other Member besides my fellow Somali Parliamentarians.

First of all, everybody has to know that the problem in Somalia is created by external powers. When we elected the former President, Abudullahi Yusuf Ahmed, in 2004, the Americans went to Somalia to support the warlords to fight the ICU instead of supporting the elected President. Let everybody know that problems such as piracy or Al-Shabab were created by external powers.

If you want to find a solution to the problem of Somalia, we should support the current government politically, financially and militarily. That is the best solution and the best way you can solve the Somali problem at the moment.

I would like to thank Kenya and Ethiopia because of what they have done in the last six to seven years in Somalia. I would like to most sincerely thank Kenya for trying to help the Somalians both in Kenya and Somalia.

A few months ago, Ethiopia tried to encourage one of the Opposition groups to dialogue with the Somali Government so that they could share power. Therefore, at least, we can encourage the Opposition groups to join the Somali Government. If every single country in Africa could have tried to do what Ethiopia and Kenya are trying to do, Somalia would have been a peaceful place a long time ago.

Finally, Eritrea should be told to stop funding and supporting the militia groups which are against the Somali Government. I think that is one of..

HON. GEREMARIAM GEBRU [ETHIOPIA]:

Thank you, Mr.

President. For health reasons, I would like you to cordially allow me to sit down and make my intervention.

Mr. President, it was in this august House that, four years ago, when Ethiopia was accused of being invader, I rose up and said enough is enough. All stakeholders should keep to their promise and come to the assistance of Somalia in the way they promised. Ethiopia is bleeding alone because of Somalia. Four years ago, I used all the words and jargons that are being used today. I said enough is enough. That "enough is enough" is being repeated today.

Mr. President, it is really heart breaking when Ethiopia is criticized as being an immediate neighbor of Somalia which is doing nothing. Ethiopia travelled extra miles and went into Somalia. Nobody assisted rather we were stamped as invaders.

(Applause)

Mr. President, therefore, such heart breaking and demoralizing issues should not be raised in this august House. I repeat, we did rise to bring all on board to assist Ethiopia to give a solution to the Somalia problem. Ethiopia has done more than what it was supposed to do, to be frank with you.

Mr. President, again, as has been properly explained by my colleague, we still carry the burden of the Somalia problem. More than 400,000 refugees are in Ethiopia. I have the document with me. Therefore, once again, I request this august House to put pressure on the national governments; this cannot be a problem of the immediate neighbor. This is an African problem. Having a failed state at this time of the century is a shame.

It is high time that, we, African parliamentarians, go back to our national parliaments and put pressure, so that they pressurize the Heads of State and a unified action to bring Somalia out of the abyss it is in; to take a unified and agreed upon action

I thank you, very much Mr. President.

HON. DUMBUYA SHEKU B. [SIERRA LEONE]:

Thank you, Mr. President. Mr. President from the outset, I would like to thank the Mover of the Motion for his thoughtfulness in coming up with this Motion.

Mr. President, you will agree with me and most of us, if not all, know that this is not the first time that we are discussing the issue of Somalia in this Parliament. In other African fora, the issue of Somalia has been discussed at good length. In this particular forum, as was well articulated by the Seconder of the Motion, this time around the issue of Somalia should be taken seriously. This time round, we have to do something definite and resolute about Somalia, so that Somalia does not continue to be the problem that it has been to the shame of Africa.

Mr. President, one thing I find quite incomprehensible is: why is the AU dragging its feet about Somalia? What is particular about Somalia or what is it so wanted about Somalia? For all I know, the fact that this problem has been dragging on for over two decades is a slap on the face of Africa. It is a shame on us! Why is this the case? Could it be that certain people are benefiting from the protraction of the war in Somali? It might well be so. I recall in my country when we had civil war, whereas many of us wanted this war to end, there were so many who wanted the war not to end because of what they were benefiting individually and personally from its prolongation. But this is the case of Somali. We have said here that we have to solve African problems. African problems have to be solved by Africans themselves. But the fact that this problem has been going on, could it be a case of inability or the lack of capacity on the part of Africa to solve the problem of Somalia?

Mr. President, as has been said by Hon. Members, this time around, we have to deal with this matter. You, as Mr. President, have the one big advantage that you enjoy over most of us that you have the opportunity of meeting with the Heads of States. This time around, when you meet the African Heads of State, please, tell them that the Pan-African Parliament is very concerned about the situation in Somalia and that this time around; people have to do something positive and definite, so that this problem comes to an end once and for all.

Thank you very much.

HON. ALORAFY MOHAMED GEBRIL [LIBYA]:

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LE PRÉSIDENT.

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HON. GAMALELDIN ABDELAHAD [EGYPT]:

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LE PRÉSIDENT:

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HON. MUGYENYI MARY RUTAMWEBWA [UGANDA]:

Thank you Mr. President. Mr. President, being almost in the immediate neighbourhood of Somalia, my country has suffered like many others. Indeed, it has been very well-said. We have all suffered in different ways with the Somali people, through refugees who reside on our land; through wars that we are taking part in fighting and through the fact that we see fellow Africans suffering for so many years and we are not able to do anything. To me, the situation in Somalia is really a reflection of how powerless and un-united Africans are and, more especially the African leadership. I believe that if our leaders in Africa, particularly within the AU, were all united and agreed on one position, the problem of Somalia would not be there.

Mr. President, I attended a Conference on Refugees by the African Union (AU) where Somalia was discussed at length. The resolutions came up but the implementation becomes difficult. So, without wasting a lot of time, I want to suggest that, in this resolution that we are going to send out, we call for a peace-keeping force that is permanently instituted, so that when the majority of the Summit Members agree on a position, they can be able to enforce it. Right now, the business of doing it on a voluntary basis does not seem to work, it should have worked for Somalia a long time ago. Ethiopia suffered, Kenya, Uganda and Burundi are suffering and many other countries are not coming in. But if we had a permanently instituted peace-keeping force that is on the payroll, because even those who are there, who are keeping peace, are not being paid regularly, which is another shame. So, we need, in our resolution, to call for this peace-keeping force in Africa that belongs to the AU because what is happening in Somalia, by the way, can happen to any other country or any other citizen of Africa and we will be helpless. So, this is the time to act.

I also wonder, Mr. President, we have a Protocol on Refugees pertaining to Africans, which the AU has put in place. It is not being enforced or ratified. That is another area we need to cut...

Mr. President, indeed, we have been talking about the many protocols of the AU that have not been ratified, enforced and domesticated. That is one of the protocols. No wonder our refugees are suffering in the hands of other African countries. The case of South Africa is one of them and I am sure it is happening elsewhere.

Mr. President, lastly, I would like to suggest that we send our resolutions not only to the African Union but to many other partners. What is America doing about this? They have been policing the world. What have they done for Somalia for the last twenty years? What is the European Union doing? What about the other groups in South America and so on? This should be a world issue. Haiti had an earthquake just a few months ago and there has been a lot of attention. Why has the world not paid so much equal attention to Somalia?

I thank you, Mr. President.

HON. IBRAHIM HABEB NUR [SOMALIA]:

Thank you, Mr. President. I thank you, for allowing me and giving me this position to talk on the debate on the Floor of this House. I also sincerely thank you and the Hon. Members of the PAP, for contributing to this Motion. I am happy that the Hon. Members are aware and are deeply concerned about the situation in Somalia. I

hope this resolution of the House will be urgently sent to the AU for action. It is my hope that Africa will take a common decision to find a lasting solution to the situation in Somalia. I know many international communities are involved in the conflict. This must come to end. The voice of Africa must be heard and be seen to take serious action in Somalia. The Transitional Federal Government (TFG) will continue with its efforts to bring peace and order in the country and will not get tired of doing so.

Mr. President, I just want to remind this Parliament that Somalia is a country rich in oil, fish, livestock and other resources. That is why there is conflict and international interference.

Mr. President, I thank you and my colleagues, the Hon. Members of the PAP. I hope we have finished with this, so that we do not come next time to talk of the problems of Somalia.

I thank you once again.

(Applause)

LE PRÉSIDENT:

Merci beaucoup.

Secrétariat, préparez-vous à prendre les votes des Honorables parlementaires. Honorables parlementaires, je soumets à la Chambre l'adoption de la motion introduite par l'Honorable Ibrahim Habeb Nur, appuyée par l'Honorable Rachel Shebesh et, pratiquement, appuyée par les 20 intervenants de cette matinée.

S'il n'y a pas d'observations, s'il n'y a pas de remarques, on va passer aux votes.

Quels sont ceux qui sont pour la motion?

Quels sont ceux qui sont contre la motion? Zéro.

Quels sont ceux qui s'abstiennent?

Honorables membres, l'ensemble de la plénière a voté pour la motion, avec une seule abstention et pas de vote contre. La motion est adoptée.

(Applaudissement nourris)

Secrétaire Général, pour le point suivant.

LE SECRÉTAIRE GENERAL:

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LE PRÉSIDENT:

J'invite l'Honorable Ismaël Tidjani-Serpos, Président de la Commission Règlements, Privilèges et de la Discipline, à introduire sa motion.

5.0PROJET DE RÉOLUTION RELATIVE À L'ACCÉLÉRATION DU PROCESSUS DE RATIFICATION, DE SIGNATURE ET D'ADHÉSION AUX TRAITÉS, CONVENTIONS, CHARTES ET PROTOCOLES DE L'OUA/UAHON. TIDJANI-SERPOS ISMAËL [BENIN]:

Merci Monsieur le Président. Je voudrais, d'abord, vous remercier, vous, Monsieur le Président, les membres du Bureau et l'ensemble des collègues, pour avoir accepté que nous présentions d'urgence cette proposition de Résolution. Elle s'adresse à nous-mêmes, d'abord, en tant que Parlement, ensuite à chacun d'entre nous, pour ce que nous pouvons faire individuellement et collectivement, au niveau de nos Parlements, pour aider à accélérer le processus de ratification, d'adhésion, de signature de Traité, Conventions, Protocoles et Chartes adoptés par l'OUA/UA.

Voici le texte qui est proposé à l'appréciation de notre Parlement.

Le Parlement panafricain:

- Considérant le Protocole et Traité instituant la Communauté économique africaine relatif au Parlement panafricain, notamment en son article 11.3 qui dispose que le PAP œuvre à l'harmonisation ou à la coordination des lois des États membres;

- Considérant le Règlement intérieur du PAP, notamment en ses articles 60 et suivants;
- Préoccupé par le faible taux de ratification des Traités, Conventions, Chartes et Protocoles par les États membres de l'OUA/UA, handicapant leur entrée en vigueur et la généralisation de leur mise en œuvre;
- Conscient de l'importance de ces instruments juridiques dans le renforcement de l'édification de l'Union africaine;
- Considérant les appels et invitations antérieurs lancés par le PAP et qui sont demeurés sans effet;
- Considérant la décision EXCL/DUC-526/XVI du Conseil exécutif demandant au PAP d'aider au plaidoyer et à la sensibilisation des États membres, afin qu'ils accélèrent le processus de signature, de ratification, d'adhésion aux traités de l'OUA/UA;
- Soucieux de donner un contenu précis et pratique à cette décision

Adopte la résolution suivante:

Article 1^{er}

Le Bureau du PAP doit saisir officiellement, en vertu de l'article 77 de son Règlement intérieur, les Parlements nationaux, aux fins qu'ils veuillent prendre dans le cadre de leurs pouvoirs légaux de supervision toutes les initiatives nécessaires et utiles pour impulser la signature, ratification ou adhésion à ces textes en souffrance dans la plupart de nos pays, dont notamment, la Charte africaine de la démocratie, des élections et de la gouvernance, advenue en 2007.

Article 2

Les membres du PAP, dans le cadre des opportunités et des prérogatives que leurs offrent les lois et interpellations de l'Exécutif, questions au Bureau du Parlement, etc., doivent contribuer à dégoupiller les goulots d'étranglement qui entravent la signature, ratification ou adhésion à ces instruments juridiques.

Article 3

La délégation de chaque pays doit rendre compte au PAP des actions menées au titre de la présente résolution, avant la prochaine session ordinaire du PAP.

Article 4

Lors de sa prochaine session ordinaire, le PAP doit inscrire à son ordre du jour ce sujet pour faire le point d'application de la présente résolution et de son impact.

Fait à Midrand, le 16 avril 2010

Je vous remercie, Monsieur le Président.

LE PRÉSIDENT:

Qui appuie la motion?

UN HONORABLE MEMBRE:

Merci Monsieur le Président.

Oui, j'appuie ce projet de résolution relative à l'accélération de la ratification et l'adhésion aux Traités, Conventions, Chartes et Protocoles de l'OUA et l'Union africaine, parce que convaincu de la nécessité d'accélérer le processus de mise en œuvre du traité instituant la Communauté Économique Africaine, afin de promouvoir le développement socio-économique de notre continent, l'Afrique, et de faire face, de manière plus efficace, aux défis de la mondialisation.

De même que pour notre vision commune d'une Afrique unie et forte, ainsi que par la nécessité d'instaurer un partenariat entre le Gouvernement et toute la composante de notre société, afin de renforcer la solidarité et la cohésion entre nos peuples.

Enfin, j'appuie ce projet de résolution parce que nous sommes résolus à prendre toutes les mesures nécessaires pour renforcer nos institutions communes et leur doter les pouvoirs et les instruments nécessaires, afin de leur permettre de remplir efficacement leur mission, dans l'intérêt des peuples africains.

Monsieur le Président,

Nous appartenons tous à des institutions de nos différents pays, notamment les Parlements. Nous pensons qu'au retour, chacun après la session et les différentes rencontres, si nous devons mener des actions en faveur de l'accélération de ces signatures, je suis sûr que nous apporterons un plus à l'intérêt général des peuples africains.

Je vous remercie, Monsieur le Président.

LE PRÉSIDENT:

Merci beaucoup.

La résolution de l'honorable Ismaël Tidjani-Serpos s'adresse d'abord à nous-mêmes en tant que membres du Parlement panafricain. Elle s'adresse à nos parlements nationaux. Elle est inspirée directement par la décision des chefs d'État lors de leur dernier Sommet à Addis-Abeba. Cette résolution est pour notre vision de transformation du Parlement panafricain vers un organe législatif qui bien-sûr doit passer également par les ratifications. s'il n'y a pas d'observation ou de remarque de fonds, permettez que je propose directement aux honorables parlementaires et à la Chambre l'adoption de la résolution. Vous permettez?

(Applaudissements en signed'approbation)

Merci beaucoup. Secrétariat, préparez-vous à prendre les votes des honorables parlementaires. Qui sont ceux qui sont pour la résolution?

(Tous les membres lèvent la main)

Merci. Qui sont ceux qui sont contre?

(Pas de réaction dans la salle)

Merci. Abstention?

(Pas de réaction dans la salle)

Nous avons adopté à l'unanimité la résolution de l'honorable Ismaël Tidjani-Serpos. Je vous remercie.

Secrétaire Général, la suite du programme.

LE SECRÉTAIRE GÉNÉRAL PAR INTÉRIM:

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" GTZ "

LE PRÉSIDENT:

Merci. Je vais passer la parole à l'honorable Mary Mugenyi pour un mot introductif très, très bref.

Honorable Mugenyi, vous avez la parole.

6.0PRÉSENTATION DU PROJET DE DOCUMENTAIRE SUR LE PARLEMENT PANAFRICAINHON. MUGYENYI MARY RUTAMWEBWA [UGANDA]:

Mr. President, I thank you and request that you allow me to stay here since the front desk is being used.

Mr. President and Hon. Members, as we move towards transforming our Parliament into a legislative organ, many questions are being asked about who we are and our achievements. Why do we deserve to become a legislative organ based on our achievements?

Therefore, the Bureau has found it necessary, as one of its strategies to raise our visibility as an organ of the AU and also to get Africa and the world at large to know what we do, to put our activities in video form which we can use to communicate.

So, the video you are about to see is the work of about one year. The actual shooting of the video started in May, 2009. As a result, a lot of our past activities are regrettably scanty. The video is intended to be used as an advocacy tool and to be shown on African national television broadcasting stations hopefully with the help of the various national Parliaments and, of course, you as our Members.

This is a draft copy which is in English, but the process of its translation and production in the other five official languages, that is, French, Portuguese, Arabic, Spanish and Kiswahili has begun. We expect the versions in the other languages to be available soon.

We expect your input before it goes out. So, the purpose of showing you this video this morning is partly to solicit your views so that once we put it out, we can all own it. So, give us your views as you watch it.

Finally we would like to thank our partners, GTZ, for providing the funding for this project. Our thanks also go to Western Stone Corporation and Corporate Media who produced this video for us. Enjoy your viewing and, please, note down your comments for us.

I thank you.

(The proposed video is presented to parliamentarians)

HON. MUGYENYI MARY RUTAMWEBWA [UGANDA]:

Thank you so much. That marks the end of the video. With the permission of the President, we will take your views if there are any comments about it.

LE PRESIDENT:

Honorables membres du Parlement, nous allons prendre vos observations, et j'espère qu'elles seront brèves.

Nous avons une demi-heure, d'ici la fin de la matinée, parce que nous sommes le vendredi, et nous avons également plusieurs autres points inscrits à l'ordre du jour, pas des moindres, notamment les rapports de Commissions.

Nous allons commencer de la droite vers la gauche.

HON. ABDULKADIR ANEB [ETHIOPIA]:

Thank you, Mr. President, for giving me the Floor. If I have such a short time, there is one burning issue that I would like to raise in this House. The feeling is wonderful, the idea great and we should go ahead with it. However, one link that I am missing is the evolution of this House. That is what I am missing.

The history of African independence, that is the different parties of Africa, has all been taken care of. However, this House has a history too. This House has a history which is missing. The first Parliament of this House should have been presented here. The Opening of this House, the presentation of the first Hon. Members, the first Bureau, their achievements and what they stood for should have been here. That whole evolution is not there and I would like to start from the beginning; the history of this House.

I thank you, Mr. President.

HON. RASHID ABDUL PELPUO [GHANA]:

Thank you, Mr President. I think it is a very good documentary. It tells that we are beginning to tell our own story which is very good. However, I see that the story is being told with a partner, the GTZ. I wonder when we can be on our own and do something without partnering with somebody else. Let us see a time when another documentary will be made by the Pan-African Parliament from our resources and without anybody supporting us. In any case, this is a wonderful thing and it is the way forward in the future documentary about African history; the history of this Parliament and the way forward.

I thank you, Sir.

HON. MEMBER:

Mr. President, I would like to thank you for this opportunity to debate. I just want to add my voice to those before me and say that is a very good and brilliant idea.

My first comment is that we thought that the transfer of power from the first to the second Bureau should have come earlier.

There was a comment that the Second Vice-President made in reference to you, Mr. President. He said that, "We now have a president who is sensitive." I think that should be edited to mean the President is sensitive because it casts a certain insinuation against the previous President as if he is not sensitive to that particular issue. We can still make our point without trying, as it were, to draw that distinction.

I thank you, Mr. President.

HON. COULIBALY KADIATOU SAMAKE [MALI]:

Merci Président. Comme les autres, je remercie le Bureau d'avoir pensé à faire sortir un documentaire. Moi, je n'ai compris que les images, parce que c'était en Anglais. Il y en avait de très belles, effectivement, mais je pense que, dans le Parlement, la prestation de serment est une activité très importante pour le Parlementaire. Je pense, donc, qu'on aurait pu faire passer une personne en train de prêter serment.

Deuxième chose, on a parlé des régions, des caucus régionaux, uniquement sur la carte, mais je n'ai pas vu comment cela s'est déroulé au sein des Commissions: une photo des caucus régionaux. On n'a donc pas insisté sur les caucus régionaux.

Merci.

HON. GEREMARIAM GEBRU [ETHIOPIA]:

Thank you, Mr. President, for the opportunity to debate.

Mr. President, I highly appreciate the attempt that has been made to keep a documentary of our Parliament. This is very important so that history can be passed on to the next generation. It will also help us make our Parliament known to others by sending them DVDs like this documentary.

Mr. President, beside this, I have two comments. Firstly, I am of the view that the starting of the Parliament from Addis Ababa should have been included in the documentary. When did we start? How was it started? I do not know if I missed it. That is a very important basis.

Mr. President, I always want to be frank. When this film was taken, we were not serious about it. The other day, we were told to meet and only three or four Members of the Committee turned up. We must have been told and an announcement should have been made requesting Members to be present at the meeting. This is the problem in all the committees. So, there were only two or three people present in the meeting. I see things happened in all other committees the same way. So, I think this has to be done all over again if we are to have a serious documentary. In addition, editing should be carried out.

Thank you, very much.

(Applause)

HON. DERY AMBROSE [GHANA]:

Thank you, Mr. President. I think this is a brilliant idea. We need to educate our people about the PAP. I think that if people watched, there was a beginning. However, there is one thing which I am requesting. We saw the First President, but we did not hear her, especially the last part. She said, "Give support to the new President as you gave me," but that time the focus was not on her. So, I propose that we have a period where we interview the First President.

HON. GBONE YAWOVI HONAM HENRI [TOGO]:

Merci Monsieur le Président.

Monsieur le Président,

Comme beaucoup de collègues, ici, mon anglais n'est pas parfait. Donc, je ne suis pas sûr d'avoir tout entendu, mais je voudrais faire observer tout de même que la question qu'on nous pose souvent c'est la suivante:

« Qu'est-ce que vous faites au sein du Parlement panafricain? »

Et, je crois que cela a été dit, si j'ai bien compris, mais ce serait bien aussi de dire ce que nous avons pu faire jusqu'à ce jour. Cela intéresse beaucoup nos populations.

Je voudrais aussi faire une observation sur la première image: l'oiseau qu'on a vu voler me semble être un aigle. Je crois que cela aurait été préférable, si c'était une colombe, parce que nous sommes en butte avec les conflits. Nous cherchons la paix, Monsieur le Président. Si cela pouvait être changé, ce serait une bonne chose.

Je vous remercie.

HON. HAKAYE HAIKELLA [NAMIBIA]:

Mr. President, I wish to emphasize that the first Bureau needs to be reflected. We cannot all be pilots of the plane, but we can be its occupants. The inside of the House also needs to be reflected, so that the history is completed well. The countries that are represented in this august House are in a way reflected. So are the other Committees of the House. Some were given prominent coverage while others did not appear at all in the making of that history. This is just to remind them. Otherwise, that is what I wanted to say.

HON. MONGELLA IBENGWE GERTRUDE [TANZANIA]:

Thank you very much, Mr President, for giving me this opportunity to speak on this documentary. My one concern is that it falls short of answering the question: The Parliamentary Process, Is this a Parliament? We have had so many good debates in this Parliament. For example, the election in Zimbabwe was one of our major activities. Our teams in the election observation missions, instead of being talked about, should be captured. The television has covered all the sessions of this House up to this one. So, there is no shortage of information.

Finally, for me, even if I do not feature well on the documentary, I am the mother of the House; therefore, I do not need to be featured. However, I would appeal for the Hon. Members who struggled to build this institution. We still have them in the House and they did a wonderful job. They are people of great integrity on the African Continent. When you sell yourselves, you do better selling yourselves through people who have influence. So, for example, the Hon. First Vice-President, who is very known even in the struggle for independence, Hon. Van Dunem, Hon. Farhati and Hon. Madam Loum. The technique is to always be together close to the roses in order to smell well. There is a lot of documentation. Can you capture what makes a Parliament so that people can say, "Yes, this can really be a legislative Parliament?"

Finally, I am going for elections so wish me well...

(Laughter)

Goodbye to all of you. Inshalah when we meet somewhere somehow in the world I will always keep you in mind. I am around the world. I travel more than I did when I was President. So, I am likely to meet you the way I met my President at the airport in Addis Ababa.

HON. SHERDY MOHAMMED [EGYPT]:

Mr. President, I will not only speak in my capacity as an Hon. Member from Egypt, but also as a public relations, communications and documentary professional.

Mr. President, I am very sorry to say that what we have seen here today falls very short of what should come out of the Pan-African Parliament. Let me speak about the technicalities first. Who is our target audience? What are we trying to say? We started with photos of animals. Is this what we want to say about PAP? There is no where on earth that we should start a documentary about the Pan-African Parliament with pictures of animals! This is not a tourist documentary! This is not going to the Germans or the Dutch, but to our African nations. The photos that have been used in this film fall extremely short of the objectives of this film. If we need photos, they should take faces of the people of Africa. The whole world comes to us to take pictures of the faces of Africa.

Mr. President, secondly, this is not a historical film. We do not need to educate people what Africa has or the history of Africa. We need to educate them about the PAP, the importance and the history of the PAP.

The music that is throughout the film is absolutely bad. The music is being changed every one or half a minute to a different rhythm, losing the interest of the audience. You might not notice this, but I am talking of technicalities of documentaries here. I am talking extreme technicalities. The music that is being used is fluctuating to the extent that nobody will pay attention at all. I am not talking about the high sound or the low beats of sound, I am talking about different beats and cuts of music. Every time they are cutting through a piece of music with another piece of music. This should never be done.

Thirdly, Mr. President, the person doing the voice over is so monotonous, thus losing the interest of the audience. To gain interest, a documentary film should not exceed six minutes. In six minutes I can tell you

the history of the whole world. But in fifteen minutes here, we have lost the interest of the audience and the continuation and following because there is such a monotonous voice over that needs to be changed.

Mr. President, this documentary is too long; we have to cut it short. There is at least 30 to 40 per cent of the footage that could be cut out totally and move the pictures fast thus gaining the interest of the audience. It should be generic. We cannot add information with every session. What do I mean by that? I mean that this movie should be done once. It should be the movie representing the PAP for the next ten to fifteen years. We cannot keep adding to it every year or every Session or after every election. This should be a generic movie about who we are, what we aim to do, when we were established and how many Members we are. Why do we talk about the women and not talk about the men and how many Members? All those should be added to the script itself.

Mr. President, the stock photos that are being used here should actually represent the PAP, Hon. Members and PAP activities rather than anything else with all due respect to every country in Africa, including my own country. We should concentrate on telling the world and the African nations first what PAP is and where we want to go.

I thank you, Mr. President.

(Applause)

HON. SAWADOGO OUE'DRAOGO MARIE-BLANDINE [BURKINAFASO]:

Merci Monsieur le Président.

Je pense comme mon prédécesseur, l'Honorable Aneb et Son Excellence Madame Mongella, que l'histoire du PAP a été oubliée, oubliée ou occultée, excusez-moi le mot.

Le 18 mars prochain, ça va faire 6 ans que je suis ici, et je suis fière d'être ici depuis 6 ans. Je pense que des femmes et des hommes ont travaillé, parfois au prix de leur vie, pour ce Parlement. Je ne demande pas que toutes les images ressortent, mais un minimum, parce que les hommes passent, mais l'administration est une continuité.

Je pensais voir nos missions, à travers nos résolutions, nos recommandations et la mission du PAP. Cela n'a pas été le cas. C'est vrai, le reportage est très joli mais, dans ce reportage-là, je ne vois pas comment le PAP est né. Nous n'avons pas commencé dans ce bâtiment. Nous avons même été dans du contreplaqué, des boxes en contreplaqué, c'était juste derrière le nouveau bâtiment administratif. Et, en arrivant, ici, le premier jour, tout le monde était fier de retrouver ce beau bâtiment, cette belle pièce. Je ne retrouve pas tout cela.

En voyant ces images, chez moi, on va me demander ce que j'ai fait pendant 6 ans au Parlement panafricain. Pourtant, pendant 6 ans, pendant plus de 5 ans, j'étais à la Commission Genre.

Monsieur le Président, nous sommes nombreux dans cette salle, et nous sommes restés et demeurons l'histoire du PAP. Faites allusion à cela.

Je vous remercie.

(Applaudissements nourris)

HON. TIDJANI-SERPOS ISMAËL [BÉNIN]:

Merci Monsieur le Président. Je voudrais d'abord féliciter les initiateurs de ce documentaire, parce que je me suis toujours battu pour notre politique de communication.

Nous travaillons. C'est comme la belle motion que nous avons adoptée tout à l'heure sur la Somalie. Ce n'est pas la première fois. Mais tout ce que nous faisons reste ici; personne ne nous entend. Nous ne réfléchissons pas sur la manière de nous faire entendre.

Alors, je crois que le plus important, désormais, pour tous travaux que nous devons faire, c'est comment faire pour nous faire entendre hors de cette enceinte. Quand nous l'envoyons à Addis-Abéba, on s'assoit dessus ou c'est dans les tiroirs. Mais, comment, au-delà de cette politique, nous pouvons nous adresser en direction des populations?

Je crois que l'initiative qui est prise est une bonne initiative, Monsieur le Président. Ce n'est peut-être pas parfait, il va falloir corriger avec le temps. Mais il faut ajouter ce que l'on doit faire pour communiquer avec le reste, c'est-à-dire, ceux qui ne parlent pas Anglais. Il faut faire en sorte que ces vidéos puissent être en Arabe, en Français, en Swahili, afin que nos populations puissent y avoir accès.

Monsieur le Président, voilà donc quelque chose de très important!

Vous avez deux drapeaux derrière vous; est-ce que vous pouvez nous l'expliquer? Moi, je sais, parce que j'ai eu le privilège d'être à Addis-Abéba. Est-ce que les autres membres du Parlement panafricain peuvent vous dire ce que signifie le drapeau vert qui est là? Pourtant c'est là, derrière notre Président. Je crois que beaucoup de gens ne savent pas ce qu'il signifie. C'est désormais le drapeau de l'Union africaine. Et, il faudrait qu'on le déploie, dire ce que cela signifie, pour que les représentants des populations au sein de l'UA le sachent aussi.

Enfin, je crois que, comme certains l'ont dit, nous avons ici, le Président Farhat. Le Président Van Dunem était là. Madame Moum est là avec nous. Il aurait fallu qu'on leur donne la possibilité de nous raconter leur propre expérience, en tant que premiers dirigeants de ce Parlement. C'est un peu frustrant, mais je crois que ce sont des erreurs qui peuvent être corrigées avec le temps.

Je vous remercie Monsieur le Président.

HON. SHEBESH RACHEL [KENYA]:

Thank you, Mr. President.

Mr. President, I want to agree with my colleague who spoke just before the other speaker about the technical aspect.

Mr. President, to me, this documentary looks like an advertisement of a corporate organization. We need to know who our target audience is. Our target audience is the African people. They must connect to us. This, in fact, will alienate us because it is a bit elitist and the language is a bit too technical. The photography is more like it is going out to the Western World than to the African people. I really would like some more technical input on how to connect to our target audience which is the African people.

HON. VIEYRA SOGLO ROSINE [BENIN]:

Merci beaucoup, Monsieur le Président. Moi, je suis frustrée, parce que je n'ai pas vu du film, mais j'ai entendu. Mon anglais n'est, peut-être, pas très bien, mais j'ai entendu.

La première chose que je voudrais dire, c'est que, quand je viens, ici, chaque fois, ma population me demande:

« - Mais, ton Parlement-là, qu'est-ce que c'est que cela? » On ne sait pas ce que c'est que le PAP.

Quand je dis le PAP, on me demande ce que c'est. Alors je dis: le Parlement panafricain.

- « Ah bon, cela existe? »
- Oui, le Parlement africain existe. »

Est-ce qu'on peut faire un effort pour dire au monde entier, à toutes les populations ce que c'est le Parlement panafricain?

Ensuite, je n'ai pas entendu parler de l'Unité africaine. Quand est-ce que nous allons avoir l'unité africaine? Les États-Unis d'Afrique, on n'en parle jamais. Nous allons continuer comme ça à être coupés en saucissons, chacun avec son drapeau, et à ne pas bouger. Nous ne bougeons pas.

J'ai entendu le Président, la dernière fois, qui disait à mon ami que l'Afrique était en perdition. Je les regardais, parce que je ne les voyais pas, mais je l'ai entendu. Je me suis dit en moi-même: « Il a raison, ce monsieur. L'Afrique est en perdition. »

Enfin, pour terminer, je crois que je n'ai pas entendu dire non plus quelque chose sur notre hôte, c'est-à-dire l'Afrique du Sud qui nous reçoit et qui met à nos dispositions tout ce dont nous avons besoin. Est-ce qu'on peut simplement dire un petit merci, comme on dit chez moi. Merci, ce n'est pas si difficile à dire. Merci pour l'Afrique du Sud! Merci pour tout ce qu'elle fait pour nous!

C'est tout ce que je voulais dire.

Merci beaucoup, Monsieur le Président.

HON. BOUDINA MOSTEFA [ALGÉRIE]:

Merci Monsieur le Président.

En regardant le film, je me suis posé la question: à qui est destiné ce film? J'attendais, avant de voir ce film, à ce que soit retracé, même en un laps de temps, la longue lutte des peuples d'Afrique, des mouvements de libération, à l'étape de l'Organisation de l'unité africaine, en passant par l'aboutissement de la longue lutte de nos chefs d'État au sein de l'OUA, qui a donné naissance à l'Union africaine. Et, l'Union africaine, dans son évolution, est arrivée à faire du Parlement panafricain un outil de lutte des peuples d'Afrique.

Cela dit, j'aurais souhaité qu'il y ait, par l'image, les passations entre le Bureau du Parlement panafricain de la 1^{ère} législature et le Bureau du Parlement panafricain de la 2^{ème} législature.

J'en viens maintenant au contenu, à l'image. Certains ont été surdimensionnés dans l'image et dans le contenu du film, comme si c'était eux qui avaient libéré l'Afrique. Le rôle et la place de certains ont été occultés définitivement. Moi, je ne peux pas projeter un film pareil devant le Parlement national, ni le faire diffuser à la télévision algérienne, parce que l'on se posera la question de savoir ce que je suis venu faire en Afrique du Sud, depuis 2004? Pourquoi occulter les présidents de Commissions? C'est aux présidents de présenter leurs Commissions.

Ce que je souhaite, Monsieur le Président, et là, c'est un point positif à votre actif - les critiques que je fais sont adressées à ceux qui ont fait le film, et non au Bureau du Parlement -, c'est de faire rectifier ces erreurs, ces graves erreurs.

Il y a des parlementaires qui sont nouveaux, mais il y a des parlementaires qui ont accompagné la lutte de ce Parlement depuis Addis-Abéba. Et, ils ne figurent nulle part dans cette lutte de parce que le Parlement n'a pas été accepté, de par beaucoup de gens.

Monsieur le Président,

Ce que je propose, c'est une démarche synchronisée. Le Parlement africain a été installé à Addis-Abéba ; depuis Addis-Abéba, il y a eu une dizaine de sessions. Il faut les citer au passage. En même temps, il y a eu, quand même, des acteurs de ce changement. Ce que je déplore, c'est que ceux qui étaient contre ce changement figurent dans les images, beaucoup plus que ceux qui étaient pour le changement. Je vous remercie.

HON. ALORAFY MOHAMED GEBRIL [LIBYA]:

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HON. BAHARI ALI [KENYA]:

I thank you Mr. President. I will be very brief, so that other Hon. Members also get an opportunity to give their views. May be, that is what we should be doing instead of repeating.

First, this is a good idea. It is one of the innovations that you have brought out and we need to applaud you for this.

Secondly, we need to over emphasize the issue of record keeping. Some of this past, present and future records can easily disappear without proper documentation. So, it is important that, even at the library level, this issue is taken care of because sometimes you visit parliaments and cannot find some of these records. This is very important.

Finally, when the Fourth Vice President talked about what he referred to initially as Audit Committee, he did not come out quite well. Probably, you need to revisit this issue, so that the responsibilities are properly defined.

Thank you.

HON. CHARUMBIRA FORTUNE [ZIMBABWE]:

Thank you Mr.

President. We are all in agreement that this is a good initiative but it falls short of our expectations in the following respect. Let us not rush it like last time with the Committees where we said: "Let us work together and before others sat down, it was already done." Could we do it properly? Let us cover all the Committee Members. Every face in the Committees should be covered. By this I mean whoever is present, not just covering two or three faces and the others are left out.

(Applause)

The same applies to the Caucuses. Let us do it that way. Even in the Chamber, we want coverage of all people properly seated as a Parliament. Even with the debates, we speak using five different languages. It is good for the video to have someone debating in Arabic, another in Kiswahili, another in English and another in Portuguese. That will convey the message that this is really a multi-lingual Parliament. Let us have people debating in the different languages.

Why should we cover the same person in the Chamber and the same person is followed to Addis Ababa and covered there? Then again you follow him or her to Libya and cover him or her there. Does this mean that there are no other people who can be covered in other places? Let us not cover the same people. That is the weakness of our national televisions, they always cover either the President or Ministers and we even lose interest in the television because it is always covering certain few people. That culture should not come to the PAP, a culture of celebrating two or three people. Everybody here is very important.

Finally, I want to say that the content and structure, of course, needs to be improved. The message of us being advisory and administrative does not come out in this video. So, please, let us improve it.

Thank you.

(Applause)

HON. KANTENGWA JULIANA [RWANDA]:

Thank you, Mr. President, for giving me the opportunity to comment on the documentary. I would like to say that it is a very good idea and we need to applaud the Bureau for thinking about it. However, the documentary has been poorly put together. Why do I say this? I say this because of the absence of the evolution of the Parliament through the different steps. The highlights must be captured.

Firstly, there should be a clip of the swearing in of Hon. Gertrude Mongella and the other Members who were sworn in Addis Ababa. We should see a clip of who was sworn in. I do not mean that we should see every face, but we need to have that clip.

Secondly, with regard to the transition of the Bureau, the swearing-in of the new President; the evolution from the first to the second Parliament needs to be captured. The sittings of the first Parliament also need to be captured. We used to have firebrand debaters whose debate needs to be captured. We had Hon. Mbete of South Africa, Hon. Mahama, the current Vice-President of Ghana and the current President of the Senate of Nigeria. All these people need to be shown as Members of the First Parliament. It really tells a lot about the story we are trying to project. We also need to capture the different heated debates we had here. If you recall we had the debate on the Accra Report of the AU. It was a very heated debate. We also had the Darfur Report and the debate of the Bureau's transition. All these debates need to be captured.

Mr. President, the second point I want to make is that if we broadcast this documentary as it is, we are inadvertently admitting that PAP has been doing nothing. I want to make that very clear. So, please, let us not make that mistake because it will seriously erode our mission. If we miss out our past, we risk having a shaky future. That is what I want to emphasize.

Finally, there are certain highlights which also need to be included such as the presentations by the Heads of States that have come here. An example of this is when our elderly statesman, President Mandela, was inaugurating the Trust Fund. These are important highlights that we cannot risk leaving out.

Mr. President, the idea is very good and keep it up, but, please, polish up the documentary by giving it a background. Remove those animals. We have not been doing the animal business. Let us capture the different highlights of the debate we have been having all this with no legislative powers. We have only been carrying out an advisory function. What have we advised on? We should then see the two different Presidents sitting at the Heads of State Summit advising. Then next we should show why we are seeking legislative powers.

I thank you, Sir.

(Applause)

HON. OBAMA NVE JUSTINO [EQUATORIAL GUINEA]:

Gracias, Senior Presidente.

Quisiera felicitar a los autores de este film y ser un poco práctico y realista. Es un film que se ha hecho con un fondo, con una idea y luego claro aquí todos somos ambiciosos y cada uno quiere que no traduzca... Y claro cada uno de nosotros quisiera que se mostrara alguna cosa de su interés y como muchos han dicho. Pero yo creo que es una película, es un proyecto que se podría ampliar porque lo primero que llama la atención en este...

Digo. lo llama una cosa la atención un poco para disipar algunas ideas de que primero no he visto el título del documental, porque si hubiera un título el título nos pondría esta es la historia, se hablaría de historia.

Si hubiera un título pusieran el PAP en acción, también habrían otros. yo creo que esto se pueden hacer varias series del PAP, solo que yo creo que deberían posiblemente buscar más fondos, más promotores, más patrocinadores.

Pero es interesante, todas las ideas que se ponen aquí porque en este documental que se ha puesto de verdad que si yo lo muestro en mi país no se van a identificar con África, y entonces si nosotros queremos enviar, o sea queremos sensibilizar a nuestra población cada elemento, cada individuo de un pueblo tiene que identificarse en el video o en el documental para adherirse y para imponerlo. Por eso yo soy de la idea de que acepto este documental porque se ha hecho posiblemente con un propósito actual pero se debería pensarse con las otras ideas que están aportando y que se hiciera con una metodología, o sea un documental sobre la historia. Un documental sobre la acción misma del Parlamento y bueno y otra con otro documental como éste que es divulgarlo para otros pueblos que no sean los africanos.

Muchas gracias.

HON. KPARKAR EUGENE [LIBERIA]:

Mr. President, I would like to thank you for this opportunity.

Mr. President, this initiative is very laudable and I want to commend the Bureau for introducing this video documentary. The best way to sell institutions is through visual images. Even as politicians, in our campaigns, the best way to sell ourselves is for us to print posters and such kind of materials. So, these visual images are very good. After completion of this documentary, we can go to our parliaments and television stations in our respective constituencies to sell the Pan-African Parliament.

First and foremost, what needs to be done is that each and every delegation from the respective countries needs to be captured in this documentary.

Secondly, all our four or five caucuses in the regions also need to be captured in this documentary. We also need to capture the host country. During the last Session, we had President Zuma who made very strong statements. Some of the statements that he made, which have to do with the Pan African Parliament being a legislative body, need to be captured in this documentary.

I thank you, Mr President.

HON. BUDABUS RAGAB [LIBYA]:

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Il faut aussi que l'on souligne les défis que l'Institution rencontre. C'est comme si tout est rose dans cette Institution. Ce n'est pas vrai, nous avons des problèmes, nous avons des problèmes de moyens.

La mission législative du Parlement est importante parce qu'on appartient au Parlement national; on appartient au PAP. Cela est un défi important. Faire les deux, ça devient très difficile et je voudrais aussi, Monsieur le Président, que les Commissions expriment leur mission et surtout les réalités qui leurs sont propres.

Voilà ce que je voulais souligner, Monsieur le Président. Sinon, le soutien du Président ZUMA a été souligné et je voulais le faire aussi.

Je vous remercie.

HON. OUADDADI CHEIKH AHMED EL-HEIBA [SAHARAWI REPUBLIC]:

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HON. ASFAW NETSANET [ETHIOPIA]:

Thank you, Mr. President for this giving me this opportunity to give my views on this issue.

As a media professional, I also want to add that though this is a very good idea and a great improvement on the past, that a film is being produced about the Pan-African Parliament (PAP), it does not have the context of what Africa is. The prejudice of people from other continents is that Africa is a land of animals. This has actually without meaning been promoted. Therefore, the context should be that Africa is the first home of humanity and a custodian of great civilizations. There are those who are prejudiced to think that no civilizations came out from black Africa. That should be contested as it is not true.

Mr. President, the journey of how this Parliament started and where it is now has also not been shown. No debate was covered and there were shots from the back. In fact, shots from the back should not be allowed. There should be shots of the House with the leadership from the front, not from the back.

Mr. President, I also did not see any swearing-in ceremony, which is part of the processes that we have here. The great guests we had here and the words they spoke about PAP are very important, in my view, and that was not reflected.

Mr. President, in this film, it looks as if the committees are made up of just three or four people. They are made up of many people. All the caucuses and the committees have to be reflected also. The other day we were invited to have our pictures taken and some of us were in the washrooms and by the time we were done the person who was taking the pictures had already left in two minutes. That is not how films are produced; filming is very serious work. Therefore, there should be a picture of all the committees as part of the edition to be there.

Mr. President, the House's journey has to be shown in a story line. That should be reflected very correctly. It should end with the goal of us wanting to be a legislative body. That is our aspiration. This documentary should show how the African people will benefit if PAP becomes a legislative body.

Thank you, Mr. President.

(Applause)

HON. KANAGBARO III BAI KURR [SIERRA LIONE]:

Thank you, Mr. President. This is a great day for the Bureau because it shows that what they have started is something good and people are looking up to it. So, I congratulate you and the Members of the Bureau for starting such a nice idea of putting things in place.

Mr. President, I have heard what all the clever, intelligent and educated people have said. But in my opinion, we have to congratulate the Bureau for being innovative. It shows that Hon. Members wanted this and they are looking up to this. They see this as a way of promoting the PAP; they are not criticizing, but endorsing the idea that they want different roles to be portrayed.

Mr. President, my own contribution is that, now that every Hon. Member who has spoken is saying that this should be a continuous process, that it is not a one-time documentary, but if every comment is taken into consideration, the documentary will last for more than 30 hours for us to watch. I recommend that the documentary should cover the sessions. Every Session should be covered because that way, we will know those who are absent. Let us feature those Hon. Members who come in and leave and their places are empty. Those who are sleeping should also be featured there. If you remember, in the United States Senate, they were arguing whether they should show the Senate in Session. It was a great argument. People said no, others will be drowsy, they will show them to their constituencies and their states that they are absent. Some come, sign in and leave to go and do other things. When we have a permanent documentary on every session, Hon. Members will stay here. For those who go to Boulders when the Session is on, we should follow them there, to show that they are there shopping while the Session is in progress. This way, we will begin to take the business of Parliament seriously.

Mr. President, the most important thing I would like to recommend is that we need a strong Public Relations Officer (PRO). We need the department for publicity, sensitization and awareness. This is what I captured. I do not know what the clever people have done because we do not know who produced this documentary. But if all the events are covered, as the great speakers have said, those who are experts in ICT, it is high time we had a Public Relations Department. It is from this Department that Hon. Members can go and take the documentaries and carry them home to show what role they have played and what they spoke in this Parliament.

Mr. President, when I first came here, I had a video of all the proceedings. The Information Department took part of what we recorded and they showed it in our country. So, what Hon. Members are saying to the Bureau and the management of this Parliament is that we need promotion of the work of the PAP. We have to show the past role people have played to make the PAP what it is, the present role of the PAP in addressing the problems of Africa and the future role of the PAP in uniting Africa and addressing the future problems of Africa.

Mr. President, this also shows that Hon. Members are very keen in trying to show their role and what they do. So, this is a serious issue. Hon. Members of PAP want to show this in their national parliaments and countries, in promoting PAP and its functions, to justify why we are here and what responsibilities, functions and duties we have carried out.

Mr. President, I also recommend that we should have a good Publicity Secretary to promote the PAP in South Africa. I have not seen coverage of the sittings of the PAP in the South African newspapers. The people of South Africa have contributed immensely to the PAP. Therefore, they should know why the PAP is here. They will even accord us the necessary courtesy when they know what PAP is; when we go to their shopping centres, the immigration and the customs. They will give us the respect that we deserve. But if they do not know what and who we are, sometimes seeing us just creates problems at the airport. That is a major thing that I recommend, that newspapers and radio stations should cover us. The SABC should also cover us when we are here. International television networks such as CNN, BBC, Sky News and so on should also be invited to cover us.

Mr. President, this Parliament has started something good. We are requesting you to do greater things. The horizon is the limit.

I thank you, Mr. President.

HON. NJOBVUYALEMA JOSEPH [MALAWI]:

Thank you, very much Mr. President for giving me this opportunity. I think, all the brilliant ideas and suggestions have already been made by my colleagues.

Mr. President, I want to underscore the fact that the video did not quite show the mandate of the Pan-African Parliament in the sense that our PAP is not operating as an island. There is need to show which other organizations, in terms of work relationships, does PAP interact with. There is need for a longer session to show what PAP is. Are we a Parliament? Are we involved in policy formulation? If our role is advisory, who do we advise? What are the implementation levels? How is that helping Member States? Are we contributing to the overall achievement of uniting Africa? What are our core competencies? Does this House have competent people to give advice? Does this House have the mandate to legislate or to come up with a usable policy?

Mr. President, much as we have the history, the video needed to show and emphasize our mandate. What are the achievement levels? What are our challenges? Are there performance gaps? Is there room for improvement? I thought I should just underscore that fact.

Thank you Mr. President.

HON. NJINGUM MOUSA MBUTOH [CAMEROON]:

Thank you, Mr. President. I will be very brief; I will take only one minute.

Mr. President, I had almost fifty recommendations, but my colleagues have occupied themselves with my pre-occupations.

Mr. President, this is a very wonderful initiative which we have to applaud. It is applaudable because you think of an idea and you bring and present it to Hon. Members to give their contributions to it, before going out to the public. This is a very good initiative that I commend and congratulate you for. If not, the Bureau would have just made this and sold it to the public without, first of all, getting the opinion of the Hon. Members of Parliament, which would have been catastrophic.

Mr. President, looking at the video, there are a lot of things which are lacking. There is also some mix up. Therefore, we need to review it to make a very good documentary that will be useful for us in Africa. It is a very important documentary that can help our national parliaments, to enable us organize seminars. Through this documentary we will be able to talk on everything about the Pan-African Parliament. We should focus on the creation, achievements and challenges of the PAP. We can use this to lobby to tell the world the difficulties the PAP is facing in trying to become a legislative body or how the financial situations are becoming a problem for the PAP.

Mr. President, that is all I want to say. I recommend that the GTZ is asked not to publish this documentary, so that we can review it before it goes out to the public.

I thank you, President.

HON. NIYONKURU SCHADRACK [BURUNDI]:

Honorable Président, je vous remercie pour la parole.

Je voudrais aussi féliciter l'équipe et le Bureau qui ont pensé à cette idée. C'est une idée géniale qu'il faut sincèrement applaudir. C'est une bonne initiative. Qu'il y ait des critiques à cela, c'est tout à fait normal. Tout travail humain est toujours sujet à perfection. C'est la raison pour laquelle je pense qu'il faudra essayer d'intégrer toutes les commentaires et suggestions que les parlementaires ont pu donner. Parmi ceux-là, je voudrais ajouter qu'il faut essayer de voir comment insérer des images sur les visites de chefs d'État. Chaque fois que nous ouvrons la session, il y a la présence des chefs d'État, avec la prise de photos de famille. Il faudra peut-être essayer d'intégrer cela aussi dans ce document.

Également, il faudra intégrer dans ce document le personnel du Parlement panafricain, pour voir comment le travail du Parlement panafricain est réalisé. Qu'on puisse avoir une idée complète de ceux qui font le travail. Étant donné que c'est un document du Parlement panafricain, et qu'il y a beaucoup de cultures et beaucoup de débats, il faut essayer d'intégrer la multi-culturalité. Avec cela, alors, essayer de voir dans les musiques, dans les intermèdes comment intégrer les différentes musiques africaines, pour pouvoir mettre en évidence cette multi-culturalité.

Ceci étant, Monsieur le Président, une fois qu'on aura intégré tous ces éléments, qu'on aura fait un document complet, il faudra l'envoyer au niveau des Parlements nationaux, pour leur demander de faire une diffusion. Et là, il faut que ce soit fait dans toutes les langues parlées, ici, au Parlement, au Parlement panafricain. Cela veut dire qu'il faudra informer tous les parlementaires, faire savoir ce que fait le Parlement panafricain, organiser

des séminaires pour voir ce que fait le Parlement panafricain et aussi demander des émissions au niveau des différentes télévisions nationales.

Et pour conclure, il faut faire en sorte que le peuple africain puisse réellement s'approprier de ce Parlement panafricain.

Je vous remercie, Monsieur le Président.

HON. GREISS SYADA EL HAMI [BURUNDI]:

Mr. President, I would like to thank you for giving me this opportunity to give some comments on this documentary. Of course, this is a very important initiative.

Mr. President, allow me to just point out a few things. I would love to see the faces of the people of Africa rather than still maps that are being projected all the time because they do not mean anything to me. Parliament is a very dynamic institution and I want that to be portrayed and reflected in this documentary. The documentary portrays Parliament as a very still institution that is not dynamic. The dynamism comes from the debates. I do not want to repeat what some of my colleagues have said, but it should include a few testimonials from some of the Hon. Members here.

Mr. President, the other thing that is very important is that we have to link Hon. Members to their own people. Hon. Members represent women, children and men living on the African continent. We missed that all together. I feel that we are out there, but PAP is here and our populations are somewhere else. This link is very important if we are going to be establishing ourselves as a credible institution that can really effect change.

One of the symbols of unity which we have missed out and, perhaps, could be used is the fact that we are a united at this using a common passport. Just a quick flash of some of those symbols that can show that we are all one in Africa and that we speak in one voice could be used. What are some of these symbols that could be included?

So, these are just a few of my comments. I wish you the best in trying to edit this documentary because it is very important for us to be able portray that in our Parliaments.

I thank you, Mr. President.

HON. ENGOHANG OBIANG GASTON [GABON]:

Merci Monsieur le Président.

Je voudrais, en prenant la parole, confirmer que l'initiative qui a été prise est très bonne; la procédure aussi. Je voudrais aussi apaiser les soucis des uns et des autres pour dire qu'en technique de

communication, on peut appeler cette mouture-là, « la mouture zéro », c'est-à-dire que c'est une mouture qui sera normalement révisée, avec toutes les implications, les demandes de révision faites par nos différents collègues.

La première mouture qui sera la « mouture 1 » complétera la « mouture zéro », en incluant tous les éléments, toutes les informations données par nos différents collègues, afin que le documentaire représente effectivement le Parlement panafricain.

Je vous remercie.

HON. DUMBUYA SHEKU B. [SIERRA LEONE]:

Mr. President, by definition, a documentary is a summary. We cannot include everything. Much of what has been said is important, very necessary, and relevant. But I suggest here that, we include only the important things.

Mr. President, this is a very brilliant initiative. In nature anything that is started for the first time normally attracts so much criticism by way of comments. This is precisely what has been done. So far on what has been said here, I would advice that we review everything to include much of what has been suggested. But the documentary is a summary, we cannot include everything.

Mr. President, on the question of the animals; the animals and the other things are indigenous to Africa. What is wrong with having them in the documentary?

Thank you, Mr. President.

HON. ABDOULAYE ADJARATOU [TOGO]:

Merci Monsieur le Président.

Je remercie vivement ceux qui ont pris l'initiative de nous présenter ce documentaire. Mais, au départ, on nous avait fait savoir que c'était pour la présentation des activités du Parlement. Effectivement, il y a eu certaines activités, mais il y a manqué de grandes activités qui pouvaient nous amener à aboutir à nos objectifs, telles que la Conférence des Présidents des Parlements nationaux qui se sont présentés, ici, et la Conférence des Femmes que nous avons eue sur la mutilation génitale. Cela fera que les gens, à l'extérieur, sachent que nous faisons un travail.

C'est ce que je voulais ajouter à ce documentaire. Merci.

HON. ABDUSELAM AHMED HASSEN [ETHIOPIA]:

Thank you, Mr. President, for giving me this opportunity. Like most Hon. Members, I applaud the effort that has been made. That is why we all feel that we have something to say about it. The documentary has obviously raised a lot of interest.

I have only one or two points to make because in the documentary I do not expect everything to be included; it is only a selection of some things to tell us about the Pan-African Parliament. I would like some of these things to be symbolic. When we talk about our resources, it is not the industries or the minerals that are our big resources. Where are those countries that have big resources in many parts of Africa? They are at war. We need to focus on our human resources and education. The most important art is not in mechanized agriculture, it is in smallholding agriculture in most of Africa. We need to forge those areas in, unless, we obviously be futuristic if we talk about here and now, it has got to be about what is happening to the pastoralists and the small holding agriculturists. That is where we start to become an industrial society. We are not industrialists. We are not heavily dependent on heavy industrial materials and resources. Our resources are human resources and education is the way out. That is how we should focus on this issue.

I thank you, Mr. President.

HON. MUGYENYI MARY RUTAMWEBWA [UGANDA]:

Thank you very much, Mr. President.

Mr. President, I want to start by thanking my colleagues for everything that has been said. From the beginning we said that this is a draft and it cannot go out before you give your comments on it. The other thing that I want you to remember is that the Bureau commissioned the video for communication, for the purpose that I think you agree with. But the Bureau did not produce the video. So, please, do not kill the messenger. We hired a communications company by the name of „Waterstone Corporate Media' to do the video for us. The first time we saw it, coincidentally, we also gave the same comments. As a matter of fact, the taking of the video of the committees and the regional caucuses was an addition after we had seen it. But we had the same reaction and the Bureau Members identified them. For example, the absence of what the Hon. Anab called the evolution of Parliament is clearly and glaringly absent.

One fact that Hon. Bahari has talked about is an issue which we need to be aware of, that there are no records. I am sure our Communications Officer, Mr. Kareed should be here. Mr. Kareed, yes there he is - that was his answer, that there are no records. Our former President Mongela said there are videos. I remember when I first came to this Parliament in 2006, we used to have video coverage and as you were talking you would see yourself on the screen. So, it is amazing that those records were never kept. But that is a fact that we are dealing with. We even have had to say that in the case of the Heads of State who came to address our Parliament, there is always a Presidential Press Unit. If you go to the South Africa Presidential Press Unit, for example, you will find the video of the President who opened our Parliament last time, if we do not have it here. If you asked the Government of Tanzania, President Kikwete can only be there when you only get that information, when he was opening that Parliament. So, we have raised all these questions and concerns. We totally agree with your position.

We should be able to show this Parliament from Ethiopia, when it was conceptualized to the present. That is what we would have wanted to do. As I said, your messages and responses totally agree with us. But this is an important initiative that we have started. The response tells the Bureau that this video cannot go out now. There is more work to be done on it but it will mean that it will take much more time than we would have wanted, in order to put out our message and achieve the objective of being known, so that we can have that transformation.

Mr. President, I need not go through every question that was raised by each Hon. Members because they are similar. The company that did the video is here because your comments are very important to them. The most regrettable thing is that our Parliament never kept records from the time we started to the present, and I repeat that. That is a fact that we have on the ground. When I go out to campaign I have a video camera, which does not cost much. How could the Pan-African Parliament not even own a video that would cost about US\$1 000.00 to US \$2 000.00 to capture that? That is a fact we are dealing with, we do not have records. So, for goodness sake, our intention was not to leave out the important history of our Parliament.

Lastly, since much of what was said is really advice on how to improve this video and that was the intention, I would like to propose that we have recorded everything that has been mentioned. I hope the company that took this video is also here. I want to propose that the Hon. Members who are professionals in this area could help us improve this video; if they can volunteer to be part of the team to revise the video. For example, as you were responding I realized that the Hon. Member from Egypt, the Hon. Member from Ethiopia, the Hon. Member from Kenya - I think, there was a fourth one that I missed out who said he is a communication expert; Yes, I think it is Hon. Musa, the President of the Finance Committee; if you can volunteer to help us work with the company and give your views, we, Members of the Bureau, are not experts in this. But we could see that things were missing. So help us with your expertise to volunteer to be part of this team and give those constructive points to the company that is working on this video.

I want to respond to the Hon. Member from Ghana who was concerned when I said we now have a President who is sensitive to climate change. Quite frankly, that was not politically intended. It was that this particular President, when he took office, he came in with the drive about climate change and for the first time, I must admit, as a Member, it opened my eyes about climate change, the drying of Lake Chad and so on. So, I was talking from my heart and I do not have any political bias.

I thank you so much for your views. We promise that your views are going to be included in this video, to improve it for the good of our institution.

Thank you.

(Applause)

THE PRESIDENT:

Thank you, Hon. Mary. Now, I will give the Floor to the Clerk.

LE SECRÉTAIRE GÉNÉRAL PAR INTÉRIM:

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LE PRÉSIDENT:

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UN INTERVENANT:

Monsieur le Président, je vous remercie. Ce n'est pas la Commission du Commerce et de l'Agriculture, mais plutôt, la Commission de l'Économie rurale et de l'Agriculture qui est invitée à rester, ici, pour une minute, pour une communication.

Je vous remercie.

LE PRÉSIDENT:

Merci pour ces communications. Le Secrétaire général avait dit « ##### « c'est le pluriel, mais merci, quand même d'avoir apporté des correctifs. La séance est suspendue jusqu'à lundi 19 avril 2010, à 9 heures.

La séance est suspendue à douze heures cinquante-deux minutes. Elle se poursuivra le lund 19 avril 2010.

Lundi 19 avril 2010 LE PRÉSIDENT:

La séance est reprise.

Secrétaire général, veuillez nous présenter le programme.

LE SECRÉTAIRE GÉNÉRAL PAR INTÉRIM:

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1. OPRESTATION DE SERMENTLE PRÉSIDENT:

Honorables membres, conformément à l'article 09 du Règlement intérieur, nous allons, à présent, procéder à la prestation de serment.

J'invite l'Honorable Justin Koumba, de la République du Congo, à prêter serment.

(L'honorable Koumba Justin prête serment et occupe le siège qui lui est réservé dans l'hémicycle)

LE PRÉSIDENT:

Honorables membres du Parlement panafricain, je voudrais qu'on reconnaisse parmi nous, l'Honorable Macamo - membre du Parlement panafricain - qui, suite aux dernières élections législatives au Mozambique, est passée Présidente de l'Assemblée nationale du Mozambique. Elle a tenu, sur ma demande, à continuer à être avec nous, pour que l'on continue à bénéficier de son expérience. Je vous demande d'acclamer l'Honorable Macamo.
(Applaudissements nourris)

Secrétaire général, vous avez la parole pour les annonces.

2. 0ANNONCESLE SECRÉTAIRE INTÉRIM:

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LE PRÉSIDENT:

Merci beaucoup. Nous allons, à présent, Honorables parlementaires, suspendre notre session et reprendre, dans dix minutes, la Conférence africaine parlementaire.

La séance est suspendue.

La séance plénière est suspendue à neuf heures vingt-et-une minutes. Elle se poursuivra le mardi 20 avril 2010, après la conférence sur le réseau africain d'information parlementaire.

Mardi 20 avril 2010 LE PRÉSIDENT:

Notre séance est reprise.

Monsieur le Secrétaire général, vous avez la parole.

LE SECRÉTAIRE GENERAL PAR INTÉRIM:

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1. OPRESENTATION ET DÉBAT DU RAPPORT SUR DE — LA CONFÉRENCE DES 15 PARTIES TENUE À COPENHAGUE, DANEMARKHON. MUGYENYI MARY RUTAMWEBWA [UGANDA]:

Thank you, Mr. President, for this opportunity that you have given me to present the Report of the COP-15 Meeting held in Copenhagen last year. As you are aware, you sent us as a team. The Deputy Chairperson of the Committee on Rural Economy, Agriculture, Natural Resources and Environment, who, in fact, actually produced the report on behalf of the team, and I am sure on behalf of his Committee since his President was not able to attend, will present the report.

Mr. President I, therefore, would like to request you to call upon Hon. Sisa Njikelana of South Africa, the Deputy Chairperson of the Committee on Rural Economy, Agriculture, Natural Resources and Environment to present the report on our behalf.

I thank you.

HON. NJIKELANA SISA JAMES [SOUTH AFRICA]:

Mr. President, the Vice Presidents and Hon. Members, allow me, on behalf of the Permanent Committee on Rural Economy, Agriculture, Natural Resources and Environment, as well as the delegation that was led by Hon. Mary Mugenyi to the Conference of Parties or COP-15 as it is known in Copenhagen, to present this report. This conference took place from 7th to 18th December last year.

Before starting, let me indicate some corrections in the list of acronyms. ECOSOC means Economic and Social Council. The other gap is in SIDS which means Small Islands Developing States.

Mr. President, I am sensitive to time. Therefore, I will try my best to focus on key areas only.

The 15th Session of the United Nations Framework Convention for Climate Change was held in Copenhagen, Denmark from the 7th to the 18th of December, 2009. The conference of parties is the highest organ of the UNFCCC and has traditionally been attended by only Ministers of Environment, who meet to review the Convention on Climate Change. Underlining that climate change is one of the greatest challenges the world is facing, strong political will was required at this COP-15 Session to ensure a collective decision that goes beyond the Kyoto Protocol, as comes out of the meeting. The meeting was, therefore, attended by several Heads of States and governments. Inter-governmental and non-governmental organizations also attended the meeting as observers.

The Pan-African Parliament was accredited to the meeting through the African Union. However, due to limitation of numbers of participants admitted for inter-governmental and non-governmental organizations, PAP participants were also accredited through their respective countries and the United Nations International Strategy for Disaster Reduction (UNISDR).

From a continental perspective, the issues that were negotiated and advanced by the African countries had emphasis on the African position as developed by the African Ministers Conference for environment (AMCEN) and endorsed by the heads of State in Sirte, Libya, in July 2009 and are as follows:

On adaptation, all countries are vulnerable to the impact of climate change and some have experienced the effects. There is a need to fully implement the National Adaptation Programmes of Action.

On allocation of adequate and predictable financial resources to support development and implementation of concrete adaptation activities in developing countries is necessary. The least developed countries must be given due considerations as provided in the Convention.

On long term financing, the parties should agree on a long-term scaled up finance to support implementation of mitigation, adaptation, technology and capacity building activities in developing countries. The proposed figure that developing countries the developed countries to submit is 1.5 percent of Gross Domestic Product (GDP). Access to finance should not be based on the issue of governance and access to funds intended to support mitigation, adaptation and technology.

On mitigation, scientists have proved that green house gases are still on the increase and more alarmingly in major developing countries.

On adaptation, all countries are vulnerable to the impact of climate change and some have experienced the effects. There is a need to fully implement the National Adaptation Programmes of Action.

On allocation of adequate and predictable financial resources to support development and implementation of concrete adaptation activities in developing countries is necessary. The least developed countries must be given due considerations as provided in the Convention.

On mitigation, scientists have proved that green house gases are still on the increase and more alarmingly in major developing countries.

Developing countries need to play a leading role in the reduction of green house gases. Developing countries that are not party to the Kyoto Protocol must join the rest of the developed countries and lead by example. It is clear that mitigation by developed countries will not stabilize the concentration of green house gases, hence, developing countries need to also reduce on emissions.

On technology, this is a critical sector in tackling the cause of climate change as well as addressing its adverse effects. The use of existing technology that reduces on emissions can be encouraged. The acceleration of research and development of technologies that reduce emissions should be done. Strengthening institutional and technological capacity as well as cooperative research and development is required and such includes north-south and south-south cooperation. There is also need for the provision and funding of programmes to support technology and development activities.

Mr. President, all these areas were highlighted in the said Minister's Conference for Environment. They were carried through to Copenhagen.

Allow me to concentrate on the outcomes of Copenhagen. An Accord was signed by Heads of States, Heads of Governments and other heads of delegation from twenty-six countries. The Accord basically commits parties to:

1. Political will in conducting climate change based on scientific advice, stabilizing of green house gas concentration in the atmosphere at levels below two degrees.
2. Reduce global emissions by 50 percent by 2050 below the 1990 levels.
3. Providing resources - financial, technological and capacity building for least developed countries, small islands and countries in Africa affected by drought, desertification and floods.
4. Annex one - Parties to the Convention commit to reducing their emissions individually or jointly by at least 80 percent by 2050.
5. Non-Annex I - Parties to the Convention will implement mitigation actions in the context of sustainable development.
6. Recognized the crucial role of afforestation in the removal of green house gas emissions by providing suitable mechanisms for mobilization of financial resources from developed countries.
7. Enhance and promote mitigation action.
8. Scaled uphill and additional funding with improved access for developing countries to support enhanced mitigation, adaptation, technological development and transfer.
9. A high level panel was established under the Convention of Parties to assess contribution of the potential sources of revenue, including alternative sources offered towards meeting objective Number 8.
10. Copenhagen Climate Fund be established as an operating mechanism of the Convention to support projects, programmes and policies related to mitigation, adaptation, capacity building and technological transfer in developing countries.
11. Establishing a technology mechanism to enhance action and development and transfer of technology
12. Agreed on review of the Accord and its implementation to be completed by 2016.

Mr. President, furthermore, the Pan-African Parliament delegation held a couple of meetings and attended a number of side events.

The first one was with the Pan-African Network on Climate Change. The second one was a meeting between the Pan-African Parliament delegation with African Parliaments. The third one was attending a joint meeting between the Inter-Parliamentary Union (IPU) and the Danish Parliament. Also, consultations were held with a few Members of the European Parliament. The same goes with the MPs from the Latin-American Parliament. Lastly, we also met MPs from the ASEAN.

Mr. President, in summary, all these engagements were focused on climate change and the emphasis amongst others was to ensure that the voice of legislatures gets recognition and also the need for various Parliaments to start engaging with one another in unison, particularly in preparation for COP-16 which is going to be held in Mexico city this year.

Furthermore, side events as well as exhibits were attended by the various Members of the delegation. Such side events and exhibits are too numerous to list in a report. Save to say that, the few that we focused on were on energy, women, local government, forestation issues and sustainable development.

With regard to observations, the outcome of COP-15 was very clear in that it acknowledged the scientific explanation on the impact of gases in the environment and its effect on climate. The debate that remains to be negotiated and resolved is supposed to be driven by political will. This event was expected to adopt a new international Agreement to replace certain aspects of the Kyoto Protocol set to expire in 2012. The credibility of the Copenhagen Accord is still a subject of debate given that not all countries have committed themselves to it.

The Copenhagen Climate Conference ended in disarray because a meeting of leaders of twenty-six countries held within the Conference Centre and convened by the Danish Presidency was seen as undemocratic by many developing countries, and the Copenhagen Accord, arising from that meeting, was, thus, only noted and not adopted. In the end, the COP-15 did not adopt the Accord but a decision to merely take note of it. Eventually, a compromise was reached to take note of the Accord.

The Accord does not mention any figures of the emission reduction that the developed countries are to undertake after 2012 from the first commitment period for emission reductions under the Kyoto Protocol expires, either as an aggregate target or as an individual country targets.

Most of the work in the two-week stay in Copenhagen was carried out in the two working groups. First one being the Long Term Action, the second working group being on the Kyoto Protocol. There was some progress in the Long Term Action Group while the Kyoto Protocol Action group hardly made any progress.

Ethiopia, speaking for the African Union, said that it was prepared to support the political agreement and the document is a compromise and it supported the document.

Climate Change is, amongst other things, a symptom of a larger phenomenon that is distortions of production and consumption, particularly by developed countries.

The role of municipalities was also viewed as crucial but resource constraints were highlighted in this regard.

An appeal to address climate change globally and not according to narrow national interests, was passionately made. Certain quarters argued that climate change is fundamentally a developmental matter more than an environmental and technical issue. Developed countries are very keen to sell technology to developing countries. However, intellectual property rights continue to be a contentious issue.

Africa's participation was reinforced by its involvement within the G77 plus China. The gap between governments and civil society organizations is alarmingly wide and mostly conflictual as evidenced in the demonstration at COP-15. What is not clear is the character and relation between Parliaments and civil society organizations. I suppose this august House will be seized with this matter in future.

Africa was united and coherent in its presentation and Africa's position was intact throughout the negotiations. However, such coherence and, therefore, unity has to be tested against those African countries who have not yet committed to and signed the Copenhagen Accord.

Mr. President, allow me to make the recommendations on behalf of the Committee. They are as follows:

1. It is recommended that an African Conference on Climate Change be convened as soon as possible. It is further recommended that Uganda be approached to host the conference and it be driven by the Pan-African Parliament and that the African Union Commission, ECOSOC and UNFCCC be requested to support the conference. As a rider to that it is proposed that the conference be preceded by national reports by each country in preparation for this continental conference.
2. In preparation for COP-16 to be held in Mexico City later this year, the following are further recommended: That, the Pan-African Parliament should, arrange administration, logistics and technical support personnel in good time. I would like to emphasize, Mr. President, in good time. Such may have to include approaching universities or specific agencies for technical support. Also as part of the preparation to embark on a continental awareness campaign in partnership with regional Parliaments. Also to conduct an audit of policies and laws regarding environmental issues within the continent.
3. The Pan-African Parliament has to address the institutionalization of its activities on climate change. In this instance, Mr. President, reference is made to resolutions that were taken earlier by this august House, especially late in 2009.

4. Parliaments should also commit to consider the outcomes of COP-15, in particular the Post 2012 Agreement that will have legislative implications, and to commit and address the development of legislation that may be necessary. Just as a rider to this, we discovered that there are a couple of countries like the Philippines and the United Kingdom that have already generated legislation on climate change and specific for climate change. I may share that because I happened to get a copy of the one from the Philippines.
5. Parliaments in Africa should also commit to engage in awareness campaigns as well as monitoring, evaluating and review of programmes of the UNFCCC, that is in their countries. There should be institutionalization of programmes and campaigns on climate change and related matters within their institutions according to concrete conditions of each country. Meaning that some Parliaments may establish special Committees or multi-sectoral units. Parliaments should also ensure that you are afforded opportunities to influence budgets in consultation with civil societies in each country in a direction that will integrate issues regarding climate change. Issues on climate change should be included in the 3rd International Conference of Speakers that is forthcoming.
6. There are the last Parliamentary interests groups in the continent championing climate change agenda. However, there is a lack of clear focal point to drive the agenda. So, Pan-African Parliament should, therefore, pursue the modalities of spearheading this role. It should also take the advantage of the fact that it has amongst its legislatures a UN Champion, that is the Institute and Disaster Risk Reduction.
7. Through Pan-African Parliament, legislators can direct their governments to enact environment friendly legislation thereby contributing to a more prosperous future for the people of Africa. Such legislative processes ought to be on the basis of a harmonized approach that takes into account concrete conditions and peculiarities of each country.
8. Africa was emitting minimal, if not lowest greenhouse gases, is the most vulnerable and affected by climate change. Assessing the impact and effectiveness of Africa and COP15 that is its implementation as well as UNFCCC will be a logical route as an effort in future.

Mr. President, as a small addition, the Committee adopted the Report in preparation to recommend and present it to this august House on the 1st March, 2010. A few issues were also discussed. Allow me to share just those few issues:

- i) The appreciation and commending the good job done by the delegation to the COP 15
- ii) The need to demand recognition of PAP as a continental institution that should be attending such meetings independently, not under the auspices of other institutions AU as an example.
- iii) The Pan-African Parliament should take the leading role in addressing issues of climate change that affects the people of Africa whom PAP Members represent.
- iv) The Committee expressed disappointment on the reluctance of developed countries to comply with requirements and calls for reduction of greenhouse gas emissions, increasing funding to enable developing countries implement mitigation measures against effects of climate change.
- v) The Committee was rather very unhappy and highly critical on the manner in which logistical preparations were made to facilitate the numbers attending COP-15

Mr. President that is the Report as I presented, on behalf of the Committee on Rural Economy, Agriculture, Natural Resources and Environment.

I thank you.

(Applause)

LE PRESIDENT:

Merci Honorable Sisa Njikalana, pour la qualité de votre rapport. C'est aussi l'occasion de féliciter la mission du Parlement panafricain qui a brillamment représenté le Parlement panafricain à Copenhague, sans compter qu'on a eu des difficultés matérielles, et que nous n'avons pas obtenu une représentation, en tant que Parlement panafricain, mais la Commission de l'Union africaine a bien voulu nous parrainer. Evidemment, comme c'est

la Conférence des Etats parties membres, on peut comprendre qu'une organisation continentale ne soit pas représentée, comme on l'aurait souhaité.

C'est l'occasion de féliciter tous les parlementaires qui ont pris part à cette mission, avec à leur tête l'Honorable Mary Mugenyi. C'est aussi l'occasion de remercier nos partenaires qui ont facilité la mission; je veux citer: la COMESA et l'UNSDIA. C'est aussi l'occasion de remercier tous ces Etats membres qui ont bien voulu avoir des parlementaires dans leur délégation, aussi bien des parlementaires du PAP, que des parlementaires des Assemblées nationales respectives.

Maintenant, Honorables membres, nous allons passer au débat sur le rapport de la Conférence des parties du Copenhague. Comme la liste qui a été établie, la semaine dernière, est obsolète, nous allons prendre directement des intervenants dans la salle.

Quel est l'Honorable qui voudrait intervenir? Oui, Honorable Hassen.

HON. ABDUSELAM AHMED HASSEN [ETHIOPIA]:

Mr. President, I do not know how long I have, but I will try to rush through my notes.

We all agree that developing countries can benefit by reducing CO2 emissions. However, Africa cannot increase its emissions because of its developing state. Its contribution to CO2 emissions is equally low. Therefore, during climate negotiations, others have no incentives to take from Africa. Therefore, we are automatically disadvantaged when attending these negotiations.

To arrest the adverse impact of climate change, Africa has no bargaining power. However, out of the UN Members, a quarter of them, that is fifty-three countries, are from Africa. Therefore, if Africa does not support any UN resolution, there is no chance that any of those resolutions or debates can go through. This is the only stake that Africa has. Therefore, to make sure that we adhere properly, we need to speak in this sort of situations with one voice.

In this case, Africa's position was obviously chosen to be represented by a team that was headed by a Chairperson. There is already given to this people a defined boundary as to where they can go and what they can negotiate. For example, increasing of temperature must not exceed two degree centigrade. That is the final thing. What is the financial limit? The study of AU showed that Africa will lose between US\$17 to US\$ 25 billion in the years to come. Therefore, there was a red line put to settle negotiations between figures of US\$17 to US\$20 billion.

The last question was: was the Copenhagen Agreement going to be legally binding? Everybody agreed that it was going to be legally binding. Therefore, the choice was to make it a politically binding agreement.

The other thing that the African team did was, obviously, to make their position clear, that on these limits or areas, they would intervene with the European Union negotiating team and tell them that what Africa's position was in this. They had a choice to either support them or if they did not, they would opt for a non-negotiated Copenhagen and then they would walk out. That was made clear.

The European team supported the African position, but they were worried that China and India, as developing countries, might share the money that is put up front. What we had put upfront was, in fact, that there would be money that was to go from US \$10 billion each year for the first three years and then by 2020, within ten years, the amount would be increased to US \$ 100 billion out of which 40 per cent would be the share of Africa. In fact, that came out to be a much better settlement than the African position had anticipated. So, in the end, the agreement that came out of it burying legally binding sentiments, which was impossible, was the best that could be achieved under the circumstances. We hope that Africa will speak again with one voice. The same team has been selected to represent Africa in Mexico. We hope, as the Report has anticipated, we will get a legally binding solution.

Thank you, Mr. President.

LE PRÉSIDENT:

Merci beaucoup. Nous allons limiter la parole à 3 minutes, de manière à ce que tout un chacun puisse apporter sa contribution et aille dans le sens d'améliorer la qualité de ce rapport qui est déjà très bonne.

AN HON. MEMBER:

Thank you, Mr President. First, I would like to congratulate the team on a job well done. I want to start by indicating that climate change clearly affects the poor in society. For that very reason I really want us, as the Pan-African Parliament, to take this issue very seriously. I want to recommend that we should look for innovative programmes that poor people can actually undertake to actually move them out of the conditions emanating from climate change that ultimately affect them. Some of the considerations should actually be given through economic empowerment related programmes.

Secondly, I want to indicate that we must also take advantage of the fact that amongst the Africans we do have the former President of Botswana, Mr. Mohai, who is the UN envoy on climate change. We should find ways on how best we can take advantage of that opportunity to put forward the African agenda on climate change related matters.

Mr President, I also want to indicate that I fully support the recommendations as presented by the team that represented us in Copenhagen. However, I also think that the assignment that we, as Members of Parliament, should be to take is to forward these recommendations to our respective parliaments and see how best this can actually be customized for our context. In more specific terms, I want to urge fellow Members of Parliament that we should find ways of how best we can push for legislation on climate change. I am happy that already there are some case studies which the presenter alluded to in his presentation which we can actually take advantage of. There are obviously other ways through which we can lobby by may be asking questions that are relevant to this topic of climate change, presenting Motions and ultimately, influencing the whole process of having appropriate legislation.

I thank you, Mr. President.

HON. IYAMUREMYE AUGUSTIN [RWANDA]:

Merci Monsieur le Président. Je voudrais d'abord féliciter le présentateur, ainsi que l'équipe du PAP.

Dans l'ensemble, je suis d'accord avec ce qui a été dit dans le rapport. Toutefois, permettez-moi d'être un peu pessimiste quant à la mise en application de l'Accord de Copenhague, dès le moment où un autre Accord, celui de Kyoto, a tout simplement été ignoré et mis de côté.

La raison principale de mon pessimisme réside dans le fait que ni l'un, ni l'autre, n'ont un caractère contraignant et le beau principe du « pollueur payeur » ne restera, peut-être, qu'un vœu pieux.

Monsieur le Président,

Chers collègues,

Mon pessimisme également s'explique par l'irréalisme de certains points de l'Accord de Copenhague. Un exemple au hasard: les pays pauvres, non pollueurs, demandent aux pays développés de leur fournir des ressources, parce que touchés par la sécheresse, la désertification, etc., et oublient que leurs populations, par l'usage du bois de chauffe, comme seule source d'énergie, participent également à cette sécheresse et à cette désertification.

Monsieur le Président,

Chers collègues,

Nous, parlementaires, nous devrions conseiller nos gouvernements et habituer nos populations à chercher, tout d'abord, chez nous, nos propres moyens. Et il y en a! Je viens de donner un exemple, au hasard.

Un autre exemple, Monsieur le Président: l'exploitation maximale du projet, comme celui qui va consister à utiliser l'énergie solaire de notre Sahara, pour l'électrification des pays méditerranéens. Nous devrions, je pense, dans un tel projet, tirer des fonds nécessaires pour financer nos projets et le programme de technologie, par exemple.

Un proverbe rwandais nous dit: « on n'aura jamais assez d'eau pour se laver, si l'on ne compte que sur les voisins ».

Dans le même contexte, Monsieur le Président, je soutiens les recommandations du rapport, surtout pour ceux qui ont la version française, à la page 12. Je lis:

« Une conférence africaine devrait être organisée sur les changements climatiques, dès que possible et l'Ouganda a offert d'accueillir la conférence qui sera parrainée par le PAP », etc. Dans ce contexte, où l'Afrique se retrouvera, elle-même, elle pourra, peut-être, exploiter ce qu'elle peut fournir, en premier, en attendant ce qui peut venir d'ailleurs.

Monsieur le Président, merci beaucoup.

HON. BABOU ABDOULAYE [SÉNÉGAL]:

Je vous remercie, Monsieur le Président.

Monsieur le Président,

L'Afrique a fait un pas important, d'abord, en allant, unie, à Copenhague. Auparavant, c'étaient des États qui définissaient leurs propres politiques. Mais, le fait, pour une fois, d'être ensemble et de parler d'une seule voix, nous estimons que c'est un pas qu'il faut saluer et encourager.

Les résultats ont été minces, tout le monde le reconnaît; la communauté internationale le reconnaît parce que, tout simplement, il y a des intérêts divergents. C'est la raison pour laquelle les grandes puissances et les pays émergents ont imposé, pour ainsi dire, leurs points de vue. Mais, ce qu'il faudrait pour l'Afrique, c'est de déterminer une politique environnementale à l'échelle continentale, pour que le problème de l'environnement ne soit plus l'affaire des États, mais l'affaire du continent africain, tout entier.

Pourquoi avons-nous intérêt à le faire? Tout simplement parce que les intérêts de l'Afrique ne sont pas les intérêts des autres pays, alors qu'en matière environnementale, l'Afrique détient les ressources les plus importantes au monde.

En matière forestière, par exemple, nous avons véritablement des forêts extrêmement importantes qu'il faut sauvegarder.

En matière d'énergie solaire, le Sahara est une aubaine qui, jusqu'à présent, n'a pas été exploitée, à bon escient.

Un de nos collègues vient de parler de l'énergie solaire, mais si nous parvenions, en Afrique, à avoir une politique cohérente, en matière d'exploitation de cette énergie solaire, si l'Afrique parle d'une seule voix, cette voix-là peut s'imposer au monde entier.

Il y a aussi une autre idée qui avait été défendue par un Président africain: c'est, un peu, la reforestation qu'il avait appelé « la Boucle verte de Dakar à Djibouti », une manière, donc, d'arrêter la sécheresse. C'est pour cela que nous estimons que le PAP doit pouvoir avoir un rôle important dans le but d'inciter les États africains, individuellement, à avoir une politique collective environnementale, au niveau africain et, pourquoi pas, le PAP pourrait s'offrir comme médiateur pour faciliter ce rapprochement.

Je vous remercie, Monsieur le Président.

HON. PARAMOUNT CHIEF BAI KURR [SIERRE LEONE]:

My name is Paramount Chief Kanagbaro III Bai Kurr, from Sierra Leone.

Mr. President, Hon. Members of Parliament, when we talk of climate change, this is an issue that is very important to all of us. We are now suffering and will continue to suffer. When you talk of climate change the vulnerabilities are too many within the African Continent. Africa will be the greatest loser especially in the area of Agriculture. When you talk over climate change, you should begin to think of soil erosion and the drought that is affecting farming activities in many African countries. Let us begin to consider the unpredictable rainfall.

We must also think about issues of sanitation. If you see the kind of water that people drink during the dry season in Sierra Leone, it is milkier than cow milk. But people drink it without even boiling it.

I am happy that other clever people have spoken before me. They think of the expansion of the desert towards other African Countries. We think of deforestation and water. But, the funny thing about us in Africa is that we only follow the cue of the Europeans or the Americans. When they make an issue very important we take it seriously. We do not even have our own determinants to really look at what Africa needs.

The Copenhagen Climate Change meeting was an issue because the Westerners; Europeans and the Americans decided that it is a very important issue. But, when America does not sign the Kyoto Protocol nobody can do

anything about it. But, what about us in Africa? I am happy that people who spoke earlier indicated that tree planting is really important. Do we need Europeans to come and tell us to plant trees? Can we not do it?

Look at the wild fires. I come from Sierra Leone, and if you go there at around this time of the year, you will find wild fires burning the entire country and nobody even stops to think about them. Nobody even cares. I wonder what we, as a people, can do to develop ourselves besides what we are being told by the Europeans. We are only taking things seriously when it breaches Americans, Germans, the French and the Italians or when the G-8 or G-20 take it seriously. These are issues that we can do.

As Paramount Chief, I have a certain specific areas that I can assist implement, for example, people should be dealt with in terms of dealing with issues of wild fires. But you find there are politicians trying to protect these people. This is funny! People protect people to obey the wrong things just to gain votes. This is when we turn around and talk of democracy. An African will only talk of democracy when he or she is out of power. Immediately he or she is in power, there is no democracy. This is interesting. Some of us come here, listen to great speeches, but what we practice back home are horrible, terrible, disgusting and very inhumane things simply because we are in power!

In this aisle, you can tell when there is an Opposition Member is speaking. You will know them without even being in their country. You will know when an Hon. Member from the Government side speaks, he defends his policies. Then we talk of one voice. Let our deeds and actions be louder than our voices. This is what is lacking. We talk and write too much and do the worst actions to the detriment of the African Continent.

So, when we talk of climate change, I saw and read the Report. But it is all based on what the West will do. What are we going to do? Are we planting trees in our countries? How many countries are stopping the wild fires? I can see it in Guinea and Liberia who are my neighbours. In Sierra Leone you see wild fires and the villagers do not even care. The politicians just pass there and they do not do anything positive to stop these fires. These are problems that Africa has really got to attack, and not just the West. Can we not think?

If you go to the international bodies you find very capable Africans. But, when they go back home they do not do anything. You see them at all levels of the United Nations, Secretary-Generals of the UN, Commonwealth the European Union and many other major organisations. Wherever you go you will find capable Africans. But when they come back home they cannot perform nor relate to their people. They cannot even do the things they ought to do.

Mr. President, the Report is not a report without us knowing what we are going to do to protect our environment. What are we going to do to be responsible people?

I thank you very much, Mr. President []
HON. GREISS SYADA EL HAMI [EGYPT]:

Thank you, Mr. President for allowing me to take the Floor. I would like to take this opportunity to commend the Report for giving us a true picture of the situation concerning the Copenhagen meetings and the outcome of those meetings.

Let me start by saying that climate change is the challenge of our time in Africa. No country is spared the negative impacts resulting from climate change. We are all vulnerable and in Egypt, we are already discussing measures that must be taken to save our coasts from being submerged under water due to melting of glaciers and the resulting rise in water levels in the seas.

There were high expectations of the Copenhagen meeting. Agreements could be reached but we need to be meeting certain targets to reduce global emissions. However, we know that the outcome of this meeting was disappointing, but nonetheless we can no longer afford to be complacent. Natural disasters are occurring more frequently, killing and displacing thousands of people. Promoting climate change adaptation and disaster risk reduction is a responsibility that we, in Africa, must share. This should transcend geographical boundaries because we are all vulnerable. Unfortunately, we are the countries that are going to be paying the high cost. It is our citizens who are at risk or enduring much suffering and it is important to underscore that climate change will continue to push more people, including women and children under the poverty line.

I highly recommend that PAP leads the way forward. We need an action plan that engages and commits all the Member states to work collectively to establish mechanisms and programmes adapting simple technologies. This is not a very high cost, we can do ourselves, we can take our own decisions and not wait for any more handouts

Au départ, les négociateurs habituels étaient en charge du dossier. Vous savez que dans ce genre de choses, ce sont des experts qui participent à ces travaux. Et, donc, il y avait plusieurs points de désaccord, quand les Ministres ont pris le dossier.

À peine les Ministres ont pris ce dossier, qu'un groupe de chefs d'États a rédigé, alors que les négociations n'étaient pas terminées, le texte qui a finalement été adopté. Et, c'est ce qui a fait que Copenhague n'ait pas connu un réel succès. Mais, puisque ce texte-là, pour que ce soit valable, il faut qu'il soit transmis à l'Assemblée plénière de l'ONU, il a été, de nouveau, soumis à tous les pays représentés. Ces transferts successifs, cumulés à des contraintes très fortes, n'ont réellement pu s'enchaîner, brouillant les choix et dégradant la qualité de l'accord final.

La médiatisation, hors-norme, de la conférence, légitimée par la recherche de transparence, de démocratie, n'a pas été sans revers.

En effet, au fil des jours, les participants massifs - parce qu'on avait prévu 15 000 participants et on a eu près de 47 000 -, les attentes cumulées, les charges symboliques attribuées à cet événement, ont provoqué un dérapage dans la maîtrise organisationnelle et ont contribué à créer un climat de tension excessif. Ce qui est très important et qu'il faut remarquer - c'est en cela que nous apprécions positivement ce rapport -, lors des négociations, c'était le rééquilibrage rudement symbolique des forces en présence.

À l'encontre du chemin habituel, et pour la première fois de l'histoire, l'Afrique a parlé d'une seule voix, pour défendre ses positions et ses intérêts représentant la majorité des PMA, et prenant ainsi de la distance sur certains points vis-à-vis du G77. Ce refus d'accepter les conditions définies par les pays traditionnels leaders du [...].

LE PRÉSIDENT:

Merci. Honorable Chimango, vous avez la parole.

HON. MUGHOGHO CHIMANGO [MALAWI]:

Thank you very much, Mr. President. My name is Chimango Mughogho from Malawi. I thank you for granting me this opportunity.

Mr. President, I would just like to add a word to what the Hon. Chief said. Allow me to start by quoting what Ivor de Boer said with regard to this issue. I quote: "Copenhagen did not produce the final cake, but it left countries with all the right ingredients to bake a new one in Mexico".

The onus is on us to take advantage of these ingredients and fully implement the national adaptation programmes. Let us institutionalize the campaign against climate change at both national and constituency level and leave a low carbon print as members of the Pan-African Parliament, not leaving everything to westerners.

Lastly, Mr. President I would like to say I was accorded the opportunity to attend this Conference, but, unfortunately, as I was proceeding there I learnt with sadness that my father had passed away. I was, therefore, unable to attend the Conference. But the issue of climate change on the whole cannot be under estimated.

Je vous remercie, Monsieur le Président.

LE PRÉSIDENT:

Merci beaucoup, et recevez les condoléances de la plénière.

HON. MUKABARANGA AGNÈS [RWANDA] >:

Je vous remercie, Monsieur le Président. Vous avez bien prononcé mon nom, point n'est besoin de le répéter.

Je voudrais juste partager avec la plénière, Monsieur le Président, quelques préoccupations.

Monsieur le Président, il y a un constat: l'environnement, c'est une nouvelle science. Nous sommes en train de nous improviser, en tant que pays, surtout les pays africains. On constate, souvent, que des mesures sont prises, de bonne foi, mais sans l'expertise nécessaire.

Dans nos pays, souvent, on prend des mesures de ne pas construire dans l'eau, pendant qu'en Europe, où il y a la technologie, il n'y a pas de problème, l'exemple c'est la Hollande où vous voyez des châteaux et des villages ériger dans l'eau. La formation de nos jeunes dans le secteur de l'environnement pose une priorité urgente.

C'est vrai, nous avons besoin de lois qui s'appliquent à cette nouvelle donne, mais il faut que les gens soient formés. Et, en quelques mesures de transition, je pense qu'il sied d'engager des consultants et, effectivement, rendre disponibles les budgets nécessaires, afin que les mesures que nous prenons, Monsieur le Président, soient les plus appropriées.

Et, quand nous aurons pris des mesures et qu'on aura le consensus, aux niveaux continental et régional, il faut qu'on en fasse une évaluation régulière, parce que, Monsieur le Président, ces lacs, ces rivières et ces océans qui nous entourent, nous les partageons tous. C'est le cas aussi des forêts.

Permettez-moi de terminer sur ce point. J'ai entendu, souvent, des collègues venant des pays où il y a des grandes forêts, dire qu'elles sont, effectivement, des patrimoines africains et même universels; quelles sont les alternatives que vous offrez à nos pays, à nos populations qui vivent de cette forêt?

Je pense qu'il est temps de comprendre qu'on doit orienter ces populations vers d'autres vocations. Mais, cela aussi, encore une fois, exige des budgets et de la volonté politique. On ne peut pas continuer à déforester, pour le plaisir des riches de Chine, parce que le meilleur bois, les meilleurs meubles viennent du bois de l'Afrique. Et cela, on doit en tirer des conclusions.

Je ne sais pas si le Président de la Commission Agriculture a été excusé. Il a été faire un check up à l'hôpital ce matin et on l'a retenu. Il doit garder l'hôpital, sans doute, jusqu'à ce soir.

LE PRÉSIDENT:

Merci. On va lui souhaiter un bon rétablissement. Oui, vous avez la parole.

SENHOR DEPUTADO JAIME BESSA AUGUSTO NETO [MOZAMBIQUE]:-

Senhor Presidente, é importante que cuidemos do nosso ambiente porque o estado actual das mudanças climáticas é preocupante.

Lembro-me, há 20 anos, quando falávamos de mudanças climáticas, parecia não ser um problema que hoje nos poderia preocupar. No meu país, Moçambique, em alguns lugares as temperaturas não chegavam a 21 graus mas, hoje, nesses sítios, ultrapassam os 30 graus. Significa que a Terra está a aquecer e o nosso Continente, também, está a aquecer.

Esta situação é bastante preocupante porque vemos as terras aráveis a diminuir cada vez mais e isso traz consigo outras consequências como a fome e a pobreza dos nossos povos, além dos problemas de saúde que advêm do aumento de temperaturas.

Em alguns locais de Moçambique há rios a transbordarem, como o Zambeze, um dos maiores que atravessa o País, e populações deslocadas, começando as suas vidas do zero.

Isto é um sinal de que, de facto, as mudanças climáticas estão a criar grandes preocupações entre nós. Por este motivo, como parlamentares, devemos trabalhar arduamente de modo a influenciarmos políticas para minimizar os problemas ambientais que assolam os nossos países.

Temos, em Moçambique, alguns programas dirigidos pelo Presidente da República, dos quais, um que consiste em cada aluno plantar uma árvore, anualmente. É certo que não vai resolver o problema, mas pode minimizá-lo. Temos, ainda, programas relacionados com as comunidades que consistem na plantação de novas florestas para permitir que não continue a devastação das florestas nativas aquando da procura do combustível lenhoso.

Nós, como africanos, podemos encontrar várias alternativas de modo a minorar o problema da degradação do ambiente, usando as nossas autoridades tradicionais, por exemplo, e as comunidades, que tem feito bastante trabalho para que não tenhamos problemas graves.

HON. KANTENGWA JULIANA [RWANDA]:

Thank you, Mr. President. I also wish to thank the presenter for the very informative Report and for having represented us well at the Copenhagen meeting.

We were awoken to the realities of climate change with a rude shock. Climate change is already a reality. It looks like when it started, we in Africa were not correctly monitoring it or we had not given it due attention. But this issue is now here with us and we are trying to fit in bits and pieces here and there to solve this problem.

We are talking about adaptation strategies. Tree planting and all strategies of trying to reduce greenhouse emissions are very useful. My biggest fear when it comes to Africa is the consequences of climate change that are already with us. We are already seeing social upheavals on the rise or about to start. We already have political refugees and we are used to that. This is a phenomenon in the African Continent. We have now started having climate change refugees.

In Rwanda we have observed that whenever we have a drought, people flee from one area to the other where food is relatively more secure. Right now, we are suffering because our neighbours are flooding in. We had a good harvest previously, but we are seeing our neighbours flooding in. What we produce is barely enough to feed us. So, you see people becoming antagonistic to their neighbours which was not really the case before. You see some sense of xenophobia developing because these people are coming to take our food.

What does this mean on a bigger scale? It means that in Africa we are going to see people migrating and fleeing because their land they cannot sustain them. It is already happening, but the scale is going to increase. We already have political problems and now we are going to compound them because of climate change and social problems. It is really a big issue which we need to address in terms of adaptation strategies. This problem is already with us, but we need to get moving. How do we get moving? How are these borders helping us to address issues? I am again at the issue of the borders because the sole purpose of the African Union and the reason we are here is to forge Africa's integration. If we do not integrate earlier and the climate change disorder is already with us, I think we are going to find it difficult...

AN HON. MEMBER:

Mr. President, my hand was up from the beginning. I thank you for giving me the Floor.

Mr. President, I wish the world could have listened and opened their ears to the pastoralists. For the last thirty years or more, since I was a child coming from the pastoralist background, what I used to hear is what I am still hearing from my extended pastoralists' family members. They are saying that there is less rain, that the temperature is increasing and there is less grazing area for the livestock.

Mr. President, when we talk of climate change, reference is always made to farmers, food security and how it is affecting the rest of the society. There is no mention of the pastoralists. Please, Hon. Members, next time add to your list the pastoralist community among those who will suffer the most as a result of climate change. They are in their millions, from North, East, West and Central Africa, and to some extent even some to the South of Africa. Having said that, I thank the Committee representative who presented the wonderful Report. I strongly support the suggestions made by the Hon. Member from Egypt, who said that we have to take practical steps in this House.

What I recommend, and I think some other hon. Members have mentioned this, is that we have to streamline all the activities of this House on climate change and institutionalize it. Hon. Members should evaluate and monitor the kind of policies and plans that are in place in their own countries and then bring them back and share with the other Hon. Members, so that it will be an experience sharing of what practically steps have been taken by member states. That is what I strongly recommend.

I thank you.

AN HON. MEMBER:

Thank you, Mr. President. The issue of climate change is here with us. It affects us all, the developing, medium developing, and most developed countries. Climate change has caught up with us. What is even worse about it is that, in each and every country or continent, the outcry is for development of technology. But in Africa, because of we are backward in technological development we have become the worst victims of climate change. When developed countries have products or items that they feel are no longer conducive for their environment, they dump them in Africa. Take, for example, the issue of motor vehicles. They are saying that motor vehicles are causing a lot of pollution in their cities. I am told they use motor vehicles for about four years and after that period these vehicles must exit their roads. These vehicles eventually find their way to the least developed countries. Africa is the leading consumer.

I know we have got no choice because of our level of industrialization, we have to accept them. But, when you look at the cost of manufacturing a car and the eventual retail price, they make it practically impossible for the ordinary person to have mobility.

Consequently, the ordinary person ends up relying on these obsolete motor vehicles coming to Africa as the only mode of mobility to move from point A to point B. This is posing a problem while we try to solve another one. We need to address this issue very seriously.

Mr. President, if you look at Africa compared to the rest of the world, they are moving towards the use of green technology. This simply means relying on solar energy more than anything else. Africa has the most sunshine, perhaps, more than any other part of the world yet we are not yet taking advantage of this very great resource that is user-friendly to the environment.

Mr. President, I wish to urge Africa to rise up to this challenge and try and develop technology, particularly go towards green technology because it appears this is the only way to go to try and save the globe.

UN HONORABLE MEMBRE:

Merci, Monsieur le Président.

Je voudrais appuyer l'intervention de mon collègue qui vient de me précéder, pour dire qu'au niveau de l'environnement, nous avons un défi vraiment à relever. Nous ne pouvons pas dire, aujourd'hui, que les pays européens ou les pays asiatiques ne font pas d'efforts pour améliorer les conditions de l'environnement.

Je voudrais prendre quelques trois exemples: j'ai suivi, la semaine dernière, qu'une bouteille, avec un message, jetée dans l'eau vers l'Asie, a fait plus de 6000 km, et on venait de découvrir le message.

Il y a également un autre exemple, c'est ce qui s'est passé, la semaine dernière, avec le volcan d'Islande qui a paralysé pratiquement toute l'Europe et qui a fait que plusieurs vols ont été annulés.

Le troisième exemple que je pourrais donner, c'est l'avance de la technologie au niveau des pays européens qui, aujourd'hui, veulent fabriquer des avions volant avec l'énergie solaire, qui veulent fabriquer l'énergie à partir des vagues de la mer.

Vous comprenez que nous avons intérêt également à savoir que nous avons besoin de l'énergie que nous ne produisons pas en Afrique, mais l'Afrique aussi peut produire de l'énergie verte, pour satisfaire les Européens. Et, nous allons faire ce que nous appelons, en termes techniques «le troc», c'est-à-dire du «donnant-donnant».

Parce que nous ne pouvons pas fabriquer l'énergie solaire, nous allons l'importer, et nous avons le droit de faire l'énergie verte, pour l'exporter également vers l'Europe.

Voilà ce que je voulais dire, Monsieur le Président. Merci.

AN HONORABLE:

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HON. TIDJANI-SERPOS ISMAËL [BENIN]:

Merci Monsieur le Président.

J'ai voulu ajouter ma voix pour dire, non seulement, bravo à l'équipe qui nous a représenté à cette conférence très importante, mais également, pour dire que, depuis quelques temps, je me pose une question. Voici un très beau rapport, une très belle participation; alors, que faisons-nous?

Je voudrais suggérer que, sous la houlette de la Vice-présidente qui a piloté l'équipe, et la Commission en charge de ce dossier, il y ait une sorte de feuille de route d'activités que nous devons mener au niveau du PAP, pilotée par le PAP, pour permettre à tout ce qui est dit de pouvoir se réaliser. Il ne faut pas que nous attendions la veille de la cOp 16 pour nous réveiller comme les volcans qui le font, aujourd'hui.

Je souhaiterais que le Bureau prenne connaissance de cette feuille de route, et qu'à chacune de nos sessions, on nous dise où est-ce qu'on en est dans la réalisation

Je vous remercie, Monsieur le Président.

(Applaudissements nourris)

LE PRÉSIDENT:

Merci pour ces contributions concrètes. À présent, je vais passer la parole à l'Honorable Mary Mugenyi, 2^{ème} Vice-présidente, pour apprécier vos contributions et, après elle, nous donnerons la parole à l'Honorable Cissé, pour répondre à certaines questions.

HON. MUGYENYI MARY RUTAMWEBWA [UGANDA]:

Thank you, Mr. President. I am glad that Hon. Serpos has talked about the road-map. I want to speak on behalf of the Bureau of the Pan-African Parliament on what we are doing. There are a number of recommendations as presented by Hon. Njikelana and one of them is the post Copenhagen Conference for parliamentarians. He mentioned that Uganda had offered to host the conference. This was done at a meeting that we convened for parliamentarians from Africa. So, while we are discussing the way forward, the Ugandan Member of Parliament came up and said they had already started putting mechanisms in place to have this conference. I was not satisfied because the Conference should carry the umbrella or flag of the Pan-African Parliament. So, he said we can co-organize it together. I still came back and reported to the Bureau of Pan-African Parliament and I think there is need for us to have our own conference and, preferably, in our location here in South Africa.

As a way forward, we are in negotiations with a development partner, who has offered to help with organizing this Conference. So, we hope that by the end of this year, we will have a conference following the Copenhagen recommendations and outcome. Those of us who were here when Mr. Smith was leading a workshop, he talked about a model law on certain issues that the Pan-African Parliament could actually be involved in. During that conference, one of the issues that we could discuss, as parliamentarians, is working on a model law spearheaded by the Pan-African Parliament. This model law can then be taken to the different parliaments and passed. We have to remember that our key role is actually legislation, oversight and advocacy. We are supposed to speak on behalf of the African people.

I agree with what all Hon. Members have said since I do not think these were questions, but were contributions since I will respond to them. But we should be looking at a model law in terms of climate change that we can then sell to our different parliaments. That should be done during that Conference.

I just want to say something about the issue of pastoralism. I happen to come from a pastoralist community. Since we live on the margins of the land, that is why pastoralists are more vulnerable. However, I must say that climate change is affecting everybody. There is a saying in my language that there was this foolish man who was out and it rained with others in the field. When it rained, this man actually - he was not a foolish man, probably he was selfish. When it rained he said: "Although it has rained on all of us, but it has rained on me more than the others." If you listen to the stories from everybody from the Continent at least of Africa, climate change is affecting everybody.

Mr. President, that is all that I wanted to comment on the issue of the climate change conference, to add on to what Hon. Sisa has said. I also want to congratulate Ethiopia as leader of the African Union and the way they presented the position of the African Union. We also thank the Members of the African Union, all the leaders who were there, no one diverted on the position that was presented by Ethiopia. So, for a change, Africa spoke with one voice and I congratulate everybody and all our countries.

I thank you, Sir.

(Applause)

HON. NJIKELANA SISA JAMES [SOUTH AFRICA]:

Mr. President, I would like to thank you for this opportunity. I really appreciate the input that has been made. I am, unfortunately, in a very tight position to speak after my Vice-President. Suffice to say that I have been taking notes quite diligently. I have taken note that there are certain issues which I feel will fit in the preparation of the continental conference.

Let me just address these issues. There are issues which were raised about the Green Belt from Dakar to Djibouti, which I know Hon. Sadikh from Senegal was very forthright in selling the idea to us.

There is also of the need to have a collective policy on the green house technology, emphasis for us to look at simple technology, the need for regional and continental consensus, the need to utilize and take advantage of the former President of Botswana, President Mohai, the need to customize the recommendations according to each country's conditions, maximizing efforts on re-afforestation, emphasis on the action of plan and the idea of creation of a model law. All these issues befit that when the Hansard comes out, we compile them and make them part of the ingredients for the forth coming conference.

I really appreciate the valuable input because they emphasized the need for us to be active as Hon. Members of Parliament in both the Pan-African Parliament as well as our national parliaments in such that we have to lobby, mobilize, present and persuade in our countries and report back at the next Session.

Mr. President, I trust that you will look at that with keen interest that when we come back, later in the year, those who would have made an effort will also Report because it will be a few months before COP-16 in Mexico. That will really put us in a strong position to make an impact in Mexico.

Mr. President, let me close with one thing. What was very clear to us, as legislators or Hon. Members of Parliament in Copenhagen, is that there is a need for us to make our voice heard, not in the side lines, but right in the thick of things and negotiations, without necessarily being the negotiators.

I thank you.

(Applause)

LE PRÉSIDENT:

Merci beaucoup, Honorable Cissé. Je propose qu'on adopte le rapport enrichi par vos contributions, et que la plénière demande à la Commission Economie rurale, au Bureau et au Secrétariat, d'établir rapidement une feuille de route, pour qu'à la prochaine session, on puisse répondre à certaines interrogations.

Nous adoptons le rapport?

(Applaudissements). LE PRÉSIDENT:

Merci beaucoup.

Secrétaire général, la suite du programme.

LE SECRÉTAIRE GÉNÉRAL PAR INTÉRIM:

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2.0 PRÉSENTATION ET EXAMEN DES RAPPORTS, RECOMMANDATIONS ET RÉSOLUTIONS DES COMMISSIONS PERMANENTES DU PAPLE PRÉSIDENT:

Le rapport de la Commission Economie rurale, à moins que la Commission s'en tienne au rapport de la Cop 15!

La Commission Transports, Industrie, Communication, Energie, Sciences et Technologie!

UN HONORABLE MEMBRE:

Monsieur le Président, celui qui est chargé de présenter ce rapport n'est pas là; une autre personne n'a pas été mandatée, mais j'ai, ici, le rapport.

LE PRÉSIDENT:

Pouvez-vous nous le présenter?

UN HONORABLE MEMBRE:

Si vous le demandez.

LE PRÉSIDENT:

Je vous invite à présenter le rapport de votre Commission.

UN HONORABLE MEMBRE:

I have a point of order.

LE PRÉSIDENT:

Oui.

UN HONORABLE MEMBRE:

Mr President, what is the quorum?

LE PRÉSIDENT:

Honorable Président de la Commission Règlements.

HON. TIDJANI-SERPOS ISMAËL [BENIN]:

Merci, Monsieur le Président.

La question de quorum n'est pas concernée, ici, puisqu'il ne s'agit pas de procéder à un vote en tant que tel.

Un rapport d'activités, c'est d'abord destiné à l'information du PAP, donc, de la plénière, des parlementaires qui peuvent, éventuellement, formuler des observations que la Commission prend en compte, pour améliorer son travail. Mais, le rapport d'activités, c'est d'abord destiné à notre information, pour que tous les parlementaires partagent la même information sur le fonctionnement de nos Commissions. Donc dans ces conditions, nous pouvons prendre connaissance de ces rapports.

Je vous remercie, Monsieur le Président.

LE PRÉSIDENT:

Merci, Honorable président, d'avoir éclairé le Bureau et la plénière, conformément au Règlement intérieur. Vous avez la parole, Honorable, pour le rapport de votre Commission.

2.1 Rapport de la Commission permanente des transports, de l'industrie, de la communication, de l'énergie, des sciences et de la technologie

UN HONORABLE MEMBRE:

Merci, Monsieur le Président.

La Commission des Transports, de l'Industrie, de la Communication, de l'Énergie, des Sciences et de la Technologie a eu à se réunir suite à la convocation du Secrétaire général du PAP du jeudi 04 au vendredi 05 mars 2010 dans la salle no 01 du bâtiment administratif du PAP, Midrand, Gallagher, dans le cadre de ses réunions statutaires.

Le rapport succinct que j'ai l'honneur de vous présenter, ce jour, portera sur les activités couvertes par cette période.

Par ailleurs, je voudrais vous faire remarquer, chers collègues, que pour des raisons que vous connaissez et qui sont relatives au budget, le plan d'actions de la Commission n'a pu être exécuté.

Au cours de ces séances de mars, la Commission a eu deux présentations animées par des experts de la Commission africaine de l'Aviation Civile (CAFAC) et du NEPAD sur des sujets essentiellement orientés sur le secteur du transport. K 0 Par ailleurs, la Commission s'est aussi penchée sur d'autres points inscrits à l'ordre du jour notamment l'examen et l'adoption des procès verbaux des séances précédentes et enfin l'examen des besoins et priorités de la Commission pour la période de juin à décembre 2010.

Au titre des présentations, les thèmes suivants ont été développés:

1. Présentation de la Commission africaine sur l'Aviation Civile (CAFAC)
2. Présentation du NEPAD sur le programme de développement des infrastructures de transport en Afrique, période couvrant 2002-2030.

I. Présentation de la Commission africaine de l'Aviation Civile (CAFAC)

Le premier thème a été exposé par Monsieur Boubacar Djibo, Secrétaire général de la CAFAC qui a présenté l'institution comme un organe spécialisé de l'Union africaine, en charge d'harmoniser et de renforcer les politiques nationales dans le secteur de l'aviation civile. La CAFAC a été créée en 1969, avec siège à Dakar, au Sénégal.

À la suite d'un accord, la CAFAC a été érigée comme institution spécialisée de la Commission de l'Union africaine pour le secteur de l'aviation civile, le 11 mai 1978. À ce titre, elle tient régulièrement des réunions plénières pour discuter et adopter des textes pertinents, en vue de régler ce secteur en proie à d'énormes difficultés sur le continent. D'ailleurs, une réunion des plénipotentiaires réunis à Dakar en décembre 2009 a adopté la nouvelle constitution de la CAFAC; constitution qui demande à être ratifiée par tous les États membres.

Au terme de la décision de Yamoussoukro (Côte d'Ivoire) de novembre 1999 des ministres africains chargés des transports, la CAFAC a compétence pour réglementer la concurrence, les contentieux entre les acteurs et agir, en tant qu'organe de suivi du secteur de l'aviation civile en Afrique.

Les discussions sur les derniers développements, en matière de sécurité, de recherche et de sauvetage en cas d'accidents ont permis de constater une faiblesse, en terme de capacités techniques, de ressources humaines et financières dans ce domaine sur le continent.

Les capacités techniques restent un défi majeur en Afrique - analyse des boîtes noires, infrastructures aéroportuaires mal adaptées. Par ailleurs, ce secteur est aussi victime de la faiblesse d'un tourisme entre pays africains et des coûts élevés des transports. À cela s'ajoute la concurrence déloyale menée par les compagnies occidentales sur le continent qui profitent de ces défaillances locales pour adopter des normes sécuritaires et tarifaires à leurs seuls avantages.

Face aux menaces d'attaques terroristes qui prennent des formes de plus en plus diverses, le continent africain n'est plus épargné et donne l'occasion aux compagnies occidentales d'imposer des normes sécuritaires aux aéroports, ainsi qu'aux usagers des pays africains.

La problématique majeure posée est celle de l'adoption de réglementations communes dans un secteur où chaque pays ou région applique une réglementation différente, selon les activités, à savoir réglementations aéroportuaires sur les droits de visas, de transit, etc. Tout ceci exige le besoin d'harmonisation.

Dans ce contexte, le PAP est sollicité pour soutenir les projets de réglementation de ce secteur, à l'instar du Parlement européen qui a adopté des textes pour la protection des usagers.

Les commissaires ont reconnu la nécessité d'une politique intégrée, afin de réduire les insuffisances et autres obstacles (longs détours des vols, capacité technique inadéquate des aéroports, manque de personnel local qualifié).

L'aviation civile est aussi une activité économique pour nos pays respectifs et ne peut échapper à la compétition. Pour ce faire, les compagnies africaines pourraient nouer des alliances entre elles, et ceci en vue de renforcer leurs compétitivités et faire face à la concurrence.

En conclusion, les problèmes se posent en termes de réglementation, d'infrastructures, de formation, d'équipements et de performance, dans le secteur de l'aviation civile.

II. Présentation du NEPAD sur le programme de développement des infrastructures de transport en Afrique, 2002-2030

Elle a porté sur le programme de développement des infrastructures de transport en Afrique pour la période 2002 à 2030 présenté par Monsieur Amadou Deen, Conseiller au NEPAD en charge des transports. Selon le présentateur, le PAP et le NEPAD doivent faciliter et soutenir la mise en œuvre des programmes régionaux des Communautés Économiques Régionales (CER). Le NEPAD peut être assimilé au Plan Marshall pour le développement économique de l'Afrique. C'est une vision qui a pour objectif d'éliminer les frontières physiques, à travers le développement des secteurs du transport, de l'énergie, etc.

Cette présentation a donné un aperçu général des projets et plans d'actions en cours au niveau du NEPAD, dans le domaine du transport.

Le présentateur a mis l'accent sur les projets à court terme, notamment le projet SALY I, parrainé par le Président Wade du Sénégal et qui porte sur des projets de routes spécifiques, telle que la transfrontalière Dakar-N'djamena-Djiboutie.

Le NEPAD vise aussi à accélérer l'intégration régionale par l'installation de l'OSBP (One Stop Border Post) ou de corridors routiers qui réduisent les barrières entre deux pays, d'une part, et permettent le passage d'une infrastructure frontalière commune, d'autre part. Ces projets favorisent la promotion d'activités connexes, tels que l'agriculture, le commerce et l'accès aux marchés.

En outre, le NEPAD met l'accent sur les projets régionaux, à l'exemple du projet de chemin de fer prévu pour relier Dakar à Mombassa au Kenya.

Cependant, l'exécution des programmes interrégionaux entre les Communautés Économiques Régionales (CER) sur le continent se heurte à certains obstacles, car chaque région privilégie ses intérêts.

Le présentateur a fait des recommandations:

- au-delà des projets régionaux, le PAP doit soutenir la promotion des grands projets interrégionaux;
- sensibiliser les chefs d'État sur ces grands projets.

Les commissaires ont, à leur tour, insisté sur quelques faiblesses qui entravent l'exécution des grands projets du NEPAD. Ceux-ci se résument essentiellement au manque de visibilité du NEPAD, de la coordination des grands projets interrégionaux et des problèmes de communication entre organes de l'UA et les CER.

Au terme de ces deux présentations, des propositions ont été faites, en vue d'une meilleure collaboration et d'une communication plus accrue entre les différents acteurs.

La Commission a Xprojeté des activités qui entrent dans le cadre du Programme Minimum d'Intégration adopté au niveau de l'Union africaine, relatif au domaine du transport et qui cadrent avec les six grands axes définis par le Bureau du PAP comme prioritaires pour l'année 2010. Il s'agit de rencontres avec la Commission technique de l'Union africaine en charge des transports, d'une part, et, d'autre part, avec les Communautés Économiques Régionales et le NEPAD pour le suivi des projets en cours dans les différentes régions.

La Commission se félicite, par ailleurs, de la décision du Bureau du PAP de l'associer aux activités relatives aux changements climatiques, car les secteurs de l'énergie, des transports et de l'industrie contribuent aux phénomènes liés au changement climatique.

La Commission s'est enfin penchée sur l'auto-évaluation, au plan institutionnel et structurel du PAP et fait des recommandations pour une meilleure gestion de l'institution.

Recommandations

Les recommandations portent sur le fonctionnement du Parlement, en général, et celui de la Commission, en particulier.

Au plan organisationnel et structurel:

- faire un audit administratif du PAP;
- renforcer les capacités en ressources humaines par le recrutement du Secrétaire général et de son adjoint en charge des Affaires législatives pour le Parlement, doter chaque Commission d'un secrétaire permanent, pour plus d'efficacité dans le suivi et étoffer le personnel des différents services;
- améliorer les relations de travail avec la Commission et les autres organes de l'Union africaine;
- améliorer la gestion comptable et administrative de l'institution, pour renforcer la crédibilité du PAP;
- élaborer le code de déontologie du parlementaire panafricain (droits et devoirs); (
- renforcer le service de presse et de relations publiques du PAP, afin de donner une visibilité plus grande du PAP.

Voilà, Monsieur le Président, la substance de ce rapport que j'ai l'honneur de soumettre à votre appréciation.

Je vous remercie.

(Applaudissements)

LE PRÉSIDENT:

Merci beaucoup, pour la présentation de votre rapport.

Honorable parlementaires,

Vous avez écouté le rapport de la Commission Transports, qui est essentiellement basé sur les activités de cette Commission. Comme il y a quelques observations et recommandations, peut-être que la plénière voudrait bien réagir.

(Pas d'intervenant)

Comme il n'y a pas d'intervenant, nous allons prendre acte des activités de la Commission Transport.

Au passage, je voudrais apporter un rectificatif: il n'y a pas une décision du Bureau du Parlement panafricain d'associer la Commission Transports aux activités de l'environnement et des changements climatiques.

En plénière, un membre de votre Commission a soulevé la pertinence d'associer les parlementaires de la Commission Transports aux activités relatives aux changements climatiques. Et, la plénière a constaté que les activités relatives aux changements climatiques sont transversales et il est normal que les parlementaires de la Commission Transports et d'autres puissent également y participer.

Cela dit, nous avons pris acte des activités de la Commission Transports, Industrie, Communication, Energie, Sciences et Technologie.

À présent, je vais passer la parole à la présidente de la Commission Droits de l'Homme et justice.

2.2 Rapport de la Commission permanente des affaires juridiques et des droits de l'homme HON. MUKABARANGA AGNÈS [RWANDA]:

Merci, Monsieur le Président, pour cette opportunité de présenter le rapport de la Commission Justice et droits de l'Homme.

Les activités, dont je vais faire le rapport, se rapportent à la période des mois de mars et d'avril 2010. Durant cette période-là, la Commission a tenu trois réunions: deux réunions durant le mois de mars et une réunion, tout récemment, durant cette session.

Je dirais globalement que nous avons adopté des procès-verbaux des réunions antérieures. Nous avons aussi reçu des communications avec des personnes qui représentent les institutions partenaires de notre Commission.

Je commencerais par le responsable de la gouvernance du programme du MAEP, de l'Institut des affaires internationales de l'Afrique du sud, Monsieur Steven Gruzd qui nous a, encore une fois, entretenu sur le MAEP, le Mécanisme Africain d'Évaluation par les Pairs qui, comme vous le savez, est né de la Déclaration de l'OUA, notamment l'Union africaine, sur la Gouvernance démocratique politique, économique et d'entreprise, en 2002.

C'est un mécanisme mis en place par les Africains et pour les Africains, à condition d'y adhérer, cela en vue d'évaluer la conformité aux normes africaines internationales, dans les domaines convenus, tels que les droits de l'Homme, les élections, la séparation des pouvoirs, la corruption, le climat des affaires, la gouvernance des entreprises, etc.

On a eu recours à un questionnaire de méthode de recherches et de consultation et la participation de la société civile. Des phases d'évaluation, vous pouvez le lire, de l'auto-évaluation jusqu'à un rapport qui est présenté au forum du MAEP et qui, finalement, comme le prescrit le mécanisme, doit être publié six mois après et, dès qu'il est publié, doit être présenté entre autres au PAP, pour examen et discussion.

Nous avons discuté des points essentiels de la présentation qui nous avaient été soumis et, à la suite des débats, la Commission a recommandé entre autres, la création d'un comité ad hoc sur le MAEP et dont les membres seront des parlementaires ressortissants des États membres qui ont souscrit et signé le mécanisme.

Nous recommandons, Monsieur le Président, qu'entre temps, le PAP soumette ces rapports du MAEP à la Commission de Justice et des droits de l'Homme, pour analyse et recommandations.

Nous considérons aussi que le PAP devrait utiliser ce mécanisme de bonne gouvernance qu'est le MAEP pour améliorer, de façon stratégique, sa visibilité, son importance et devenir ainsi une pièce-maîtresse du système d'évaluation qui fait la promotion de la supervision.

Nous pensons effectivement que le PAP se trouve dans une position unique et très importante, pour accorder une place de choix dans son programme d'activités au mécanisme d'évaluation de gouvernance afin de suivre et d'évaluer les progrès accomplis dans les pays.

Des propositions nous ont été soumises par l'Institut. Tel que vous pouvez le lire, certaines reviennent effectivement dans les recommandations que nous soumettons à la plénière.

Je voudrais surtout insister sur la recommandation qui nous a été faite d'inviter, de temps en temps, des intervenants clés du MAEP, afin de présenter leurs communications devant le PAP et, bien sûr, la Commission qui va faire le suivi de ce qui est reflété dans ces rapports là.

Nous encourageons aussi un partenariat avec cet institut des études internationales qui est prêt à élaborer des articles sur le MAEP, dans le bulletin du PAP. Nous considérons que le mécanisme est en train d'être oublié, au sein du PAP, et c'est une façon d'attirer l'attention.

Nous avons aussi eu l'occasion, Monsieur le Président, d'écouter une représentante de la Commission africaine des droits de l'Homme et des peuples. Cette présentation s'était surtout focalisée sur la liberté d'expression en Afrique. Elle a été faite par Madame Tansi Takoula, Rapporteur de la Commission des droits de l'Homme et des peuples. C'était surtout pour nous donner un rapport, une image, un tableau des droits de l'Homme en 2009.

Au cours de la présentation, la commissaire a indiqué qu'il y avait encore des défis sur le continent, qui avaient créé les problèmes suivants:

- la reconnaissance des homosexuels;
- les mauvais traitements des populations autochtones que nous appelons aussi « indigènes »;
- l'inégalité entre les sexes;
- les viols des femmes et des enfants dans les pays déchirés par des conflits;
- l'impact des changements climatiques sur les droits de l'Homme;
- l'absence de rapports sur les violations des droits de l'Homme.

Je crois que cela a été souligné, c'est normalement une obligation de donner des rapports sur la situation des droits de l'Homme dans ces pays. Or, il y a encore des pays qui ne le font pas.

- La question des tortures dans les prisons et les droits des prisonniers;
- l'utilisation d'une force excessive par la police, lors de l'arrestation des criminels;
- l'absence de la liberté de presse dans certains pays;
- l'absence de liberté d'expression;
- le mauvais traitement des réfugiés.

Étant entendu qu'aucun pays n'est parfait, il y a des déficits entendus des droits de l'Homme sur certains aspects dans un pays ou dans l'autre; cela étant une synthèse.

Monsieur le Président,

Comme c'était une occasion d'interagir, de discuter avec une représentante crédible de la Commission des droits de l'Homme et des peuples, nous avons pu parler aussi de la question de la Gambie. Il nous a été rapporté qu'effectivement, certaines violations des droits de l'Homme étaient toujours en cours en Gambie. Elle nous a dit que la mission d'informations qu'elle voulait conduire en Gambie, en tant que responsable spécifique de ce pays, n'a pas pu être possible, mais qu'elle a reçu une réponse écrite à sa lettre de rappel.

Vous noterez aussi que quelques problèmes dans certains pays, comme la République du Sénégal, nous ont été rapportés ainsi que le Niger, la Côte d'Ivoire, la Zambie, le Cameroun, le Kenya, la Sierra Leone, le Liberia, la Tunisie et l'Érythrée.

Pour ce qui est des journalistes, elle a recommandé des lois qu'on appelle « lois de diffamation » qui sont un obstacle à la jouissance de la liberté des journalistes et leurs droits d'expression.

Bien sûr, elle a parlé de la Charte africaine sur la démocratie, des élections et la bonne gouvernance, comme un instrument clé qui devrait être une solution au respect des droits de l'Homme et à l'amélioration de leur situation, en Afrique. C'était l'occasion d'inviter le PAP, en tant qu'institution à jouer un rôle dans la ratification de cet instrument si crucial.

Monsieur le Président,

Après avoir entendu ce rapport, vu ce qui nous a été soumis, en ce qui concerne la Gambie, vous en conviendrez avec moi que la Gambie a un statut spécial, parce qu'elle héberge la Commission africaine des droits de l'Homme. C'est elle qui héberge ce siège. Donc, il y a un certain comportement qui est attendu de ce pays. C'est pourquoi la

Commission suggère que, si la situation en Gambie ne s'améliorait pas, il faudrait que l'Union africaine pense à délocaliser ce siège et que le cas de violations des droits de l'Homme dans ce pays puisse être référé au Conseil de paix et de sécurité, pour prévenir tout conflit majeur dans ce pays.

Monsieur le Président,

On parle plus souvent maintenant de la Charte africaine sur les élections, la démocratie et la bonne gouvernance, mais on oublie que la Charte africaine Jdes droits de l'Homme et des peuples est aussi toute importante. C'est un instrument qui concerne non seulement tous les droits que l'Afrique s'est engagée à respecter, mais aussi qui met en place les mécanismes tels que la Commission africaine des droits de l'Homme, la Cour africaine des droits de l'Homme. Donc, >les États devraient se presser à les ratifier.

Monsieur le Président,

Dans la même foulée, on a considéré la situation des droits de l'Homme au Sahara occidental. Je pense qu'un document vous a été soumis. Je n'y reviens pas. Je veux juste dire que, sur cette question-là, la Commission recommande ce qui suit: la libération et le droit du groupe des détenus sahraouis. Nous pensons que le PAP devrait en appeler à la libération immédiate du groupe des détenus sahraouis, dont le seul crime est d'avoir visité les membres de leur famille dans des camps de réfugiés.

Il y a actuellement des activistes des droits de l'Homme qui observent unegrève de la faim. Nous pensons que le PAP devrait élever la voix et inviter le Maroc à suivre, de près, médicalement ces personnes.

Nous pensons aussi que le PAP devrait demander aux Nations unies de garantir la sécurité et la liberté du peuple sahraoui, d'exercer de sérieuses pressions sur le Maroc, pour arrêter les flagrantes violations des droits de l'Homme contre des civiles sans défense du Sahara occidental et que les Nations Unies devraient inclure dans leurs missions, au Sahara occidental, un mécanisme de suivi des droits de l'Homme.

Monsieur le Président,

Entre autres aussi, nous avons suivi, comme toutes les autres Commissions, un programme d'activités. Nous devrions proposer un programme d'activités 2010 sur la base des nouvelles orientations exigées par les donateurs. Nous l'avons fait. Nous avons aussi pris connaissance ou, du moins, nous avons été rappelés sur le contenu de la Charte africaine des droits de l'enfant, des droits et du bien-être de l'enfant par l'ONG Save the children.

Cette présentation était axée sur l'éducation, la survie, la protection des enfants, le VIH/SIDA et d'autres situations urgentes, dans lesquelles se trouvent les enfants.

Conjointement, nous avons eu à discuter aussi d'une présentation par le département du développement social de la Commission de l'Union africaine par Tchikezi Agnalo, représentant du Comité des experts sur les droits des enfants au sein de l'Union africaine.

Sur la base de cette présentation, nous avons jugé bon d'envoyer une délégation, en la personne de l'Honorable Blandine Sawadogo, à une conférence qui était prévue à Addis-Abéba afin de, non seulement, nous familiariser avec les droits des enfants, mais aussi de jouer un rôle dans la mise en place de mécanismes et de suivi de partenariat entre ce Comité d'experts sur les droits des enfants et le Comité des Nations unies.

Monsieur le Président,

Dans le cadre de la ratification de la Charte africaine sur les élections, la bonne gouvernance et la démocratie, vous lirez aussi que nous avons envoyé une délégation à Banjul. Il y avait une conférence sur l'Architecture de la Gouvernance Africaine (AGA) et sur cette Chartelà.

À l'issue du rapport qui nous a été soumis, nous avons pensé que, comme il était prévu dans notre plan d'activités, on pourrait organiser un atelier qui se tiendrait dans l'un des pays, que ce soit la Namibie, l'Afrique du Sud ou l'Éthiopie, afin de promouvoir et de sensibiliser sur les pays et plusieurs acteurs sur la ratification de la Charte africaine. Des organisations telles que la FREMAP, UNICA, EPN, DASA et GTZ et d'autres institutions sont prêtes à financer ce projet auquel prendraient part d'autres parlementaires. Elles sont prêtes à financer même une soixantaine d'entre eux.

Monsieur le Président,

Vous verrez que, pour le reste de l'année, nous pensons que la Commission devrait être outillée par un bureau, une personne experte en droits de l'Homme, un secrétaire permanent qui a des compétences requises en matière des droits de l'Homme, un expert en droit.

Nous recommandons aussi de former de façon appropriée le personnel disponible et de sensibiliser les parties prenantes pour promouvoir les activités de la Commission et nous allons continuer à visiter les régions où il y a des problèmes de droits de l'Homme pour sensibiliser les membres, afin de leur permettre d'exécuter le mandat de la Commission.

Nous pensons, et cela d'un commun accord avec la Commission des droits de l'Homme et des peuples, à exécuter une commission conjointe, dans la mesure où les moyens financiers le permettront.

Monsieur le Président,

C'est sur cette note qui rappelle une réalité, sans doute, à laquelle toutes les Commissions sont confrontées, cette question d'appui technique en expertise requise que je termine. Je vous remercie Monsieur le Président, pour m'avoir écoutée.

Je suis ouverte à toutes les questions qui peuvent nous être soumises, étant entendu que le rapporteur de la Commission, le vice-président et même les membres de la Commission peuvent me compléter.

Je vous remercie.

(Applaudissements)

LE PRÉSIDENT:

Merci beaucoup Honorable présidente. Vous avez écouté le rapport de la Commission des Droits de l'homme et de Justice.

La parole est à qui voudrait la prendre.

UN HONORABLE MEMBRE:

Merci Monsieur le Président. Je félicite les yeux perçants de la présidente de la Commission et de ses membres, pour avoir touché du doigt tous les problèmes qui se posent à l'Afrique.

Tous ces problèmes qu'on soulève, Monsieur le Président, qu'il s'agisse de la part de la Commission africaine des Droits de l'homme et des peuples ou de la Justice et des Droits de l'homme, tous ont une seule et même source: c'est le manque de démocratie. Et c'est ce thème qui est vraiment mon centre d'intérêt.

Souvent je dis qu'il faut que l'Afrique ait deux combats en tête, tout le temps. Un combat est terminé, c'est le combat de la libération. L'autre combat, c'est le combat pour la démocratie. Celui-là, il recule fondamentalement dans nos pays.

Nous assistons, maintenant, à la régression même de quelques pays qui étaient les porte-drapeaux de la démocratie, et vous voyez que l'alternance démocratique n'est plus de mise sur notre continent.

Comme pays démocratiques, on peut les compter sur les doigts d'une seule main, tant que nous n'instaurerons pas la démocratie en Afrique, et que nous ne mènerons pas ce combat, en tant que Parlement africain ou Union africaine. Beaucoup de gens critiquaient l'OUA, en disant que c'était un club de chefs d'États, etc. Toutefois, les gens avaient oublié que le premier objectif de l'OUA était la libération de l'Afrique. Et, c'est l'OUA qui a libéré l'Afrique. Monpays, le Djibouti était, juste avant la fin de l'apartheid, le dernier à être libéré.

L'OUA parlait des conférences internationales, mais ils avaient choisi un bon système pour libérer l'Afrique, car ils avaient mis en place un comité de libération de l'Afrique, au sein duquel se trouvait une vingtaine de pays que l'on appelait, en mon temps, « les révolutionnaires ».

En tout cas, ce comité de libération de l'Afrique a terminé son rôle.

Moi, je voudrais, aujourd'hui, proposer à l'Union africaine, surtout au Parlement panafricain, de choisir comme objectif premier [...].

SENHORA DEPUTADA CATARINA PEDRO DOMINGOS [ANGOLA]:-

Muito obrigada, Senhor Presidente!

Eu chamo-me Catarina Pedro Domingos, do Parlamento Nacional de Angola.

Em primeiro lugar, gostaria de agradecer esta oportunidade.

Permita-me, Senhor Presidente, encoraja-lo pela forma como tem estado a conduzir os nossos trabalhos durante esses oito dias. Reitero, antecipadamente, de que estou satisfeita pelos Relatorios apresentados pelas varias Comissões, mas, gostaria de me pronunciar relativamente ao Relatorio da nossa Comissão.

O Relatorio da Comissão de Justiça e Direitos Humanos retratou exactamente aquilo que esteve no cerne das discussões e do trabalho por nos realizado e adoptado, semana passada, em reunião da Comissão;

Gostaria, Senhor Presidente, tao-somente pedir que, doravante, quando estivéssemos em sessoes do Parlamento e quando viéssemos as reunioes das Comissoes Permanentes, as agendas de trabalho para tais encontros fossem, também, comunicadas antecipadamente aos nossos parlamentos nacionais para permitir maior eficiencia. Só assim é que podemos ser mais eficazes e produtores naquilo que devemos defender em termos da integrado de África como berço da Humanidade.

Porque nao é elegante, Senhor Presidente, por vezes, como aconteceu nesta Sessao, virmos a tao importantes discussoes e nao sermos notificados sobre as matérias a tratar. Por isso, espero que doravante, a Mesa tome em considerado esta questao.

Abordo isso porque pode traduzir-se, conforme ve, Senhor Presidente, que a Sala está quase vazia e nao há um certo desempenho, nao há uma certa importancia pelos assuntos que nos trazem a esta Casa Magna. Também para permitir visibilidade e transparencia, e levarmos o Parlamento Pan-Africano as...(tempo esgotado).
HON. GEREMARIAM GEBRU [ETHIOPIA]:

Thank you, Mr.

President for giving me this opportunity. It is very annoying to have some twenty three or twenty four Hon. Members in this august House when the issue of justice and human rights is being discussed. Whatever the case, I will say what I intended to.

As has been stated by my colleague from Djibouti the problem of human rights and injustices comes due to lack of democracy. Democracy is a pillar that renders good governance. The lack of good governance and democracy is what brings malpractices of injustice and lack of human rights.

Today, in my opinion, Africa has become a play ground of lack of human rights and unjust practices. We hear of what is happening in the DRC. Just recently we discussed the issue of Somalia. We hear a lot about the Darfur and such other similar cases. In all these places, human rights are badly exercised. Elderly women and children are suffering because of all this. Unjust practices are literally everywhere in this Continent.

It is a high time that the Pan-African Parliament, as has been mentioned, should do what the OAU did for the liberation of Africa. The PAP should vigorously and, indeed, continually fight to put in place rules and regulations which will abide states to obey to the minimum, the obligations that they have entered to through signatories of different rules and regulations that have been put in place concerning justice and human rights.

I know a case where an individual appealed to the African Court of Justice and has not got a response for the last three years. This is just an example. How long will we just watch as human rights are being violated and injustices are being practiced in this Continent? It is high time that this Parliament takes...

HON. ABDUSELAM AHMED HASSEN [ETHIOPIA]:

Thank you, Mr. President. I am grateful to the Chairperson of the Committee on Justice and Human Rights for presenting a very clear and concise Report. I commend him for pointing out some of the difficulties that Committees face. I do not want to go all over it again. I think what he said will cover what we all have in mind.

I am a bit concerned about one area where there was a report on arrest and imprisonment of Reporters and infringement of their human rights. A number of countries were mentioned. We obviously deplore anywhere where human rights are infringed. We deplore the restriction of Freedom of the Press. We advance for Freedom of Information to any citizen wherever they are in Africa. We should fight for that as long as we are here and also at home.

We also need to be careful if, in fact, removing just defamation out of the Freedom of Information Bill is the way out. The issue is very simple; removing that is not the issue. The issue is the question of lack of good governance and democracy in that particular country. They will find ways of imprisoning people for reporting one thing or another. Defamation exists in most press laws. In most countries the Defamation Bill is a harness to balance reporters.

We should also work to ensure that reporters are not politically motivated or partisan. In Africa, we must fight for the reporters to be more professional. So, we need to balance when we find solutions. It will work both ways if we fight for professionalism in our reporters and at the same time we must fight for upholding freedom of people in the Continent.

Thank you very much.

AN HONORABLE MEMBER:

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HON. OUADDADI CHEIKH AHMED EL-HEIBA [SARAHAWI REPUBLIC]:

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HON. BABOU ABDOULAYE [SÉNÉGAL]:

Je vous remercie Monsieur le Président.

Je profite présenter, Sénégal.

Monsieur le Président, je suis membre de la Commission, et je félicite Madame la Présidente qui a fait part de certains problèmes relatifs aux droits de l'Homme.

J'en ai retenu un, pour faire après une suggestion: en ce qui concerne les droits de la presse. Effectivement, on ne peut pas dire d'un pays qu'il est démocratique, s'il n'y a pas une presse libre. Cela va de soi, et malheureusement, dans beaucoup de pays africains, des journalistes meurent.

C'est la raison pour laquelle je suis fier de dire que, dans mon pays, effectivement comme l'une des recommandations le demande, nous avons adopté ce qu'on appelle un « Code de la presse », élaboré par des gens de presse, où il y a dépenalisation des délits de diffamation.

Cela veut dire, donc, que les journalistes ne vont plus aller en prison. À la place de la prison, il peut y avoir maintenant des amendes pénales, parce qu'après tout, quelqu'un l'a dit à juste titre, les journalistes peuvent avoir des positions politiques et exprimer ces positions politiques à travers leurs écrits. Il faut nécessairement les couvrir. Toutefois, il faut que les journalistes aussi soient des gens responsables dans la diffusion de l'information, car dans certains cas, la plume peut être plus meurtrière qu'un coup de couteau ou bien un coup de pistolet.

C'est la raison pour laquelle, il est recommandé que les pays africains adoptent un code de la presse, pour permettre aux uns et aux autres de faire leur travail, dans le respect des droits d'autrui.

Je voudrais aussi compléter sur une suggestion. Monsieur le Président, on nous parle de droits de l'Homme, c'est vrai, mais nous avons aussi des combats à gagner. Aujourd'hui, on ne peut pas dire que les Africains sont libres. Dans certains pays, certains sont encore sous esclavage, et nous savons aussi que dans l'histoire, si l'Afrique n'est pas l'égale des autres continents, c'est que l'esclavage nous a pris beaucoup de choses.

L'Afrique n'est pas pauvre, elle a été appauvrie par ce qu'elle a subi. C'est pourquoi nous devons faire comme les autres l'ont fait: certaines communautés victimes de l'Histoire ont réagi.

C'est pourquoi, par exemple, comme la Shoah qui a été considérée comme crime contre l'humanité, au Sénégal, nous avons adopté une loi faisant de l'esclavage un crime contre l'humanité et, pourquoi pas, demain, on pourrait adopter même une loi faisant de la colonisation, un crime contre l'humanité. L'Afrique doit être debout et, pour ce faire, elle doit conquérir ce qu'elle a perdu.

Dans un autre cas aussi des droits de l'homme, nous pensons que la femme, les couches vulnérables [...].
HON. BAHARI ALI [KENYA]:

Thank you, Mr President. My name is Ali Bahari from Kenya. I just want to give a few comments. First, I want to thank the Chairperson of this Committee for a very detailed presentation.

Mr President, I want to agree with the Hon. Member from Djibouti that the issue of human rights is very critical at this point in time in Africa. Like the OAU fought on decolonizing Africa, probably the issue of human rights needs to take a centre stage because it is very fundamental. We still find that the issue of detention without trial is still in African. The issue of torture is still there. Matters on press freedom are still causing a lot of concern. This Committee, probably, needs to look at constitutions of various countries, especially how issues of the Bill of Rights are spelt out. Are they properly highlighted? Is the issue given a lot of weight in the Constitution? How are these Bill of Rights applied? What is the weight given to the Bill of Rights in the Constitution vis-à-vis what is provided for in the rest of the Constitution? That should be able to spell out or to clearly give some weight to how a country looks at the issue of human rights. Probably, with that kind of approach, they will be able to do a clear audit across Africa on the issue of human rights. Actually, it is very strange that where the Commission is based, that is Banjul, is where we are having serious violations. The African Union should be able to take up this matter very seriously. It is an indictment on the African Union and, therefore, this matter must be taken up very seriously.

On the issue she has raised about an institution that wants to collaborate with the Pan-African Parliament on matters of human rights, I think we should gladly accept this because we have been looking around. Therefore, if they are readily available, we should be able to enter into some agreement with them, so that they can help us foster the issues of human rights which are very critical.

Finally, I know there have been reports here on the African Peer Review Mechanism which have been brought to the Floor of the House. Some countries have come here with very strong delegations and they have managed to present their reports here very seriously and they are taking keen interest. I have seen some reports from South Africa and another country and I think it is time that, probably, we encourage the countries whose reports come here, that they be represented at high levels, so that this matter does not go into the shelves like it has been.

With those few remarks, I want to thank you for this opportunity.

HON. LAROUSSE HAMMI [ALGERIE]:

Merci, Monsieur le Président.

Chers collègues,

En séance de clôture de notre deuxième session de la deuxième législature de notre jeune Parlement, nous venons d'écouter le rapport de la Commission des Affaires juridiques et des Droits de l'Homme de notre auguste Parlement.

Monsieur le Président,

Chers collègues,

L'honorable présidente de ladite Commission, Madame Agnès que je respecte, nous a fait part de l'entretien avec une représentante, comme elle vient de le dire, crédible des droits de l'Homme.

Domage et grand dommage que le premier point relevé dans ce rapport soit, comme mentionné, le reproche envers notre continent, de la non reconnaissance des relations homosexuelles dans notre continent!

Sous le motif des droits de l'Homme, un continent qui a peiné du colonialisme, de l'impérialisme, de l'esclavage et qui peine encore des pandémies, de la pauvreté, du sous développement, du tourisme et voilà qu'au lieu de nous tendre la main, dans le sens du développement et de la promotion, on vient à reprocher à ces peuples vaillants d'Afrique que nous sommes, de n'avoir pas opté pour un comportement contre-nature que même les animaux n'ont eu affaire ou à avoir recours.

C'est pourquoi, Honorable Président, chers collègues, j'ai honte qu'une telle idée et/ou initiative soit prononcée sous quel que motif que ce soit, au sein d'un rapport d'une Commission de cette auguste et responsable Assemblée continentale qui se déploie pour le développement général, dans tous les domaines, dans la morale et la culture authentique, la science, les technologies. Alors, quelle honte!

Toutefois et, par ailleurs, je félicite cette Commission d'avoir eu recours à traiter les droits de l'Homme dans certaines régions de notre continent, notamment le peuple sahraoui qui continue à subir les affres du colonialisme, d'un pays, dommage africain, dont le premier responsable a dû qualifier les peuples africains que nous sommes de « sociétés de Tam-tam », se jetant dans les bras de nos ex-colonisateurs. Je termine par dire:

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Merci de votre écoute. Merci Monsieur le Président.

LE PRÉSIDENT:

Merci.

À présent, je vais donner la parole à la Commission, pour apprécier ces contributions, en rappelant à la Présidente de la Commission que nous avons encore deux rapports de Commissions et que le temps nous est compté également. Vous avez la parole, Madame la présidente.

HON. MUKABARANGA AGNÈS [RWANDA]:

Je vous remercie, Monsieur le Président.

Je tiens compte de votre souci de concision. Avec tout le respect, je commencerais par le dernier intervenant, le vice-président Laroussi.

Cette question, Monsieur le Président, des homosexuels, est reflétée dans le tableau des déficits ou, du moins, des questions ressorties du rapport des droits de l'Homme.

Nous avons, croyez-moi, nous aussi, interpellé la commissaire, en lui demandant si elle considérait que cette question était vraiment une préoccupation pour les pays africains.

Elle nous a dit qu'elle considérait que c'est en train de devenir une réalité avec laquelle on doit composer. Je n'ai pas de position. En ce moment, la Commission n'en a pas non plus, étant entendu que ce n'est qu'à certains endroits que la question fait du bruit, et je me permets de citer entre autres l'Ouganda qui a voulu passer une loi prohibant l'homosexualité, mais s'est fait attirer des foudres.

Je ne sais pas si cette loi est encore adoptée, mais je sais qu'ils ont eu des problèmes. En Afrique du Sud, ils ont même dépassé un certain niveau, parce qu'ils acceptent même leur mariage. Non seulement ils le reconnaissent, mais ils acceptent leur mariage. Dans d'autres pays, effectivement, c'est une question dont on ne parle pas; on parle plutôt d'homosexualité comme d'une malédiction. Mais, il faudrait qu'on en fasse une analyse propice et appropriée, et comme l'autre disait, on doit l'appréhender, des fois, en termes de droits de l'Homme, et trouver la solution appropriée.

Pour la question de la République Sahraouie, elle est revenue, et elle a été abordée aussi par d'autres intervenants de la République Sahraouie. Je pense qu'ils ont la solidarité de tout le PAP. C'est une question de colonisation, de violation flagrante des droits de l'Homme. On ne peut pas ne pas soutenir les victimes.

La question de constitution qui a été soulevée par un Honorable, je pense qu'elle est très pertinente, et je donnerai la parole au Rapporteur de la Commission et, probablement, nous pourrions bien appréhender la chose et faire des recommandations appropriées.

Pour le droit de la presse, Monsieur le Président, et la liberté d'expression des journalistes, sur laquelle sont revenus l'Honorable Hassen d'Éthiopie et l'Honorable Babou du Sénégal, je pense que les contributions qu'ils donnent sont très bonnes et sont les bienvenues. C'est un droit difficile à exercer dans nos pays, encore, en voie de développement, étant entendu que ces journalistes manquent encore de professionnalisme. Mais aussi, c'est une question de « check and balances ». Ce droit est ce qu'on appelle « le quatrième pouvoir », le droit des journalistes.

Ils contribuent à la démocratie. Regardez ce que les médias peuvent faire, quand il s'agit de faire du bon travail. Quand vous avez un programme de société à vendre, vous passez par les médias, mais quand ils veulent nuire aussi, les dégâts sont énormes. Donc, il s'agit de travailler sur un système légal et dans un cadre légal, mais aussi sur l'encadrement de ces journalistes, de façon à ce qu'ils contribuent à la démocratie, mais de façon responsable.

Je pense que ce sont là les questions les plus importantes qui ont été soulevées. Les autres sont des recommandations vraiment que nous avons accueillies avec encouragement. Et, le combat qu'il faut mener pour que la démocratie continue à aller de l'avant, plutôt que de reculer, nul ne peut ne pas le soutenir.

Je pense que je peux laisser la parole, soit au Rapporteur qui voudrait contribuer, mais le Vice président aussi, s'il est intéressé, peut me compléter.

Je vous remercie, Monsieur le Président, pour ce temps que vous m'avez alloué, au nom de la Commission.

LE PRÉSIDENT:

Merci beaucoup. Le Vice-président ou le rapporteur, vous avez la parole.

HON. TIDJANI-SERPOS ISMAËL [BENIN]:

Merci beaucoup, Monsieur le Président.

Je vais répondre à une question embarrassante pour un juriste, puisqu'on demande à la Commission de regarder les Constitutions des pays, pour y voir la place qui est accordée aux déclarations des droits.

Eh bien, si vous parcourez toutes les Constitutions des États africains, vous allez vous rendre compte que les premiers titres sont effectivement consacrés aux déclarations des droits. J'irais même un peu plus loin.

Vous savez très facilement que beaucoup de chefs d'État ont signé la Charte sur la démocratie et les élections, il y a deux ou trois années déjà. Alors, aujourd'hui, très peu d'États l'ont ratifiée. Qu'est-ce qui s'est passé, entre temps, pour que ceux qui ont signé ne ratifient pas, puisque ce sont souvent les mêmes?

Entre temps, il peut y avoir les interventions des Parlements. Nous croyons, et moi je suis de ceux-là, que nous devons aller au-delà des déclarations de principe. On avait même le sentiment que, pour beaucoup d'États africains, les Constitutions ne sont qu'un instrument d'une politique, mais vraiment mûrement réfléchies et nées des relations publiques, pour s'attirer les bonnes grâces des bailleurs. Dans l'application de ces Constitutions, aujourd'hui, on peut tout de même contradictoirement noter une évolution positive, c'est que les peuples, eux, essaient de s'approprier ces Constitutions, qui sont devenues un élément essentiel du débat politique en Afrique. C'est pour moi, le progrès essentiel de cette décennie de démocratisation du continent.

Alors, les avocats aussi et les tribunaux se sont souvent saisis de ces outils internationaux et même de ces Constitutions consacrées aux déclarations des droits, pour condamner nos États à respecter les engagements qu'ils prennent.

Demander à la Commission de regarder toutes les Constitutions des pays membres, il n'y a aucune surprise à attendre, nous vous dirons que tous les États membres de l'Union africaine ont des Constitutions très libérales, de ce point de vue. Mais, c'est dans l'application que le problème se pose. On n'aura donc pas avancé, si on ne fait qu'étudier ces Constitutions, tout au moins, pour voir si les déclarations des droits y sont consacrées.

En tout cas, je parie ma tête à couper que toutes les Constitutions contiennent ces dispositions libérales et qu'à l'arrivée, dans la pratique, c'est ce genre de droit « à la kalachnikov » qui s'impose.

Voilà, Monsieur le Président ce que je tenais à dire, mais je remercie infiniment notre collègue d'avoir mis le doigt sur ce problème qui nous affecte tous et c'est dire à tous ceux qui sont là, puisqu'ils sont parlementaires, de se saisir souvent de ces instruments pour dénoncer les violations, puisqu'elles sont condamnées par la norme fondamentale, la loi supérieure de tout État.

Je crois qu'on peut s'arrêter là. Nous avons demandé la mise en place d'un expert juridique qui serait plutôt au Parlement, pour voir comment on peut essayer d'avoir tous ces textes. Mais, aujourd'hui, grâce à tout ce que nous avons appris, ces deux derniers jours, on peut avoir, sous les yeux, les constitutions de tous les États.

Là, je vous ajoute qu'il n'y aura pas de grande surprise pour les avoir souvent lues. Voilà, Monsieur le Président ce que je tenais à dire. Mais on n'est pas fermé à cette initiative.

Merci beaucoup.

LE PRÉSIDENT:

Merci beaucoup.

Par rapport au secrétariat demandé par la Commission, c'est valable pour toutes les Commissions. Le Bureau et le Secrétariat essayent de trouver une solution pour l'ensemble de nos Commissions permanentes.

Pour le conseiller juridique, nous avons une approche pour trouver un conseiller juridique pour le Parlement panafricain. Il sera le conseiller aussi bien du Bureau que des Commissions, notamment votre Commission, Madame la Présidente, en attendant que nous ayons les moyens d'avoir un expert dédié à votre Commission.

Cela dit, je propose que nous prenions acte des activités de la Commission enrichies et, volontairement, acceptées par la présidente de la Commission.

Vu la considération de la plénière, je suggère que, par rapport aux groupes des détenus Sahraoui, le Parlement panafricain se fasse écho de la demande de la Commission de libération des groupes des détenus Saharaoui. (*Applaudissements nourris*)

Merci beaucoup. On va passer à la Commission Finances et Affaires monétaires. Honorable Bahari!

2.3Rapport de la Commission permanente des affaires monétaires et financièresHON. BAHARI ALI [KENYA]:

Mr. President, the Vice-President and Hon. Members. I wish to take this opportunity to present the Report of the Committee on Monetary and Financial Affairs of the Pan-African Parliament. I will try to be as brief as possible because we have provided copies of this Report. I believe that you have had the time to look at it.

The Committee adopted its draft Report on 31st October 2009 in a Plenary Session with an amount of US\$12,700,162.00 allocated for its Operational Budget and US\$4,899,514 for its Programmes Budget. This Budget was submitted to the sub-Committee of the Permanent Representative Committee (PRC) in charge of financial, budgetary and administrative matters during the meeting in Addis Ababa from 3rd to 8th December, 2009.

After acquainting itself with the Budget of the Union following a presentation by representatives of the Committee, the sub-Committee instructed the representatives of all the organs present to review their budget downwards and to draw them up to reflect an increase of between zero and five per cent, at most, in accordance with the Executive Council decision taken in Banjul in 2006. The PAP delegation, therefore, had to revise its Budget and the revision resulted in a Budget totaling US\$10.1 million, which was an increase in comparison with the 2009 Budget.

This Budget was re-submitted to the sub-Committee. In presenting it, the Hon. Chairperson of the Committee on Monetary and Financial Affairs appealed to the Members of the Committee and explained that the Budget was a long way from adequately meeting the needs of the Pan-African Parliament and would not allow it to accomplish certain essential activities such as election observation and among others the non-statutory activities of the PAP. He added that this situation would force the PAP to submit a request for a Supplementary Budget within a few months if the situation is left as it is.

In response, some Members of the sub-Committee of PRC clearly pointed out that the maximum five per cent increase could be reviewed upwards to increase the Budget in line relating to election observation, an activity that is still important for the Pan-African Parliament.

The Budget was, therefore, revised once more registering a total of US\$10.5 million which was a nine per cent increase. After exchange of views and discussions, the sub-Committee accepted the Budget as the Pan-African Parliamentary Vote.

The PRC once again met on the 25th and 26th January, 2010 in Addis Ababa to consider the items on its agenda, which included the Draft Budget for 2010 Financial Year. Addressing the issue of Budget, Members of the PRC suggested that for the Financial Year of 2010 a zero increase should be adopted for Budget of the African Union Organs; that is for all its organs. This proposal, after a lengthy was received well and got adopted by the PRC. Therefore, that is the position which we are reduced to towards the end of the exercise.

At the level of the Executive Committee which met on 28th and 29th January 2010, the Draft Budget of AU Organs underwent further reductions and cuts in order to provide NEPAD with the necessary operating funds following its integration into the AU Commission, and also for the recently established AU Advisory Board on Corruption.

As a result, the budget lines relating to election observation and nonstatutory activities for the Pan-African Parliament were reduced to zero. On that subject, it should be pointed out that the Executive Council made a decision that elections in Africa be observed by a single mission of the African Union. I think this matter has already been reported to us through the President's Report of the PAP and that the AU Commission is obliged to ensure and harmonize with Pan-African Parliament these activities with other organs.

The role of the budget relating to staff expenses and missions were reduced to the minimum while those relating to the holding of Sessions and Committee Sittings were reduced to their 2009 levels. I want you to note that expenses have increased. Therefore, if we are operating with a Budget at the level of 2009, certainly we are not doing very well and we have to put in other austerity measures.

The Operation of Pan-African Parliament for 2010, therefore, amounts to a total sum of US\$9,249,736 and a Program Budget amounting to US\$4,899,514. I think you can read the specific budget lines for yourselves. This, therefore, will mean that the total operational Budget reduction amounted to US\$405,741 and the total Programme Budget, however, increased by US\$1,076,067. The grand total for 2010 was, therefore, reduced in comparison with 2009 Budget to US\$14,149,250.

So, what this meant basically was that the Budget reduced by those figures. It should be noted that the budgetary lines of the Session were neither reduced nor increased. As such, it affects the duration of the Session and the Statutory Committee meetings because of the increase and the cost of the Interpreters. So, if you go through the specific budget lines you will find that we are at zero level, at best. In a number of the instances, you will find a reduction. I want to repeat that, I said, it affects the duration of the Session like it has affected this Session and the Statutory Committee meetings because of the increase in the cost of the Interpreters. That is why we had two days statutory meetings instead of three days and eight days for the Session instead of the minimum ten days. I hope that is quite clear.

It should also be noted that because of the reduction of the JBureau, Parliamentarians and Secretariat Budget, the number of meetings and missions will be reduced. During the Finance Committee meeting on the 2nd March 2010, after briefing on the Budget and Agenda of the submissions, the following conclusions were arrived at:-

- a) That collaboration between the Bureau and the AU should be strongly instituted in order to avoid areas of conflict and misunderstandings in financial matters.
- b) That there was urgent need for full cooperation in the execution of the budget between the different departments of the PAP so that all departments understand the implication of the new budget and implement it appropriately.
- c) The Secretariat should plan an internal workshop to educate the different departments on their different budgetary lines to avoid excesses or deficits in the execution of the various budgetary lines.
- d) The Office of the Internal Audit must produce quarterly reports as a way of close monitoring and evaluation to keep the Committee and the Members informed on the financial situation of the Pan-African Parliament.
- e) All financial rules and regulations must strictly be followed irrespective of how stringent the budgetary condition is.

- f) All Financial Reports to donors must be presented to the Committee to avoid misunderstanding.

I want to touch something on the Allowances. After consultative meetings with the Presidents of the Committees, it was concluded that a Memo would be forwarded to the Bureau to remind them to re-launch our request for the Bureau Members' and the Committee responsibility and sitting allowances that was forwarded to the African Union Commission for onward transmission to the PRC for consideration and approval.

I think, in the President's Report, Activities of Pan-African Parliament, the decisions of the Executive Council were clearly spelt out but I want to just quickly go over this.

The Executive Council of the African Union decided on Executive Council decision No.534 (XVI) that the African Union should henceforth have a single delegation entrusted with the election observation mission. I think this matter is clearly spelt out. This clearly emerged from the decision taken during the 16th Ordinary Session of the Executive Council. The Following is the text of the decision, which I think you can read for yourself, but I will briefly go through:

- i) The Executive Council notes that the recommendations of the Permanent Representative Council on the coordination of election observation by organs of the African Union;
- ii) Is also delighted with the efforts made by the Commission to support the electoral process of Member states, particularly through the deployment of the pre-election evaluation missions as well as election observation mission, in accordance with the Durban Declaration of July 2002 on the principles governing democratic elections in Africa;
- iii) The Council requests the Commission to harmonize the organization of joint election observation missions with the Pan-African Parliament and other concerned organs.

Further to this decision, the President of the Pan-African Parliament met the Commissioner for Political Affairs on 10th February 2010 in Addis Ababa to jointly consider ways and means of harmonizing the organization of joint election observation missions. This matter has already been reported here. Therefore, I need not repeat.

Mr. President, the following are the recommendations of the Committee:-

- a) The Committee strongly recommends that the African Union reviews the position on the status of the Members of Parliament in so far as their travel on PAP missions is concerned, which should be commensurate with their status as MPs to travel Business Class whenever they are called upon to participate in PAP missions. So far the position has been that we travel on Economy Class. I remember this matter was discussed in detail by the President when he made his Report.
- b) The Committee further notes that the per diems and allowances paid to Members are calculated on ordinary civil service official standards. This is not befitting their roles and positions in society. The Committee, therefore, strongly recommends that this position is reviewed with a view to enhancing the Members' status. This has also been discussed here also.
- c) The Committee recommends that the PAP Bureau revisits, and I want to emphasize "revisits", the request for the Parliamentarians allowances in accordance with Article 10 of the PAP Protocol to be approved by the competent authorities of the African Union and hence forth be included in PAP Budget once approved.

Mr. President, Mr. Vice-President and Hon. Members, this is the Report and recommendation presented to by the Committee on Monetary and Financial Affairs for your consideration and kind adoption.

Thank you.

(Applause)

LE PRÉSIDENT:

Merci beaucoup Honorable Bahari, vice-Président de la Commission Budget et Affaires monétaires. La parole est à vous, Honorables parlementaires.

Honorable Juliana, oui.

HON. KANTENGWA JULIANA [RWANDA]:

Thank you very much, Mr. President for giving me the Floor. I wish to thank Hon. Bahari for ably representing his Committee. I associate myself with the Committee's output and fully endorse the recommendations.

However, Mr. President, there is an area I wish to highlight which I consider to be grey in terms of value and what I consider to be confused mandates. This is in the role of Parliament and Parliamentarians. Reading through the Report, I see a trend of having the PAP being gradually and surely a part of the AUC. Where shall we get the parliamentary dimension if we are going to be part and parcel of the AUC?

Mr. President, going for joint elections observations is a welcome idea because it harmonizes the way we work. But in terms of the independence of Parliament from the Executive and in terms of us discussing a Report that has already been endorsed by the Chairperson of the Commission is not good. How shall we be adding value by giving advice to what has already been endorsed by the Chairperson of the Commission? Will we be able to stand aside and give a different perspective on how we look at things? I am worried about that. Even in our own countries, even when we are brothers and sisters, the moment we sit in the same house and discuss things together, then independence is compromised. But the moment we go apart, even if we are brothers and sisters, and look at things using different perspectives, then we can easily give different meaning to the different perspectives.

So, in this way I see ourselves becoming part and parcel of the AUC. I do not see value addition in all this. Even when we are still being advisory, it will not add value like it should. It will be worse when we become a legislative body. I do not see how we shall be legislating. We will not be rubber-stamping what the Chairperson of the Commission has done? I fear the moment they become an Authority because they will be given more powers. So, our junior role will be enhanced.

I thank you Mr. President.

HON. SIAPA IVOULOUNGOU JEAN CLAUDE [CONGO]:

Merci beaucoup, Monsieur le Président.

Je voudrais, moi aussi, féliciter nos collègues de la Commission Économie et Finances, pour le travail qu'ils ont accompli, et le courage qu'ils ont déployé à Addis-Abéba pour défendre les points de vue qui étaient les nôtres.

J'aimerais, tout de même, faire deux observations sur deux domaines essentiels: l'observation des élections et l'indemnité de responsabilité des membres du PAP.

En ce qui concerne l'observation des élections, je crois que là, le problème de notre autonomie est fortement posé. Je crois que, jusqu'à présent, le PAP a donné des exemples de son efficacité, de son professionnalisme dans ses missions. Certains rapports ont été cités en modèle; on a rappelé, ici, le rapport sur la Namibie, tout récemment, et le premier rapport que nous avons fait sur le Zimbabwe et sur le Kenya.

Et, la Commission de l'Union africaine n'a pas, de mon point de vue, la même philosophie d'action et la même origine que le PAP. Le PAP, on l'a dit, et il faut le rappeler qu'il s'agit d'une victoire des peuples d'Afrique, parce qu'autrefois, c'étaient les chefs d'États, les ministres qui se réunissaient entre eux et prenaient des décisions, au nom des peuples. Aujourd'hui, les peuples d'Afrique se sont introduits dans cette architecture constitutionnelle de l'Union africaine.

Donc, il est intéressant que ces peuples soient servis par une institution qui a les coudées franches. Or, à travers le fait financier, eh bien là, je crois que nous venons de perdre un moyen qui nous permettait d'être vraiment visibles et lisibles.

Alors, je crois que, grâce à vos talents de négociateurs, vous aboutirez à rendre au Parlement panafricain son autonomie, dans ce domaine. On l'a fait, autrefois, grâce, semble-t-il, à l'appui de certains bailleurs. Je crois qu'il faut continuer dans ce sens-là. Nous acceptons de collaborer avec la Commission de l'Union africaine, c'est bien.

En ce qui concerne l'indemnité de responsabilité, je pense qu'il faut demander au Conseil exécutif de reporter ce débat sur les États membres qui ont la charge, précisément, de s'occuper de nous, jusqu'à la mise en place d'un Parlement élu au suffrage universel. Il n'est pas normal de traiter des parlementaires de cette façon. Nulle part au monde, on ne voit ça! Nous serions donc des « demi-parlementaires ». Ou nous sommes parlementaires, ou nous ne le sommes pas! Et, nous mettre dans une position d'égalité avec les fonctionnaires, ça n'a jamais été une bonne chose.

Alors, j'estime, Monsieur le Président, chers collègues, que vous serez investis de cette mission-là, et au prochain Conseil exécutif de dire, ce que nous pensons de cette situation, c'est-à-dire que les États doivent supporter ces choses-là dans leur fonctionnement interne.

LE PRÉSIDENT:

Je passe la parole à la présidente du caucus de l'Afrique australe, Elisabeth

HON. CHITIKA MOLOBEKA ELIZABETH [ZAMBIA]:

Thank you, Mr. President for giving me this opportunity to say one or two things on this important Report. The Report is as straightforward as presented by the Chairperson. I would like to congratulate him. It is clear that the reduction in the budget line for the PAP activities is not only peculiar to the PAP but to all other Au organs. It may be noted that the reduction in the 2010 Budget for the PAP will have telling effects on the operations of the PAP. I, therefore, urge the Bureau not tire, but to vigorously engage the PRC in good time, so that they are able to see that it is important to give the PAP a good and workable Budget, to enable it carry out its planned activities.

Mr President, the recommendations by the Committee are all very important and they should be followed up by the Bureau.

I thank you, Sir.

AN HONORABLE MEMBER:

Thank you, Mr. President, for giving me the Floor. I will be very brief.

From the outset, let me confess that I am also a Member of the Committee on Monetary and Financial Affairs. By virtue of being a Member of this Committee, I do not think it absolves me from making any contribution to the debates of Parliament as an afterthought, if something cropped up after our meeting as a Committee. I also would like to thank our Deputy Chairperson for delivering this Report on behalf of our Chairperson who left South Africa this morning.

My comment is on the tabulation of figures. I realize that the Committee has provided figures as regards to our Budget. But the Deputy Chairperson mentioned that the Programmes "Budget has been increased by a certain amount. But he did not give us the figures of that increase or the amounts that attribute to those increases, so that, at least, various committees whose amounts have been increased can actually see here that their budgets have been raised. This is so that they can bring in other activities to enhance the activities that they had already planned in the previous year. I thought it would have been very ideal for the Committee to have given us these figures for the Programmes Budget.

Mr. President, with those few remarks, I thank you.

AN HONORABLE MEMBER:

Thank you, Mr. President. I think the document as presented is clear and unambiguous. However, I have my own observations.

First, concerns the first item on Basic Salaries. The basic salaries have been reduced by about one per cent. My question to the Committee is: Have you reduced the number of posts or were some posts vacant hence this reduction?

The second observation is on the Insurance of Staff. In the 2009 Budget, the insurance bill was US\$100,000. It has gone down by seventy per cent. Why such a marked reduction? The Committee has not made a change for this magnanimous reduction.

Thirdly, Mr. President, I share similar sentiments as my colleague from Rwanda about the scrapping off of the budget for elections observation missions. I thought that compromises the integrity of PAP. Let me give you this scenario. The elections in Zimbabwe prior to the last ones, there were various missions that were sent. Some were from government missions while others were from Parliament missions. The reports of these two missions were completely different. Therefore, if we are going to be absorbed under the AU Commission's Budget, what proportion or ratio of the election mission is PAP going to occupy? Are we going to be independent from the AU Commission or are we just going to follow what the AU Commission is saying? To me, by completely taking out that item, you have now compromised the integrity of the PAP.

I thought I should make those observations.

I thank you Mr. President.

AN HON. MEMBER:

Thank you, Mr President, for giving me this opportunity to make a few comments on the Report. I am in support of this Report. I thank the Deputy Chairperson and the Committee for a job well done.

Mr. President, I have an issue with regard to the activities whose budgets have been reduced and those that have been maintained. I note that most of the Members here are talking about the role of PAP in as far as election monitoring is concerned. While I accept that as a very important function for PAP, I want to take you back to the Report in the section that the Deputy Chairperson has said that Committee meeting days and Plenary sitting days have been reduced. I thought that the work of the Committees is the backbone of this Parliament. We should have found a way of ensuring that the days for Committee work are not reduced. If you are to ask me whether we should go for the missions on time or whether we should reduce the days for the Committee meetings, I would say that we reduce the days for getting to the missions in advance, so that we have enough time for Committee and Plenary sittings.

If you take note, we are discussing very important work of various Committees and most of the people are not even here, for various reasons, of course. Some good reasons and may be others not that very important. But that will really affect the integrity and work of this Parliament. So, I do not know really as a new Member whether there is a way that Committee and Plenary days can be maintained within this Budget and reduce on other items. Without being repetitive I would like to say that Committee work is really what feeds into the Plenary.

I thank you, Mr. President.

HON. BAHARI ALI [KENYA]:

Mr. President, first of all, I would like to thank all Hon. Members for their compliments and comments.

I just want to quickly respond to the issue on figures. First, is the issue on basic salaries. We realize that we have had vacant positions for some time this year. Since the Budget runs from January to December, you realized the other day that we brought new senior executive officers of this Parliament. That shows the variance.

The figure for the Programmes Budget is an increase of US\$1,076,067 million. This can be discussed at the level of the Committee and the Chairs, to see how it affects your Committee. If you have some programmes that you want to introduce, you can do this at that level.

On the issue of Staff Insurance, we had an insurance policy which has not been in place for quite a while now. But you will realize that next on the line is an item on medical for staff. That will take care of the issue of medical bills as appropriate.

Mr. President, several Hon. Members have raised the issue of the independence of this Parliament vis-a-vis what has ended up being co-opted into AUC. I fully agree with you and share your sentiments. That is one of way of creating dictatorship in Governments because you try co-opt unions, Parliament and all others in softer language, by way of harmonizing activities. Activities can never be harmonized, if they harmonized then the buildings will fall. The African Government has three pillars; the Executive, the Judiciary and the Legislature. Once you try and harmonize and put it as one, I am not sure you need an architect to go into that. I do not think that is the intention at any one time. In my view, therefore, these arms have to operate quite separately.

The President will recall, he has also been the Chair of an observer mission, that these are some of the things that have given us limelight as far as the Pan-African Parliament is concerned. Therefore, we must jealously guard against any attempt, whether directly or indirectly, to co-opt this Parliament. In any case, we represent the people of Africa. This is supposed to be the voice of the people of Africa.

Hon. Elizabeth said the observations and recommendations of the Hon. Members are good and the Bureau should follow up on them. I have no doubt that this Bureau is quite cooperative and they will follow up on those recommendations because we do not have any other option anyway other than to build up because that is a requirement for us. We must follow the Budget, ensure that there is fiscal discipline and ensure that there are timely reports, which we have agreed must be done quarterly.

The Hon. Member from Zambia raised the issue of virements, which require approval. But there is a provision for that at the AUC when we meet the relevant organs. Still, we cannot do it from here because it has to be done at that level.

With those few remarks, I must say that we have worked very closely with the Secretariat and the Bureau on matters of finance. We will continuously do so, so that the integrity of PAP is not compromised at any given time.

I thank you very much.

LE PRÉSIDENT:

Merci beaucoup honorable Bahari, vice-président de la Commission Budget et Affaires monétaires.

Vous avez apprécié les contributions des parlementaires. Pour vous compléter, évidemment, le problème des missions conjointes ou communes de l'Union africaine est revenu à plusieurs reprises. C'est un problème effectivement important, parce que, comme vous l'avez bien souligné, cela a réduit l'autonomie du Parlement, cela a réduit nos perspectives de visibilité également. Nous en sommes conscients et entièrement d'accord.

Maintenant, il faudra se dire d'abord qu'il y a une petite nuance: les nouvelles missions sont des missions dites de l'Union africaine, pas de la Commission de l'Union africaine. C'est une petite nuance, mais elle est importante. L'élément clef, c'est que c'est une décision contraignante, certes, pour le PAP, mais c'est une décision du Sommet des chefs d'État. Donc, pour l'année 2010, nous sommes obligés de nous y faire avec.

Depuis que cette décision a été prise, au début du mois de février, plusieurs missions vont partir sur le terrain et, pour le moment, on a un accord tacite de participation à hauteur de 40% des parlementaires du Parlement panafricain des missions conjointes ou communes de l'Union africaine. Et, nous avons convenu également que les parlementaires du PAP, membres des missions conjointes, répondent devant la plénière du Parlement panafricain.

À partir de la prochaine session, nous aurons les rapports de ces Commissions et nous apprécierons, maintenant, dans la pratique, cette contrainte administrative, comment les membres du Parlement panafricain, au sein de ces missions conjointes vont ramener, en plénière, leurs observations.

C'est le moment également au Parlement panafricain d'apprécier et de se prononcer, mais nous sommes d'accord que cela va réduire de toutes les façons notre visibilité.

On se prépare à faire un plaidoyer au Sommet de Kampala de juillet 2010, de manière à ce qu'on espère qu'on revienne à une formule qui va différencier la mission, en ce moment. Donc, ce sera une mission de la Commission de l'Union africaine et une autre du Parlement panafricain mais, pour le moment, c'est, malheureusement, à prendre ou à laisser. Nous ne désespérons pas. Ensemble, nous allons faire le plaidoyer pour que le Sommet prenne en compte cette observation de manière à ce qu'on revienne, en 2011, à des missions distinctes.

Les recommandations de la Commission sont nos recommandations, c'est-à-dire du Parlement panafricain. Avec votre permission, je vais les renvoyer à la Commission, parce que c'est à elle de contribuer, comme elle le dit si bien, dans son rapport, à la bonne gestion du Parlement panafricain, dans le domaine des finances.

Le Secrétariat et le Bureau font de ces recommandations les leur, mais nous demandons à la Commission de continuer à aider, et le Secrétariat, et le Bureau, à observer ces recommandations, par rapport à la gestion du Parlement.

Quant aux recommandations par rapport aux titres de voyages et aux indemnités de sessions des parlementaires qui nous renvoient à l'article 10 du Protocole, là également, le Bureau, dans le domaine des finances, s'en remet à la clairvoyance et aux conseils de la Commission. C'est à elle, donc, de se préparer à aider le Bureau. Ce n'est pas sans raison que, souvent, au Sommet de l'Union africaine, dans les délégations du Parlement panafricain, toujours la Commission des Finances, la Commission des Règlements sont représentées, pour qu'on puisse continuer à faire le plaidoyer, ensemble.

Voilà, Honorables parlementaires, les observations que je voudrais faire, en attendant d'apprécier les contributions de nos Honorables membres, dans les missions conjointes, en attendant que la Commission nous aide avec des propositions plus concrètes, par rapport aux différentes réunions du Sommet. Sur ce, je propose qu'on fasse les recommandations, en tant que plénière, d'une part, et qu'on prenne acte du rapport de la Commission, en les félicitant en votre nom.

(Applaudissements nourris)

Merci beaucoup.

Honorable président de la Commission Coopération, Relations internationales et Résolution des conflits.

2.4 Rapport de la Commission permanente de la Coopération, des relations internationales et du règlement des conflits HON. ABDOUSELAM AHMED HASSEN [ETHIOPIA]:

Thank you, Mr. President, for allowing me to present the Committee's Activity Report. The Activity Report caters for quite a number of areas...

(Hon. Abduselam's phone rang)

Sorry! I have to switch off my phone. I apologize for the disruption at this late hour, especially to the Hon. Members who are patiently sitting to hear the Report.

Mr. President, I also beg your leave to be allowed to present an urgent matter concerning the situation in Haiti, together with the Report. This Report covers the Committee's activities from November, 2009 to April, 2010. Some of the activities are statutory meeting activities. There are also a number of activities that are non-statutory meetings, some of them taken by Members of the Committee who have gone to different missions or attended different seminars.

The statutory meetings are covered on the first page beginning with the Situation in Niger. If you remember, a three-Member Committee was sent to Niger during the period of President Mamadou Tandja. Before we could report this situation to the Plenary, we had no quorum in the Committee. We could not, therefore, put it forward as a final report to the Plenary. In the meantime, Niger's situation was over taken by events. There was a military coup d'état. As a result of that, we had to review how we could actually bring forward a more current and up to date case to the Plenary. That is what we have been discussing. I will go into detail at a much later stage of my Report.

Mr. President, another issue which we discussed during the statutory sitting of the Committee was the question of Somalia, particularly as we were petitioned by an Hon. Member of the Committee who put forward a case to be brought forward to the President. The President passed it on to us. We thought of how we could approach the situation of Somalia, with particular emphasis on the humanitarian situation, particularly the situation of the warlords, the peace initiative, the current security situation and the recommendations. The Committee proposed to send this to IIS, which is an institution which normally works with our Committee to bring out back ground information and finalize recommendations to put forward to the House. As it turned out, we were unable to get co-operation with the Institute for International Studies (IIS). Therefore, we have to look forward to making this issue ongoing, suffice to say that the situation in Somalia is being dealt with by the AU and the UN and countries such as Djibouti which has suffered occupation of its territories. They have also sought for some resolution and support from this House. As a Committee, with all those cases hanging on our plate, the current situation is that, in fact, the UN has taken sanctions on diplomats of Eritrea under the push of the AU. The Motion was passed and put forward by Uganda. It was a AU proposal. The UN has passed it. This is because of interference in neighbouring countries destabilizing Somalia and Djibouti. That is where we stand when it comes to the issue of Somalia. But, of course, the humanitarian situation is dire at the moment. Over three million people are refugees in different countries. There are both internal and external refugees in neighbouring countries. We still have not got peace in Somalia. There is an effort to bring an all inclusive Government to strengthen the transitional government. We want to try and isolate the extremists in Somalia, particularly the Al-Shabab Group.

Mr. President, on the presentation by the Organization of Prohibition of Chemical Weapons, this presentation was put forward to the Members of the Committee. This is an organization for the prohibition of chemical weapons. The Director put this presentation to the staff. It was very enlightening. The idea is, obviously, that many countries in Africa are signatories to it. But only 11 countries have ratified the convention. This is something that should concern most of us because these sorts of chemicals come in form of agricultural products, domestic household goods, liquid form and they can be turned into chemical weapons unless there is close monitoring. Therefore, we have included this activity to try and bring out a model law by PAP. We have included it in our annual activity, which will be held sometime in September, 2010. We are going to have a two-day workshop here with that office. That model law, hopefully, will be taken up by a number of countries in Africa. The activity is there for you, for information purposes. So, you can read it when you are free.

Mr. President, there is also participation to different meetings and seminars by Hon. Members. The first one is the Seminar which was organized by the Pan-African Parliament for the President of the Caucus and Chair of the Bureau. This was done at St. Georges Hotel in Centurion. The theme of it was: "Evolution into a Legislative Organ." The aim of the seminar was to provide a forum for participants to share views on the evolution of the Pan-African Parliament into a legislative organ. The practical parliamentary methodology should be applied by the Pan-African Parliament through its ten Permanent Committee and its administration and relations with

all other AU organs. It was subsequently followed by the last meeting we had during which we tried to use as a background to draw up the Committee's annual strategic plan and its activity report, which as I said, was immensely helpful to the Committee.

Mr. President, the second activity was the meeting of Regional Economic Communities (RECs) of West Africa held in Abuja, Nigeria between 22nd to 25th November, 2009. This consultative meeting was organized by the Pan African Parliament. This meeting was spear headed by the Pan-African Parliament and it brought the ECOWAS and the PAP together. We forged a good working relationship followed by which there has been a strong understanding of each other's position and desire around which way we want to move forward.

Mr. President, the third one is the Regional Conference on the Role of Parliamentarians in Preventive Diplomacy and Maintaining Peace and State Building in Africa. This Conference was upheld in Kigali, Rwanda. There was a paper which was presented. Hon. Juliana was also in attendance with me. It was very informative and helpful. In the past platforms parliamentarians were not asked to put their views in these sort of peace-building, conflict resolution and state building situations. This is the first time that they invited Parliamentarians from different countries, including PAP, to come up with each other's experiences and the way forward. That was very ecstatic.

Mr. President, the fourth activity was the technical meeting of the AU Commission and African Governance Architecture. I will simply pass through that one by saying at the end of this meeting, because it was discussed by Hon. Agnes in her Report, there was an understanding that was reached which stated: "At the end of this technical meeting it was agreed that Members of the Pan-African Parliament be urged to champion ratification and domestication of the African Charter on Democracy, Elections and Governance by their national parliaments." That was an agreed common ground by all. This is what each individual Members of this Chamber must take to their countries. This is something that we really need to remind you, again and again.

Mr. President, on the fifth activity, the Committee received an invitation to participate in a certain meeting. The Chairperson indicated that he had designated... Well, this was of a technical nature. Whenever we are asked to participate or nominate people, we simply follow the rule of gender balance, whether the meeting is in Africa, its location and then we try to nominate Members of the Committee within that area because there is a better understanding of the ramification of issues.

Mr. President, the sixth activity was the 122nd Assembly of Inter-Parliamentary Union (IPU) held in Bangkok, Thailand, from 27th March to 1st April, 2010. I was in attendance. The themes discussed during the Conference are as follows: Political reconciliations and good governance; proliferation and disarmament; fighting terrorism and human trafficking; fighting violence against women and achieving the Millennium Development Goals (MDGs). My recommendation on this is that the PAP needs to be proactive when participating in future IPU assembly meetings. This can be done by registering to address the Assembly on continental issues. This will help to a broader understanding of PAP's role and strengthen future cooperation. Instead of just passively being there as an observer, I am suggesting that we actually take the podium and present issues that concern the Continent. We should be the spokes persons of the Continent. That is my recommendation.

Mr. President, there is also the Report on the Committee on Current Political Situation in Niger. During my opening remarks, I said I will address this issue. This is the part which, obviously, tries to evaluate the current situation in Niger. If you bear with me, I will try to read this section because some of you might not have had time to read it.

A group of young military officers known as the Supreme Council for the Restoration of Democracy led by Major Salou Djibo staged a coup d'état in the Republic of Niger by overthrowing the regime of President Mamadou Tandja. This coup d'état is a follow-up to the crisis that the country has been experiencing for a while.

Niger, a former French colony, which gained its independence on 3rd August, 1960 has experienced a turbulent political history. From 1960 to 1974 the country was governed by the late President Hamani Diori, by a single party civilian regime. In 1974, President Hamani Diori was overthrown in a coup d'état led by Colonel Seyni Kountche'. He instituted a military regime and stayed in power until his death in 1987. His army chief staff Colonel Ali Saibou succeeded him. He liberalized the law and politics in Niger and enacted a new Constitution. Pressure exerted on the regime by political parties as well civilian society in favour of installing a multi-party democracy rule yielded results in 1990. Many parties and civic movements were established and the national conference for civic peace was held in July, 1991 to prepare the transition to a free transparent election. This dialogue between divergent bodies led to the emergence of a consensus enabling the formation a transitional

government in November, 1991. The Government remained in power until the formation of intuitions of the federal republic in April, 1993. With the economy deteriorating during the period certain achievements are worth mentioning. They include the successful organization of a constitutional referendum, the adoption of an electoral code of conduct and the -holding of free elections in a conducive environment. The freedom of the press led to the establishment of numerous independent newspapers. The legislative election of 1995 led to installation of a coalition of government between the then President of the JrRepublic, Mahamane Ousmane Jr and his political rival Prime Minister Hama Amadou. This situation led to paralysis in the running of the country, which fostered a conducive environment for a coup d'état led by Colonel Ibrahim Bare Maïnassara. The military regime which he instituted...

UN HONORABLE MEMBRE:

Monsieur le Président, c'est une motion de clarification. Je crois que nous avons ce rapport depuis deux ou trois jours. Je ne vois pas la nécessité de le lire, étant donné que nous avons largement dépassé le temps de la clôture de la session. Je demanderais qu'il puisse passer aux recommandations, parce que l'histoire du Niger, nous la connaissons très bien. Je vous remercie!

LE PRÉSIDENT:

Merci.

Mr. Chairperson, go straight to the recommendations!

HON. ABDUSELAM AHMED HASSEN [ETHIOPIA]:

Thank you, Mr. President. Sorry, for trying to bore you. I am sure Hon. Members are tired!

The resolutions and recommendations on the Situation in Niger are:-

1. The Pan-African Parliament, as the parliamentary organ of the African Union, whose objective is to promote democratic rule and human rights, deeply concerned by the current situation in Niger, resolves to formally condemn the coup d'état perpetrated by the military junta, on 18th February, 2010.
2. Takes note of the statement by the Junta regarding its desire to restore constitutional order and to organize fresh elections within twelve months. This being the transitional period.
3. Recommends that the PanAfrican Parliament appeals to the African Union jointly with ECOWAS to put pressure on the Junta to adhere to its commitment while working to ensure that these elections, which should mark the end of the transition period are open, transparent, impartial and fair.
4. Demand that the military junta respect human rights and freedom of the citizens and also ensure that President Tandja and all other political detainees have their due rights respected.
5. Appeal to the international community to stand by the people during their period of difficulty

A HON. MEMBER:

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HON. ABDUSELAM AHMED HASSEN [ETHIOPIA]:

Mr. President, the Report on the people of Saharawi was also submitted to us. But I will not present it because it has already been presented by the Justice and Human Rights Commission. The House has already given its view on it.

I will go straight to the question of the people of Haiti. On 12th January, 2010, the island of Haiti experienced one of the worst natural calamities to hit mankind in modern times. The lose to life was close to 300,000. The population in Port-au-Prince, where the epicenter of the earthquake registered 7.8 on Richter Scale, suffered the worst. Soon after, the world community put all its resources together to come to the help of the survivors, the injured, the homeless and the destitute. Today, after three months, millions of victims still live in tents and make shift camps across the country.

I would like to ask the PAP to support this Motion, so as to remind the world that we, the people of Africa, share the grief and suffering of the people of Haiti and stand in solidarity until normalcy of life is restored.

Mr. President, this is the Motion on the natural disaster that occurred in the Republic Haiti:-

The Pan-African Parliament, considering the natural disaster that struck Haiti on 12th January, 2010, considering the heavy consequences of this disaster, particularly in terms of human lose and material destruction;

- (i) Persuaded that African solidarity and mobilization could help in the reconstruction of Haiti, sends its strongest expression of compassion, consolation to the Government, Parliament, bereaved families and the disaster-stricken people;
- (ii) Expresses solidarity towards the people of Haiti;
- (iii) Commends and urges solidarity shown by African states as well as the international community;
- (iv) Desires 3/that international solidarity be intensified in order to help the people and the Government of Haiti in managing the consequences of this disaster and in the reconstruction of the country.

Mr. President, this, obviously is the Motion that I would like to also add to our Report.

I beg to move.

Thank you, Mr. President.

LE PRÉSIDENT:

Réactions, observations, commentaires de la plénière sur le rapport des activités de la Commission? Oui, président!

HON. IYAMUREMYE AUGUSTIN [RWANDA]:

Merci Monsieur le Président.

Je voudrais féliciter le Président de la Commission, pour son rapport. Mais, je me suis posé la question de savoir pourquoi la situation en Côte d'Ivoire n'a pas été analysée.

Monsieur le Président,

Depuis un certain temps, on a eu l'impression que cela allait mieux en Côte d'Ivoire mais, ces derniers temps, on a des signes que cela pourrait ne pas se passer, comme on l'avait prévu. Dans le cadre de la prévention, on devrait donner un message aux dirigeants et au peuple ivoiriens pour qu'ils s'engagent davantage dans la voie de la paix. Ceci, je le dis parce que, ces derniers temps, il y a eu des développements qui pourraient inquiéter plus d'un.

Je voudrais savoir justement pourquoi la Commission s'est uniquement concentrée sur la question du Niger, de la République Saharaoui et non pas sur les autres points de conflits, notamment en Côte d'Ivoire.

Je vous remercie!

AN HONORABLE MEMBER:

Thank you very much, Mr. President. I will be very brief.

First, let me commend the Chairperson of the Committee for this comprehensive Report because it dates some years back, highlighting activities or events that happened in Niger.

My comment will be on the situation in Niger. The Committee actually made a comment on page ten that they condemn the process that led to the change in the Constitution in the Republic of Niger. But when you go to the recommendations that the Committee made, they leave out this aspect. It seems this was the bone of contention of the political parties for not taking part in the referendum and for all those military juntas. I fail to understand why they did not make any recommendations as regards the Constitution. It seems the Constitution is the bone of contention for the people of Niger.

I thank you.

HON. BAHARI ALI [KENYA]:

Thank you, Mr President. I just want to commend the Chairperson for his presentation and the detailed Activity Report of the Committee, which is quite good. I also want to commend the ECOWAS for the stand that they took on the issue of Niger. They came out very clearly and they took a very bold step. That is what is required particularly for the RECs. When these issues take place within a certain REC, we should closely liaise with that REC, so that they can also voice their concerns. That way the juntas and the other groups which take over

Governments through unconstitutional means will feel isolated within that region. So, let the change of weather come from within the region first.

Finally, I want to commend the Security Council. The AU has been very strong on this immediately these issues happened, to the extent of condemning any unconstitutional change of Government. I think they have been fairly consistent other than perhaps on the issue of the actions they take and all that. However, coming outright to condemn at the very first instance any unconstitutional change of Government has been visible.

I thank you Mr. President.

AN HONORABLE MEMBER:

Mr. President, I am a Member of this Committee and I attended the first meeting that went through this Report.

My observation is that this is a Committee with the most serious challenges because its mandate is to try and promote harmonious working relations, peace and stability as well as conflict resolutions.

My first impression in participating in the proceedings of this Committee is that this Committee needs to be supported or provided with members of staff who are skilled in international relations. Reliance alone on the knowledge of Members is not adequate because some of the challenges go far beyond the mandate of the Committee. For instance, when there is a coup, you are required to urge Governments to try and apply sanctions to such a military coup. To me, really, if it is just left to part time people, it may make the work of the Committee not fully achievable.

Mr. President, therefore, when I looked at this, I really thought, there are more serious challenges. This committee needs to be fully staffed or provided with, at least, an expert who can always be there to advise the Committee particularly on matters of diplomatic relationships. This was my observation. Otherwise, if we are going to carry on the way that I have observed, to me, it appears like yes, the Members are determined, but I could see a lot of knowledge gaps in trying to achieve the objectives of this Committee.

Mr. President, I am happy to be a Member of this Committee. I am not an expert in conflict resolution or foreign relations. But I have decided that, as an individual, to add more to support the Chairperson and his Committee in trying to achieve the mandate that has been conferred on them.

Mr. President, with those few remarks, I thought I should make these observations. I support the Report and I believe that this is the Committee that really has to be strengthened the most.

I thank you.

HON. KANTENGWA JULIANA [RWANDA]:

Thank you, Mr.

President. I must confess that I am also a Member of this Committee. I wish to commend the Chairperson for the Report that he has presented to us on behalf of the Committee.

Mr. President, earlier when the Budget Committee tabled its Report, we made note of the fact that the budget line for missions for PAP has been drastically reduced. I want to link this with the work of this Committee. When it comes to issues of peace building and the way Africa is conflict-torn everywhere, it becomes very imperative that PAP Members are able, at least, to send a fact finding mission to a conflict situation. Even if the AU Commission goes there, there is always that necessary eye of the people's representatives.

I will give you the example of Chad. When the PAP sent a fact finding mission to Chad after the events of 13th April, 1996, I suppose, when we went there, we found that the AU had gone there twice. But everybody we talked to, told us: "At least you came and are listening to our problems; you are talking of dialogue and giving us advise. These ones came giving us orders." It is no wonder they were giving orders because they are from the Executive.

So, the parliamentary dimension is always different from other people. So, as long as we want to reach out to the African people, they must be able to see their representatives.

I end up by calling upon you, Mr. President, that you continue using your good office to continue advocating with the African Union to understand actually the role of parliamentarians in the whole of this business, especially, Sfin peace building. We reach out and touch the hearts and minds of the people who are involved in the conflict much more than the officials of the AU. We could go together, but we have the techniques to reach out to them.

I thank you.

HON. INZOUNGOU-MASSANGA ZELY PIERRE [CONGO]:

Merci bien Monsieur le Président.

Je vais associer ma voix à celle des collègues qui ont félicité le président de la Commission, pour la clarté ou la qualité de son rapport.

Je pensais qu'on pouvait, puisque cette Commission nous avait habitués à des rapports très fouillés et qui collent à l'actualité, envisager de regarder la situation de Madagascar, nous dire quelles sont les évolutions actuellement, de même que la situation en Guinée Bissau qui vient d'être ébranlée par un coup d'État. Je pensais que cela tenait lieu d'actualité et que la Commission pouvait dire quelque chose sur ces pays.

Et, puis, il y a un cas tout à fait exceptionnel: c'est l'élection qui va avoir lieu en République Centrafricaine.

Vous vous souviendrez, Monsieur le Président, que le Parlement panafricain a commis plus d'une mission en République Centrafricaine, pour essayer de voir le problème d'insécurité ou d'affrontements qui se passait dans ce pays. Et, voici que l'ancien Président qui avait été renversé par un coup d'État, a été autorisé à revenir au pays, mieux jusqu'à présenter sa candidature à l'élection présidentielle. Il s'agit d'Ange Félix Patassé.

Ce serait, de mon point de vue, intéressant pour la Commission d'étudier, de regarder, de suivre cette expérience, pour voir comment tout cela va se développer, parce que c'est un cas tout à fait particulier. Souvent, les Chefs d'État sont renversés, mais ne sont pas toujours autorisés à revenir dans leur pays, mieux à participer à l'élection présidentielle. C'est un cas que, certainement, la Commission devrait suivre sérieusement.

Voilà ma contribution, à ce niveau, Monsieur le Président, sur le rapport de la Commission. Merci

HON. OUADDADI CHEIKH AHMED EL-HEIBA [SARAHAWI REPUBLIC]

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HON. ABDUSELAM AHMED HASSEN [ETHIOPIA]:

Mr. President, I would like to thank you for this opportunity.

The first concern that was raised was why the Committee is not dealing with the situation in Ivory Coast and Cote D'Ivoire. The Committee was also asked why we are not dealing with the question of Djibouti, Madagascar, Guinea Conakry and Guinea Bissau and a number of other countries where there is conflict.

Mr. President, let me explain that the way issues are tabled to us very often is through Hon. Members and Committees sitting down and drawing their agenda and then, giving it to professional support staff. In the past, the Institute of Strategic Study Services (ISSS) was working in close collaboration with our Committee. They would come up with very up to date, balanced and detailed professional studies. Based on that, we discussed at the Committee stage and we were then comfortable to bring much more reasoned recommendations and resolutions to the Plenary. We have not been in that position since I became the Chairperson. We have been trying to negotiate with the ISSS regularly, but they have not responded to us. For some reason, we have almost come to the conclusion that they do not want to work with us. Therefore, we need to find another institution that will assist us. Otherwise, we have drawn terms of reference that were sent to them to look at. We have given them our action and the strategic plan, but there has been no response. Therefore, we have concluded that they do not want to work with us because we have done our part. We are therefore, looking to sign some sort of agreement with another institution.

On the issue of Niger, there was a question that we had condemned in the past, the change of Constitution of Mamadou Tandja. How is it that we did not bring this in line with our current resolutions? It a fact, obviously, to say that this is what exacerbated the military take over. That is the logic.

Mr. President, at the PAP, we are totally against any form of unconstitutional change of power. So long we are part of AU organ; we should be the voice that will champion for AU protocols and efforts. Therefore, unconstitutional change of Government is condemned at all times. There is no justification for a military takeover of power. We cannot support it because this is why militaries have come into power. We cannot afford to do that.

Mamadou Tanja may have made his mistake. There are peaceful ways of fighting him, but the military should stay out of politics in Africa. This is what we must always stand for. We condemn the fact he isolated a great chunk of the Opposition when he went into the referendum with a new Constitution and extended his stay. We condemn that, but that does not give anyone an excuse to support military take over. We should never support military take over's for whatever reason. We should stand firmly and condemn that. I am not saying that the contributors have done that. I am simply saying that this must be the position of PAP.

I do not think that we need to reiterate if, in fact, the resolution is weak. If we think it is weak then, we can always review it. But I assume that this was in line with ECOWAS and AU recommendations. What we came up with or crafted is more or less in line with that.

As for the support of the Committees, obviously, I explained how we used to operate in the past. There has been a gap now because in 2010 we have not signed a new memorandum of understanding with institutions that used to work with us. They have now dragged their feet and because of that, we need to find other institutions that are prepared to work with us. That is all I can say.

I thank you, very much

(Applause)

LE PRÉSIDENT:

Merci beaucoup, Monsieur le Président.

Je propose que nous prenions acte du rapport d'activités de la Commission, enrichi par vos contributions, notamment par les propositions des pays à mettre dans le calendrier de la Commission, nous avons cité la Côte d'Ivoire, Madagascar, la Guinée Bissau, la République Centrafricaine, la République arabe sahraoui démocratique.

Notez, avec moi, que les résolutions et les recommandations de la Commission trouvent écho, d'une part, auprès de la résolution de mai 2009, condamnant les coups d'État constitutionnels, d'autre part, la déclaration du 28 février 2010, du Président du Parlement panafricain condamnant le coup d'État au Niger, et demandant le rétablissement, concernant les élections libres et démocratiques.

D'autre part, nous avons dit, tout à l'heure que le Parlement panafricain va faire écho de la demande de libération des six prisonniers et enfin les résolutions font écho du message de solidarité que le Parlement panafricain a adressé à l'endroit du peuple haïtien.

Si vous êtes d'accord, nous pouvons prendre acte du rapport d'activités avec ces observations.

(Applaudissements nourris)

Merci beaucoup.

3.0 DISCOURS DE CLÔTURE DE LA DEUXIÈME SESSION ORDINAIRE

Honorables membres du Parlement Panafricain,

Nous sommes arrivés à la fin de la 2^{ème} Session ordinaire de la 2^{ème} législature du Parlement Panafricain.

Je vous félicite pour votre assiduité et votre endurance.

Cette session nous a donné l'opportunité d'écouter plusieurs intervenants, parmi lesquels nos éminents invités, lors de la cérémonie d'ouverture et pendant tous nos travaux.

Certains nous ont lu des messages de solidarité empreints d'encouragements; d'autres sont venus nous parler de leurs activités, notamment le Représentant du Président de la Commission de l'Union africaine le Dr. Maxwell

MKWEZALAMBA, Commissaire aux Affaires économiques, qui nous a fait l'économie du rapport d'activités de la Commission de l'Union africaine et de celui du Conseil de Paix et de Sécurité de l'Union.

À la suite, le Représentant du Directeur Général de l'Organisation Internationale du Travail (OIT), M. Charles DAN, Directeur régional de l'OIT pour l'Afrique nous a entretenus sur le travail décent en Afrique qui, malheureusement, reste un problème de premier ordre pour toute l'Afrique.

La question des Droits de l'Homme a été au centre de nos débats, avec la présentation par Madame Reine Alapini Gansou, Présidente de la Commission africaine des Droits de l'Homme et des Peuples, qui a bien voulu nous informer de la situation des droits de l'Homme sur le continent, les Droits de l'Homme et des Peuples qui sont des valeurs fondamentales et sacrées.

La Fédération internationale pour le Planning familial, à travers l'intervention de son Directeur du Bureau régional pour l'Afrique de l'IPPF, nous a instruits sur toutes les actions que mène cette institution, en vue d'apporter des débuts de solutions aux problèmes de planning familial et de santé de reproduction, en Afrique.

Les débats qui ont suivi, chaque jour, montrent à suffisance l'intérêt que nous accordons, tous, aux problèmes de notre continent. Toutefois, il ressort le rôle prépondérant que nous devons jouer, et la place que nous devons occuper sur le terrain, car ne l'oublions pas, c'est grâce à nos populations que nous siégeons à Midrand, en Afrique du Sud, au Parlement panafricain.

Le Bureau vous a présenté le nouveau Secrétaire général et la nouvelle Secrétaire générale adjointe, chargée des Affaires législatives. Ces deux hauts cadres du Parlement panafricain qui se sont présentés à nous, seront très bientôt en activité au niveau de leurs postes de responsabilité.

Honorables membres du Parlement panafricain,

Malheureusement, un point particulier de notre ordre du jour a suscité un débat mais, faute de quorum, nous n'avons pas pu adopter les amendements au Règlement intérieur. À cet effet, je vous invite à réfléchir avec notre Commission Règlement sur ce problème qui devient récurrent.

Honorables membres du Parlement panafricain,

Distingués invités,

Dans quelques jours, l'Afrique va vibrer au rythme de la Coupe du monde de football 2010. Cet événement révèle une occasion particulière et unique pour notre continent de montrer au monde entier que nous aussi, nous sommes en mesure de relever le défi non seulement de l'organisation, mais aussi de la participation.

La qualité de nos équipes nationales qualifiées et la prestation de nos footballeurs dans les meilleurs championnats du monde nous permettent d'espérer une place plus qu'honorable à cette compétition mondiale, comme nous l'avons souligné dans nos propos, à l'ouverture de cette session.

J'encourage tous les parlementaires à s'unir derrière l'Afrique du Sud, pays organisateur et pays hôte de notre Institution.

Enfin, au nom du Bureau, je saisis cette occasion pour vous remercier, vous tous, qui avez participé à cette 2^{ème} session ordinaire de la 2^{ème} législature, pour avoir contribué à son succès.

En votre nom, je félicite le Secrétaire général par intérim et toute son équipe, pour tout le travail accompli pendant les préparatifs et au cours de la présente session. Je vous souhaite à tous plus d'engagement et encore plus de dévouement.

Je remercie également tous ceux qui ont joué un rôle derrière les rideaux, à savoir les interprètes, les traducteurs, les huissiers, le Protocole, la Presse, les agents de sécurité, les chauffeurs et tous ceux que nous n'avons pas vus en plénière, mais qui ont contribué au succès de cette session.

À vous tous, je dis bon retour dans vos pays respectifs.

Honorables membres, je déclare clos, les travaux de notre 2^{ème} Session ordinaire de la 2^{ème} législature.

Je vous remercie!
(Applaudissements)

La deuxième session ordinaire de la seconde législature est close à dix-neuf heures huit minutes sine die.