

African Union, African Regional Bodies

Activity Report of the Pan-African Parliament, July 2012 to May 2013

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Activity Report of the Pan-African Parliament, July 2012 to May 2013

1. Introduction

The unconstitutional change of governments in various AU Member States should not be viewed in isolation, from the ever growing gap between the governments and the governed. This feeling of exclusion is compounded by the crisis of democracy and bad governance thereby threatening the credibility and legitimacy of governments of many States.

Thus, it cannot be gainsaid that the building of parliamentary democracy requires that the views of the people are represented in the decision making process by the democratically elected representatives and that the legislatures are allowed to play the critical role of oversight functions over the actions of the executive authorities; and this is increasingly pivotal in ensuring sustained political stability on the Continent.

This is no doubt about the philosophy which underpinned the establishment of the Pan-African Parliament as the organ to the African Union with the mandate of promoting democracy, rule of law and good governance. Hence the rationale for the decision of the Assembly that the PAP Protocol be reviewed to meet the evolving needs of the continent.

Against the above background, this report highlights some of the important activities of the Pan African Parliament, between July 2012 and May 2013, showing the progress made and the challenges encountered so far. The report covers the areas of our legislative business, administration, emerging issues in execution of our statutory mandate, our relationship with the African Union, our sister organs of the AU and that of our partners since the period under review.

2. Progress report on the implementation of the PAP approved structure

The PAP would like to use this opportunity to thank the Permanent Representatives' Committee and the Executive Council for approving a structure for the Pan African Parliament. We have now commenced implementation in accordance with the recommended implementation methodologies.

The Bureau of the PAP is approaching the process with unwavering commitment, to ensure our institutional credibility, integrity and fairness. The Bureau launched the implementation programme with a series of meetings held with the staff of the PAP to ensure effective participation and ownership of the process.

The latest of the several general staff briefing sessions was held on 01 March 2013 at which the President and the Bureau presented and explained in detail to staff, the approved structure. The Bureau was able to respond to the questions and clarifications sought, regarding the application of the recommended implementation methodologies and to what extent the existing staff interest would be protected. The staff briefing session was immediately followed by the setting up of an eight (8) member PAP Structure Implementation Plan (PSIP) Committee and drew representation from all categories of staff.

Guided by clear terms of reference and rules of procedure, the PSIP Committee held intensive deliberations over the period 7-20 March 2013 and submitted a report to the President. The report presented recommendations on the following:—

- a. Principles and guidelines in the implementation of the approved structure;
- b. Processes in the implementation of the structure;
- c. Procedures in the filling of the approved positions;
- d. Need for an independent management consulting firm to aid the process;
- e. Prioritization and sequencing of filling of approved positions;
- f. Financial implications of the prioritized positions for 2012 and 2013 recruitment plans;

g. Draft implementation plan.

Guided by proposals and an implementation plan put forward by the PSIP Committee and endorsed by the President after appropriate adjustments, PAP is now on a systematic and participatory process in the launch of the implementation of the approved organisational structure. Thus far, it has made the following progress:

- (i) Prioritised 48 positions which will be competitively filled in the structure.
- (ii) Through an invitation to bid, PAP is processing the appointment of an independent firm of management consultancy with outstanding global reputation in HR management and recruitment to work with the Office of the President in the process of selecting and recruiting candidates to fill the 48 positions for the 2012 and 2013 recruitment plans. Out of the internationally reputable three firms that have topped the list, namely, Ernst & Young, KPMG and Deloitte, Deloitte was appointed.
- (iii) A service delivery contract has been signed between PAP and the firm and the assignment delivery Schedule finalised in the first week of May 2013. PAP has succeeded in securing financing support from GIZ to pay for consultancy services.
- (iv) PAP has already developed standard job profiles for all 48 positions and fully aligned them with identical positions at the African Union Commission and reputable international regional organisations with similar mandates.
- (v) Vacancies announcement has been uploaded in the PAP website for the 48 positions.
- (vi) PAP will be contacting AUC shortly for appointment of resource persons at very senior professional levels who will sit on the interview panels for the positions of Clerk of Parliament, Deputy Clerks and Heads of Divisions (D1, P6 and P5-level positions) as well as Principal and Senior Officers who will represent the AUC on the interview panels for candidates P4-GS category positions.
- (vii) In line with AU guidelines, the positions will be advertised over a period of two months.
- (viii) Interview panels comprising AUC, the independent management consulting firm, Office of the President of PAP and Bureau would be constituted. The interviews are expected to have been concluded by August, 2013.

While the PAP assures of its commitment to implement the structure in compliance with the implementation methodologies, there is need for continued support and co-operation of all stakeholders particularly the policy organs of AU to ensure a successful implementation of the structure by providing the necessary recruitment funding to take care of the process as well as fallouts of the exercise vis-a-vis the cost of the separation of the existing staff that may not be successful in the end.

3. Re: Amendment of the PAP Protocol

The proposed amendment of our Protocol, still before the Summit of Heads of States, remains of great interest and concern to the members of the Pan african Parliament and other critical stakeholders.

It will be recalled that following the decision of the Assembly of Heads of State in 2009, requesting the AU Commission to initiate the review process of the Protocol establishing the Pan African Parliament, the transformation process of the Parliament began in earnest.

The draft amended Protocol underwent several rigorous validation meetings and workshops facilitated by the AUC and Government legal experts and was finally approved without reservation by Ministers of Justice and Attorneys General in May 2012. The PRC in July 2012 approved the Draft. The Executive Council also approved the draft but with reservation on Article 8(1) (a) and Article 8(2), both dealing with legislative and oversight functions of the Parliament. On the other hand, the Assembly deferred all legal instruments including the PAP Protocol for consideration at the next ordinary session in January 2013.

At the 20th Ordinary Session of 27-28 January 2013, the Assembly of the Union after their debate for and against the draft Protocol, took note of the recommendation of the Executive Council contained in its Decision EX.CL/Dec.707(XXI) on the Protocol and decided that more in-depth consultations should be undertaken on the draft Protocol, with respect to its Articles 8.1(a) and 8.2 on legislative and oversight

powers. The Assembly therefore decided to defer consideration of the draft Protocol to the next Ordinary Session in May 2013.

Against the above background, the PAP embarked on a number of advocacy missions to some countries and explained to the stakeholders including Heads of States, Foreign Ministers and Presidents of the National Assemblies, the necessity for the amendment of the Protocol, limit of the powers of the parliament and allayed their fears and concerns about the proposed amendment. For the avoidance of doubt, the draft Protocol only gave the PAP legislative functions and not legislative powers as understood in the sense of the powers of National Parliaments. Thus, the PAP with legislative functions will not possess the legal capacity to make laws binding member States without specific adoption by the Assembly and subsequent ratification and domestication by National Governments. In fact, Article 8(1)(a) clearly states that the Assembly shall have the power to determine the subjects/areas on which the PAP may legislate or propose model laws and such draft model laws shall be submitted to the Assembly for its consideration and approval. This means that the PAP cannot even embark on any legislative process without the approval of the Assembly.

With regard to the oversight functions provided for, in Article 8(2) of the draft Protocol, it is our humble submission that these oversight roles are already provided for in the existing Protocol of the PAP in Articles 11(1), (2) and (5) and were merely carried over to the draft Protocol. We are therefore convinced that the time has come for the Pan African Parliament to begin the gradual and phased acquisition of legislative functions in areas clearly defined by the Assembly.

Furthermore, the PAP is convinced that a transformed Pan African Parliament with legislative functions is strategically needed as a catalyst for the achievement of the much desired continental integration agenda and deserves to be endowed with the capacity to develop the necessary legislative framework for the integration process. On the other hand, a transformed PAP is needed to provide the African Union governance architecture with an organ that has sufficient capacity to facilitate the implementation of the decisions of the Assembly.

We hope to intensify the advocacy on the issue which will now be considered by the Assembly in the January 2014 Session because the AUC has informed us that due to the 50th Anniversary celebrations in May 2013 all legal instruments for consideration have been deferred to January 2014 as scheduled.

4. **The Speakers' Conference**

The 5th Annual Speakers Conference was hosted by the Pan-African Parliament, on the 30th and 31st August, 2012 in Midrand, South Africa. The Conference which was very well attended, provided a platform for the PAP to interact and exchange ideas with the leadership of our Regional and National parliaments and other critical stakeholders on how we can be more effective in our efforts to deepen parliamentary democracy, integration and to achieve development for the peoples of Africa in line with the core objectives of the African Union.

Specifically, the conference addressed issues that centred on "The role of National and Regional Parliaments in facilitating regional and continental intra trade for shared development; and the provision of empowerment and employment opportunities for our teeming unemployed youths". The theme of the Conference was deliberately chosen against the backdrop of the important and urgent need to promote intra-African trade, the absence of which has been a missed development opportunity. At the end of the conference, members among other issues resolved as follows: The Speakers affirmed their support for the review of the Protocol establishing the PAP and the need for the PAP to have legislative powers and oversight functions. The conference acknowledged the significance of the outcome of the process towards democratization of Africa and the urgent need to promote intra-African trade by reducing trade barriers like customs, immigration, tariffs, etc to enhance development

5. **Women Parliamentarians' conference**

The Pan African Parliament annually organises the African Women Parliamentarians' conference with the theme, "**the Role of Parliamentarians in Promoting Maternal, Newborn and Child Health in Africa**".

The Conference made far reaching recommendations which recognized the critical role of parliamentarians in contributing to the accelerating progress to achieve MDGs 4 and 5 which focus on the health of women and children, and also impact of MDG 6 issues HIV and AIDS, TB and malaria and the urgent need to engage with health, and relevant non-health sectors for a multi-sectoral approach to improving the health of women and children through improved policy and investment in the health sector; and tackling non health sector challenges such as Gender Inequality, Lack of Access to Clean Water, Improved Nutrition, Improved Sanitation, and Improved Education for Human Resources for Health.

After its deliberations, the conference stressed on the need for the oversight functions of the parliament to ensure the strengthening of the efficiency and effectiveness of maternal and child health interventions through monitoring of the activities of the relevant agencies and parastatals, including special regional and country level parliamentary hearings on the state of maternal, newborn and child health for improved accountability.

6. Committee activities

6.1 Alignment of PAP Committees with Departments of the African Union Commission (AUC)

By the provisions of Article 25 (2) of our Rules of Procedure, the Pan-African Parliament permanent Committees shall handle business that is ordinarily handled by the corresponding Specialised Technical Committee responsible to the Executive Council in accordance with Article 14 of the Constitutive Act.

In compliance with the above mentioned provision, the Pan-African Parliament, during the First Ordinary Session of its Third Parliament, adopted a Resolution PAP/P (3)/RES/03(I) related to the alignment of its Permanent Committees to the Departments of the African Union Commission. It was then decided that the PAP organises its Permanent Committees Statutory meeting at the AUC Headquarters in Addis-Ababa, Ethiopia on March 11-15, 2013. Thus, the PAP Permanent Committees held joint meetings with their AUC counterpart Commissions and Departments.

The objective of the meeting was to identify the areas of collaboration and mechanisms of engagement between the PAP Committees and the AUC Commissions and Departments. This will also help to create a synergy between PAP Committees and the relevant AUC Departments. The PAP is glad to report that the meetings were successful and the PAP enjoyed the full co-operation of the Commission. A follow-up retreat between AUC and the PAP has been scheduled for August 2013.

7. Institutional activities

The Pan-African Parliament is cognisant of the need to fulfil its mandate as stated in Article 3.1 of the Protocol to the Treaty establishing the African Economic Community relating to the Pan-African Parliament to "facilitate the effective implementation of the policies and objectives of the African Union".

The decisions of the African Union, particularly those taken during the Assembly of Heads of State and Government at Sharm el Sheikh as well as the Executive Council's Decision EX.CL/DEC. 526(XVI), calls on the PAP to assist in advocacy and in the sensitisation of Member States so as to accelerate the process of signing/ratification/accession to the OAU/AU Treaties.

As part of its mandate, the PAP is requested to promote and coordinate the ratification, domestication and popularisation of the AU instruments such as the African Charter on Values and Principles of Public Service and Administration and the African Union Convention on Preventing and Combating Corruption which are the key instruments to support the African Governance Architecture (AGA).

In strengthening the African Governance Architecture (AGA), the 16th conference of Heads of States affirmed the importance of establishing an African Governance Platform (AGP) as an arm and a basis for facilitating harmonisation of instruments and coordination of initiatives in governance and democracy.

The PAP is an integral element of the African Governance Architecture (AGA) and also a key stakeholder of the Platform.

In carrying out its role, in the popularization and implementation of the African Charter on Democracy, Elections and Governance (ACDEG) the Pan african Parliament (PAP) has participated in the following activities:

- (i) ***The Regional Parliamentary Meeting on African Governance Platform and Promotion of African Union Legal Instruments - "Promoting Good Governance in Africa" Rivers State House of Assembly, Port Harcourt, Federal Republic of Nigeria on December 05 and 06, 2012.***

The Regional Parliamentary Meeting on African Governance Platform and Promotion of African Union Legal Instruments held under the theme, 'Promoting Good Governance in Africa', was held at Rivers State House of Assembly, Port Harcourt, Federal Republic of Nigeria on December 05 and 06, 2012.

The objectives of the meeting were to:

- a) Raise awareness and build capacity amongst Parliaments in the West African Region on the need to ratify and domesticate the instruments that form the basis of the African Governance Architecture (AGA) namely: the African Charter on Democracy, Elections and Governance (ACDEG); the African Union Convention on Preventing and Combating Corruption and the African Charter on Values and Principles of Public Service and Administration.
- b) Increase the number of Parliaments to ratify and/or domesticate AU instruments on AGA.
- c) Build Parliamentary capacity in the ratification and domestication of AU instruments; and
- d) Build the capacity of PAP Committees in their oversight function of AU instruments.

The meeting which was hosted by the Rivers State House of Assembly, was attended by PAP Members from the West Africa Region as well as parliamentarians from other regions who included PAP Bureau Members, PAP Committee and Caucus Bureaus, representatives of Regional Parliamentary Assemblies, the African Union organs and partners such as United Nations Development Programme (UNDP), Electoral Institute for Sustainable Democracy (EISA), Conference of African Ministers of Public Service (CAMPS), the Media and other distinguished invited guests.

- (ii) ***High level consultation on governance and democracy in africa. Dakar, Senegal from november 28th-30th, 2012***

The Fourth Vice President of the Pan african Parliament (PAP) attended the High Level Consultative Meeting to deliberate on issues relating to trends, challenges and prospects of Governance and Democracy in Africa held from November 28th to 30th, 2012 but preceded by expert meeting held from November 26th to 27th, 2012. The event was attended by senior leadership of the AU organs, governance, democracy, peace and security experts from the AUC, academia, think tanks, Civil Society Organisations (CSOs) and development partners across Africa.

The consultation meeting aimed primarily to explore and examine Africa's evolving governance and democracy challenges, threats, and the capacity of the AU to facilitate the emergence of a conducive environment amongst Member States for democracy building and consolidation. The focus of the consultation had been on issues relevant to democracy building and consolidation.

- (iii) ***Consultation on the Implementation, Monitoring and Evaluation of The African Charter On Democracy, Elections And Governance from February 14 to 16, 2013 in the King Fahd Hotel, Dakar, Senegal.***

The general purpose of these consultations is to achieve the effective and efficient implementation of the Charter in order to positively influence the lives of African people on participatory, accountable and inclusive democracy issues.

The sessions focused on the substantive content of the Charter, the role of AU organs, Institutions and other stakeholders on the implementation of the charter. It was particularly noted that it is

imperative that there is a positive consideration of the role of National Parliaments and the Pan African Parliament as oversight bodies on the implementation of the Charter together with other stakeholders like civil society, media and think tanks.

(iv) ***Joint Advocacy missions for ratification of the African charter on democracy, elections and governance in order to increase adherence to the charter***

The Joint Advocacy Missions are composed of: Department of Political Affairs AUC, the Pan African Parliament, regional economic communities and CSOs. The objective of the Joint Advocacy Missions is to meet concerned players (Parliament, Government, Civil Society).

A joint team of the AUC, the Pan African Parliament and Regional Economic Communities led by the First Vice President of the PAP, Hon. Roger Nkodo Dang went on an advocacy mission with the highest authorities of Gabon and the Central African Republic from 27 February to 8 March 2013, for the ratification and domestication of the Charter.

(v) ***The Inter-organ meetings***

The PAP continues in its philosophy of promoting closer relations between itself and other complimentary organs of the Union. The PAP believes that good intra-union governance through better inter-organs collaboration will go a long way towards improving on the management of resources in the Union.

In view of the above, the PAP works closely with the African Court of Justice, AfCHPR, ACHPR, NEPAD, APRM and ECOSOCC, to promote closer ties. At various sessions of the PAP, Heads of Organs of the AU are invited to present goodwill or solidarity messages.

Pursuant to the above, an inter-organ meeting of some organs of the African Union was held in Port Harcourt-Nigeria at the sidelines of the Regional Parliamentary meeting. The meeting was organised by the Pan African Parliament and sought to discuss ways and means of how the different AU Organs with people centered mandates can work together to achieve their respective mandates more effectively. The initiative of PAP in organising this was based on the recommendations of the AU Institutional Audit of 2008. At the heart of this initiative is the realisation that the peoples of Africa strongly desire and expect that the AU should achieve its vision of becoming "**people-centered and people driven**". The mandate of the PAP, ECOSOCC, ACHPR and the African Court of Justice are people-centered, therefore these organs need to synergise and present a common front on issues of common interest before the African Union e.g in the areas of budgeting, funding and relationship with the African Union Commission. The meeting finally resolved to prepare and sign a memorandum of understanding defining the areas of co-operation and the operational roadmap.

The Port Harcourt meeting was followed by another meeting which was held at the AUC Secretariat in Addis Ababa on 26th. of January 2013. The meeting resolved that:

- There was the need for the consultative meeting of all the people centered organs which should be formalised through a memorandum of understanding showing the roadmap of its operation;
- Each organ will go home with the draft MOU to be studied, discussed and to come up with suggestions or inputs for consideration at the next Inter-Organ meeting; and
- There was the need for a meeting with the leadership of the AUC in connection with the Inter-Organ meeting.

In relation with the PRC, the PAP is happy to report that the co-operation between the Pan-African Parliament and the Permanent Representatives' Committee (PRC) which commenced in 2010, was followed by meetings in 2011 and 2012. The main subjects of discussion has been the need to build strong synergies in order to facilitate the implementation of Assembly decisions and sharing of common responsibilities according to each organ's mandate in order to improve governance of the Union.

At the meeting of the two Organs held in Addis Ababa, Ethiopia on 18th December 2012, it was agreed that the two Organs as they share a mandate to look into the budget of the Union should

work to develop mechanisms to hold joint budget meetings, that is, the PRC Sub-Committee on budget and PAP Committee on Monetary and Financial Affairs. The PRC supported the possibility of PAP in line with its current mandate, to be presented the budget of the Union for debate before consideration by the Executive Council. The two Organs finally resolved that their Bureau should meet at least once a year to monitor progress in the gradual development of the co-operation.

(vi) ***PAP/UN Global Dialogue -February 27 and 28th February 2013***

The main Global Dialogue meeting took place on February 27 and 28th February 2013. The Pan African Parliament had a series of high level panel discussions on Governance-Post 2015 on February 26, 2013 as a precursor to the main event to reflect on matters pertaining to governance, peace and security; given the fact that the PAP is mandated by the Protocol establishing the PAP to "encourage good governance, transparency and accountability in Member States" (Article 3:3).

8. External relations

The PAP has continued to develop and consolidate good working relations with other international institutions and partners in pursuit of its mandate and institutional interests. Notable amongst these include the following: Organs of the Union, the RECs and their Parliamentary fora (CEMAC, ECOWAS, EAC, IGAD, SADC, etc); the United Nations Organisation bodies (UNDP, UNAIDS, ETC); the IPU, Europe Parliament under the aegis of the Africa - Europe Strategy co--driven by the AU; the Arab Parliament; Parliamentary Assembly of the Orthodoxy; the IPPF; the GIZ; African Capacity Building Foundation (ACBF); Japan International Co-operation Agency (JICA); etc.

9. Election Observer Mission (EOM)

We are cognizant of the fact that in accordance with Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan African Parliament, the objective of the Pan-African Parliament is to among others, promote the principles of human rights and democracy in Africa.

Against the above background, the Pan-African Parliament participated in Election observer missions in a number of the AU Member States in conformity with the Executive Council Decision No EX.Cl/Dec.534 (XVI) that election observation by all the AU organs must be conducted under a centralised budget. The Parliament contributes 40% of Observers to the African Union Election Observer Missions.

Thus, the PAP participated in election observation missions in the following countries: Senegal (9), Gambia (7), Congo (6), Libya (10), Burkina Faso (8), Sierra Leone (9), Ghana (9), Djibouti (7) and Kenya (15).

It must be observed that, the representation of PAP at these Missions has been very challenging for the Honourable Members of the Parliament. This is largely due to a number of factors including:

- Non involvement of the PAP in Pre-election assessment missions
- Non inclusion of the PAP in the designation of mission leaders
- Lack of coordination and deployment plan
- The Marginalization of the PAP at both the planning stage and report writing stage.
- Travel of Members in Economy Class even in instances where the distance from their countries of departure is more than eight hours.
- The Low rate of per diem which cannot sustain their participation, coupled with poor coordination.

The Bureau has taken up the above issues with the relevant authorities including the Deputy Chairperson of the AUC and the Commissioner of Political Affairs and we hope that they will be duly addressed soonest.

10. Finance and resource mobilisation

The PAP has been plagued with inadequate financial base especially to undertake its projects and programmes as the AU Financial Budget Allocation has mainly been for staff salaries and operational

purposes. However, following the withdrawal of some donor partners from supporting the PAP due to perceived financial irregularities, strong efforts have been undertaken, including jointly with the AUC, to solicit donor support to carry out our planned projects and programmes in line with our Strategic Plan. In this regard, we are glad to report that the sustained effort by the PAP to mobilize fund for the restructuring and improvement in the management of the PAP and execution of our programmes has encouraged our traditional partners: ACBF, GIZ, EC and UNDP to extend their kind support to the PAP.

We remain indebted to these partners and promise to live up to expectation in terms of transparency, accountability and effectiveness in the utilization of donor funds.

Memorandum of Understanding with UNAIDS

It might be interesting to report to you that on the sidelines of the just concluded 19th Summit of Heads of State of the African Union in Addis Ababa, Ethiopia, I was privileged to sign a Memorandum of Understanding on behalf of the Pan African Parliament with the Joint United Nations Programme on HIV/AIDS (UNAIDS) calling for strategic partnership to advance sustainable responses to HIV and address key human rights challenges in Africa. Through this partnership, UNAIDS and the Pan African Parliament will work with legislators from across Africa by empowering them with up-to-date knowledge and information on the HIV epidemic. The legislators will also become high-level advocates for the HIV response by ensuring national and regional accountability, implementing non-discrimination laws and encouraging governments to commit the necessary resources to fight the pandemic.

As a follow up action, on 15 and 16 March 2013, the PAP in collaboration with UNAIDS organised a Parliamentary Dialogue on, "Strengthening the AIDS response" for Members of PAP in Africa in Addis Ababa, Ethiopia. The PAP was represented by Members from mainly the Committees on Trade, Justice, Health, Gender and Finance. The main objective of the forum was to facilitate exchange of experiences, sensitise and engage Pan African Parliamentarians in the AIDS response at the continental, regional, national and sub-national levels and develop a common agenda by which PAP Members could strengthen the AIDS response.

11. Budgetary challenges

It cannot be gainsaid that for the PAP to effectively and efficiently carry out its mandate, it must be facilitated with a corresponding budget. The PAP cannot depend on funding from partners to implement activities particularly those directly linked to its statutory objectives.

Unfortunately we have been experiencing zero budgetary growth vis-a-vis the normal approved budgetary allocations to the PAP for our programmes. The situation compels us to depend on donor partners most of the time to be able to execute most of our programmes. We are hoping that our budgetary allocation will be improved upon to enable the PAP execute its programmes.

12. Fact finding missions to areas in conflict

12.1 Mali - June 26 to 30, 2012

Following the unfortunate events that led to the degradation of the socio-political situation in Mali, the Pan-African Parliament fielded a mission from 26 to 30 June 2012 with a view to gathering information and proposing solutions to resolve the crisis.

At the end of the mission, in light of the prevailing situation in Mali and on the basis of the information gathered, the mission of the PAP passed the following pertinent resolutions among others:

- (i) The urgent organisation of an inclusive national dialogue between all Malian socio-political strata based on a true policy of reconciliation.
- (ii) The putting in place of a government of national unity in accordance with the recommendations of the Framework Agreement signed between ECOWAS and the National Committee for the Restoration of Democracy and State (CNRDRE).

- (iii) The total respect of the Framework Agreement with the departure of the military from the political scene.
- (iv) The urgent need to reform the Malian army and define the role of the CNRDRE during the transition.
- (v) The need for the international community to assist the Malian authorities to fight against the different movements of destabilisation in the North of Mali.

12.2 Sudan and South Sudan - September 03 to 14, 2012

Within the framework of promoting the principles of human rights and democracy, good governance and the rule of law in Member States, the Pan-African Parliament(PAP) resolved to send a Fact-Finding Mission to look into the issue of escalating tensions between the sister States of Sudan and South Sudan with a view to collect information and inform the PAP based on a comprehensive and evidence-based report for consideration.

In light of the situation prevailing in Sudan and South Sudan and on the basis of the information gathered, the Mission recommended amongst others that:

- (i) The AU and other parties in the mediation process should use all possible avenues to exert sufficient pressure for the two countries to find solutions as a matter of urgency to avert further tension.
- (ii) The two parties should unconditionally accept the establishment of a buffer zone and commit to the immediate cessation of hostilities and withdrawal of the armed forces to their sides of the border in compliance with the United Nations Security Resolution and the Roadmap of the African Union Peace and Security Council.
- (iii) That on their part, the two countries should put in place sensitisation programmes to assist their people to build bridges caused by the conflict and encourage reconciliation.
- (iv) The centuries old traditional rights acquired by the Northern nomadic tribes and recognised by the Southern tribes to seasonally migrate in search of fodder and water for their livestock should not be politicised at all.
- (v) That, the two Sudans be made to institute policies that will ensure the protection and free movement of citizens from either country in keeping with International Humanitarian Law.

Thus, the two countries stand to prosper in a peaceful coexistence but a resort to war will only leave their countries impoverished and render that huge land mass of Africa ungovernable.

Conclusion

The foregoing in a nutshell, represents the activities of the PAP from July 2012 to May 2013. However, the challenges no doubt remain daunting, particularly having regard to our obligation to implement our transformation agenda with inadequate resources. Nevertheless the commitment and determination of this Bureau to continue to serve the African Union with tenacity of purpose and even greater vigor remains unwavering. The PAP must however continue to solicit for your continued support and encouragement with improved budgetary allocation as we face the months ahead, with renewed optimism.

In any case, we cannot conclude this report without renewing our request for your support in ensuring that the amended PAP Protocol is approved in its entirety as earlier approved by the Ministers of Justice and Attorneys General and the PRC, and thereby give the PAP the required impetus to more effectively deliver on its mandate. In our humble view, this is crucial and timely as regards making recommendations towards the harmonisation or co-ordination of the laws of African Union Member States to provide the enhancement of framework for the continental development and integration.