

African Union, African Regional Bodies

Recommendation on the free movement of people in Africa and the African passport

Legislation as at 18 May 2017

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African Union

Recommendation on the free movement of people in Africa and the African passport

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Commenced

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THE PAN-AFRICAN PARLIAMENT,

CONSIDERING Article 17 of the Constitutive Act of the African Union, which establishes the Pan-African Parliament (PAP) to ensure the full participation of the people of Africa in the development and economic integration of the continent;

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

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

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

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

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

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

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

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

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

NOW HEREBY RECOMMENDS THAT:

1. The African Union Member States ratify all instruments relating to facilitating the free movement of persons and goods within Africa and issuance of the AU Passport.
2. The Regional Economic Communities and National Parliaments initiate applicable legislation to domesticate and implement continental instruments on the free movement of persons and goods;
3. The African Union Commission initiate an inter-ministerial and inter-agency approach to analyse the consequence, trends and status of migration in Africa so as to compile credible data for informed policy formulation on migration;

4. The African Union Commission facilitate negotiations with the International Civil Aviation Organization (ICAO) for provision of international legitimacy of the AU Diplomatic Passport to enable its holders to travel outside Africa without the requirement for entry visas;
5. The African Union Commission organise inter-agency fora and consultations on the free movement of persons and the AU Passport so as to promote understanding of the concept, thereby enabling the various agencies involved in the process to prepare requisite systems and infrastructure for coordinated management of migration in Africa.

Adopted at Midrand, South Africa 18 May 2017