

PAN-AFRICAN PARLIAMENT

البرلمان الأفريقي



PARLEMENT PANAFRICAIN

PARLAMENTO PAN-  
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## FIFTH PARLIAMENT

Third Ordinary Session

6 to 18 October 2019

## RESOLUTIONS

*Theme for 2019: “The Year of Refugees, Returnees and Internally Displaced Persons: Pan-African Parliament’s Contribution Towards Finding Durable Solutions to Forced Displacement in Africa”*

**RESOLUTION ESTABLISHING THE ADOPTION OF THE MODEL LAW ON  
DISABILITY IN AFRICA**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the “full participation of the African people 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 regional cooperation, development and promotion of “collective self-reliance and economic recovery” as well as the implementation of the policies, objectives and programmes” of the African Union;

**CONSIDERING FURTHER** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of African Union Member States, inter alia through proposing and developing model laws;

**CONSIDERING FURTHER** the African Charter on Human and Peoples’ Rights and the United Nations Convention on the Rights of Persons with Disabilities, with the move from traditional charity-oriented and medical-based approaches, which guarantee equal rights to individuals regardless of their status, including disability;

**RECALLING FURTHER** the PAP Resolution on the Model Disability Law in Africa, which was adopted during the First Ordinary Session of the Fifth Parliament, in October 2018;

**RECOGNIZING** that persons with disabilities face discrimination and barriers that restrict them from participating in social life on equal basis with others, they are denied their rights to live independently in the community with social protection;

**WELCOMING** of the partnership between the Pan-African Parliament and Africa Disability Alliance to fulfil human rights for people with disabilities by promoting and mainstreaming disability within African Union Member States through the development of a Model Disability Law;

**APPRECIATING** the contributions from the regional consultations on the Draft Model Disability Law which provided an opportunity for African citizens, the grassroots organizations and other interested stakeholders to engage in the draft Model Law;

**APPRECIATING also** the technical support given by the Africa Disability Alliance to the Pan-African Parliament in the formulation of and consultations on the draft model law on disability, which will facilitate the domestication of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities as well as formulation of national human rights policies and legislations on disability;

**CONVINCED** that a comprehensive and integrated continental legislative framework to support the promotion and protection of the rights of persons with disabilities will make a significant contribution to redressing the profound social vulnerabilities of persons with disabilities and promote their participation in the civil, political, economic, social and cultural spheres, at both national and international levels;

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

**NOW HEREBY RESOLVES TO:**

1. **ADOPT** the Model Disability Law in Africa;
2. **REQUEST** the Bureau of PAP to submit the Model Disability Law to the AU Policy Organs for endorsement and use by the AU Member States;
3. **UNDERTAKE** advocacy activities for the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities and for the endorsement and use by the AU Member States;
4. **STRENGTHEN** the collaboration and exchanges among regional and national parliamentary bodies, with a view to enhancing the capacity of parliamentarians to monitor and promote disability mainstreaming in national policies and programmes, as well as the budgetary and legislative instruments.

**Adopted in Midrand, South Africa  
17 October 2019**

**RESOLUTION ON THE MODEL LAW ON FOOD SECURITY AND NUTRITION IN AFRICA**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the “full participation of the African people in the development and 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 regional cooperation, development and promotion of “collective self-reliance and economic recovery” as well as the implementation of the policies, objectives and programmes” of the African Union;

**CONSIDERING FURTHER** Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of African Union Member States, inter alia through proposing and developing model laws;

**RECALLING** the PAP Resolution on the development of a Model Law on Food Security and Nutrition in Africa, which was adopted during the First Ordinary Session of the Fifth Parliament, in October 2018;

**RECOGNIZING** that the majority of African countries are parties to the international conventions relating to food security and nutrition (FSN), such as the International Covenant on Economic, Social and Cultural Rights, and that the right to adequate food is explicitly or implicitly enshrined in the national Constitutions of many countries in Africa;

**NOTING that** FSN policies and frameworks that are anchored in legislation are relatively more effective and foster sustainable improvement of FSN, and the need to address structural challenges, specific policies, programmes, legislation and enabling environment for FSN;

**TAKING NOTE of the presentation on the draft Model Law on Food Security and Nutrition, which** take into account the crosscutting and multi-sectoral nature of FSN and the diverse legal traditions of African States;

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

**NOW HEREBY RESOLVES TO:**

1. **ADOPT** the first Draft Model Law on FSN in Africa;
2. **REQUEST** the Committee on Agriculture to undertake regional consultations on the Draft Model Law on FSN in Africa, in order to integrate contributions from African citizens, the grassroots organizations and other interested stakeholders;
3. **WELCOME** the technical support from FAO and the fruitful collaboration between the PAPA-FSN, the Committee on Rural Economy, Agriculture, Natural Resources and Environment, African Union Development Agency (AUDA-NEPAD), and the African Union Commission's Department of Rural Economy and Agriculture, for the formulation of the Draft Model Law on FSN.

**Adopted in Midrand, South Africa  
17 October 2019**



**RESOLUTION ON THE ESTABLISHMENT OF THE PAN-AFRICAN  
PARLIAMENTARIANS FORUM ON EDUCATION**

**THE PAN-AFRICAN PARLIAMENT;**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union on the establishment of the Pan-African Parliament to ensure the full participation of African peoples 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;

**RECALLING** the Decision of the AU Assembly of Head of States and Governments, in July 2004, which established, the International Centre for Girls and Women Education in Africa (AU/CIEFFA), as an institution for the promotion of education of girls and women in Africa;

**RECALLING ALSO** the recommendations of the Conference of Ministers of Education of the African Union at its second session held in Algiers in April 2005 on establishing the Pan-African Institute of Education Sciences for Development (IPED) as the specialised institution of the AU charged with the responsibility to function as Africa's Education Observatory with the aim to promote quality, responsive and inclusive education development in Africa by ensuring a robust and functional Education Management Information System (EMIS) and a sound knowledge-based planning;

**RECALLING FURTHER** the Decision, adopted by the Assembly of Heads of State and Government of the AU, in July 2010, to establish the Pan-African University, which is aimed at revitalising higher education and research in Africa with a focus on improving the quality of science education;

**NOTING that** the AU Science, Technology and Innovation Strategy for Africa 2024 (STISA-2024) places science, technology and innovation at the epicentre of Africa's socio-economic development and growth and emphasises the impact sciences can have across critical sectors such as agriculture, energy, environment, health, infrastructure development, mining, security and water among others;

**NOTING ALSO** the pivotal role education plays in the achievement of the Aspirations of Agenda 2063 and the ensuing need for Africa to make significant investments in



developing human and social capital through an education and skills revolution emphasizing innovation, science and technology;

**RECALLING** the Continental Education Strategy for Africa (2016/2025) adopted by the 26th Ordinary Session of the AU Executive Council, which has called for joint political will to initiate an educational reform to re-orient Africa's education and training systems to meet the knowledge, competencies, skills, innovation and creativity required to nurture African core values and promote sustainable development at the national, sub-regional and continental level;

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

**NOW HEREBY RESOLVES TO:**

1. Establish the Pan-African Parliamentarians Forum for Education (PAP-FED) as follows:
  - 1.1. PAP-FED shall have the following as objectives:
    - a. Strive to mobilize parliamentarians to boost progress in education;
    - b. Consolidate the role of parliamentarians in drafting frameworks and legal instruments to develop education at national, regional and continental levels;
    - c. Participate in the monitoring process of the implementation of the strategies, policies and projects on which a consensus was reached, to develop education in Africa;
    - d. Have constructive dialogue and innovative interaction between parliamentarians and all stakeholders in education on curricula and training programmes for human development, collaborate effectively with educational experts in all countries on the continent to improve the place of education in society at regional and continental levels;
    - e. Support cooperation between members of all African parliaments to formulate a legal framework of reference for the African continent in order to attain equal educational opportunities for all and to ensure quality education;

- f. Formulate continental legal frameworks on education to promote the provision of educational opportunities and reduce drop-out at all levels of education in Africa;
  - g. Monitor the implementation of educational plans, projects and policies to guarantee full inclusion of school children in different cycles and also to provide education and training for adults, in order to put an end to the phenomenon of school wastage and to stop widespread illiteracy and e-illiteracy using the latest learning methods.
- 1.2. The Executive Committee of the PAP-FED under the supervision of the Committee on Education, Culture, Tourism and Human Resources, shall consist of members of the Committee on Education, Culture, Tourism and Human Resources as well as members of other relevant Committees of PAP.
- 1.3. PAP-FED shall hold annual meetings in the various African capitals to ensure:
- a. regular monitoring of the implementation of the decisions on education on the African continent;
  - b. benefit from the educational solutions and experiences of the different countries to achieve the desired objectives.
2. Invite all national, regional and international parliaments, and other relevant stakeholders, to nominate their representatives to the PAP-FED;

**Adopted in Midrand, South Africa  
17 October 2019**



**RESOLUTION ON THE ADOPTION OF THE AFRICAN MODEL DOUBLE  
TAXATION AGREEMENT**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union on the establishment of the Pan-African Parliament to ensure the full participation of African peoples 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;

**RECALLING** the AU Assembly Special Declaration on Illicit Financial Flows on the Twenty Fourth Ordinary Session of the AU Assembly in Addis Ababa, Ethiopia, January 2015 and the Recommendations of the Report of the High-Level Panel on Illicit Financial Flows from Africa;

**RECALLING ALSO** Resolution PAP.5/PLN/RES/10/MAY.19 on the Formulation of an African Model Double Taxation Agreement, adopted on the 7 May 2019 by the Pan African Parliament;

**NOTING** the progress made by the Committee on Finance and Monetary Affairs in the implementation of the abovementioned Resolution, thanks to the fruitful collaboration with the African Tax Administration Forum (ATAF), the African Union Commission (AUC) and the African Union Commission on International Law (AUCIL);

**REITERATING** the need for African countries to have a consistent and harmonised approach in their taxation negotiations, which would promote increased tax certainty and a better investment and trade environment;

**REITERATING FURTHER** that a Model Double Taxation Agreement can be an effective tool to promote equitable trade and investment amongst African States and between African States and non-African States, and to facilitate the implementation of the AU decisions on ending Illicit Financial Flows from Africa and to address the low corporate tax yield that results in inequitable tax system and low tax revenue collections in the continent;

**APPRECIATING** the contributions from the technical consultations on the Draft Model Double Taxation Agreement, which provided an opportunity for specialised tax administrations and other interested stakeholders to engage with the draft Model Double Taxation Agreement;

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

**NOW HEREBY RESOLVES TO:**

1. Adopt the first draft of the African Union Model Double Taxation Agreement
2. Request the Committee on Finance and Monetary Affairs and the Bureau of PAP to ensure its submission to the AUCIL for consideration and further submission to the AU Policy Organs;
3. Mandate the Committee on Finance and Monetary Affairs to continue carrying out sensitization and capacity-building activities on the African Union Double Taxation Agreement;
4. Thank ATAF, AUCIL and AUC and other partners for the support received for the formulation of the African Union Model Double Taxation Agreement, and strengthen such collaboration working on tax and DTAs.



**Adopted in Midrand, South Africa  
17 October 2019**

**RESOLUTION ON MANAGING DEBT AND FIGHTING  
CORRUPTION IN AFRICA**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union on the establishment of the Pan-African Parliament to ensure the full participation of African peoples 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;

**RECALLING** the AU Assembly Special Declaration on Illicit Financial Flows on the Twenty Fourth Ordinary Session of the AU Assembly in Addis Ababa, Ethiopia, January 2015 and the Recommendations of the Report of the High-Level Panel on Illicit Financial Flows from Africa;

**RECALLING ALSO** the Resolution on Winning the Fight against Corruption: A Sustainable Path to Africa's Transformation adopted by the Pan-African Parliament on 17 May 2017;

**CONCERNED** with the fact that corruption and illicit financial flows threaten our goals to end poverty and hunger in Africa and to achieve sustainable development in its three dimensions through promoting inclusive economic growth, protecting the environment and promoting social inclusion, strong political commitment to address the challenge posed by corruption and illicit financial flows out of Africa must be enhanced;

**CONCERNED ALSO** that illicit financial flows cause shortage of money available for States to spend on national development, which result in borrowing and the rising levels of sovereign debts in Africa;

**CONCERNED FURTHER** that poor public procurement, absence of transparency and poor tax administration by States have resulted in low revenues and need for borrowing;

**NOTING WITH CONCERN THAT** excessive and unlimited tax incentives without prior approval by Parliaments and the lack of monitoring and evaluation thereof expose countries to risks of reduced revenues and increase their potential to contract debts;

**ACKNOWLEDGING ALSO** the critical role of Public Accounts and Finance Committees in assisting Parliaments to curb corruption and IFFs, and in controlling debt;

**ACKNOWLEDGING FURTHER** that Parliaments can deploy their triple power of oversight on the budget cycle, accountability for the use of public funds and representation of the people to hold governments accountable for the disbursement of public funds as decided in the budget plan, including agreements on public debt;

**TAKING NOTE** of the Kampala Declaration of the African Organization of Public Accounts Committees (AFROPAC) adopted on 22 November 2018 and

**APPRECIATING** the technical presentations made by representatives of African Organization of Supreme Audit Institutions (AFROSAI-e), AFROPAC, African Parliamentarian's Network Against Corruption (APNAC), International Monetary Fund (IMF), African Tax Administration Forum (ATAF) and the African Union Anti-Corruption Board (AU-ABC);

**DETERMINED** to facilitate the implementation of the AU decisions on ending corruption and promoting a culture of transparency and good governance in line with the relevant AU legal and policy instruments;

**CONVINCED** that the establishment of an alliance within the Pan-African Parliament on managing debt and ending corruption would provide PAP Members a structured and effective platform to sustainably address and position the issue of debt management and corruption at the highest level of national and continental political and legislative agendas;

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

**NOW HEREBY RESOLVES TO:**

1. **PROMOTE** the ratification the universal ratification, domestication and implementation of the following African Union anti-corruption-related treaties:
  - i. The African Union Convention on Preventing & Combating Corruption;
  - ii. The African Charter on Democracy, Elections and Governance;
  - iii. The Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament;
  - iv. The Protocol on Amendments to the Protocol on the Statute of the African Court of Justice and Human Rights.
2. **ENGAGE** with the African National and Regional Parliaments for full deployment of their legislative mandates to enact or revise national policies and legislations relating to the fight against corruption, including through ensuring non-conviction-based asset forfeiture and that criminal law shifts the burden of proof from the prosecutor to the accused in cases of corruption and IFFs.

3. **ALSO ENGAGE** with the African National and Regional Parliaments for the effective exercise of their oversight, legislative and representative roles to ensure an effective management of sovereign debt and the breaking of the cycle of corruption, particularly through timely tracking and oversight of public and private partnerships and the audit of national sovereign debt, financial flows, revenue and procurement.
4. **ADVOCATE** with the AU Policy Organs for the establishment or strengthening, where applicable, of national and continental mechanisms and strategies aimed at effective debt management and reduction in Africa, including promotion of accountability, transparency and citizen participation in processes leading up to the contracting of sovereign debts.
5. **ADVOCATE** with the AU Policy Organs and Member States for the strengthening of the mandate, independence and the capacitation of all national and continental institutions with mandate relevant to the fight against corruption, particularly Public Accounts and Finance Committees, national anti-corruption agencies, audit institutions and the justice system.
6. **SUPPORT** and **PROMOTE** the role of Parliamentary anti-corruption networks, citizenry, the media and civil society in promoting the culture of transparency, probity and accountability, and in preventing illicit financial flows and odious debts;
7. **WORK** with interested partners towards the harmonisation of national laws and standards in the field of debt management and the fight against corruption, including through development, adoption and proportion of continental model laws, model double taxation agreements and other sectoral standards for use, adaptation or adoption by the AU Member States.
8. With a view to sustainably addressing and positioning the issue of debt management and corruption at the highest level of Africa's political and legislative agendas, **ESTABLISH** a Pan-African Parliament's Alliance for Debt Management and Against Corruption (PAPA-DMAC), which shall be organised and governed as follows:
  - (i) All members of the Committee on Monetary and Financial Affairs, the Committee on Audit and Public Accounts and the Committee on Justice and Human Rights shall be members of PAPA-DMAC, provided that any Member of PAP interested in advancing the cause of debt management and the fight against corruption in Africa can participate in PAPA-DMAC activities.
  - (ii) PAPA-DMAC shall have an Executive Committee, which shall consist of Chairpersons of the Committees referred to under Clause 7.1 and shall be placed under the leadership of one PAP Bureau Member.
  - (iii) The organisation and functioning of the PAPA-DMAC shall be regulated pursuant to the relevant provisions applicable to all Permanent Committees of the Pan-Africa Parliament.

9. **EXPRESS GRATITUDE** to AFROPAC, AFROSAI, APNAC, ATAF, AU-ABC and IMF for their continued support and technical assistance to the PAP and EXPRESS its willingness to formalise and strengthen existing and potential strategic partnerships to increase technical and financial support for its activities relating to breaking the cycle of corruption in Africa.

Midrand, South Africa  
17 October 2019





**RESOLUTION ON THE PEACE AND SECURITY STATUS ON THE AFRICAN  
CONTINENT**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament (PAP) to ensure the “full participation of the African people in the development and economic integration of the continent”;

**CONSIDERING ALSO** Article 3 (a), (f) and (k) of the Constitutive Act of the African Union outlining the objectives of the Union to achieve greater unity and solidarity between the African countries and the people of Africa, to promote peace, security and stability on the continent and to promote co-operation in all fields of human activities to raise the living standards of African peoples;

**CONSIDERING FURTHER** that Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, which facilitates the effective implementation of the policies and objectives of the African Union; the promotion of the principles of human rights and democracy in Africa; and promotes peace, security and stability;

**RECALLING** Article 20 of the Constitutive Act also referred to as Article 9 of the Protocol on Amendments to the Constitutive Act 2003; and Article 2 of the 2002 Protocol Relating to the Establishment of the Peace and Security Council of the African Union as “the standing decision-making organ for prevention, management and resolution of conflicts”;

**RECALLING** Aspiration 4 of Agenda 2063, which envisages a fully functional and operational African Peace and Security Architecture (APSA) for the preservation of peace, security and stability in Africa;

**NOTING that** Article 18 of the Protocol relating to the Establishment of the Peace and Security Council of the African Union prescribes for a close working relation with the Pan-African Parliament in the furtherance of peace, security and stability in Africa and mandates it to submit to the Pan-African Parliament reports that will enable the latter to discharge its responsibilities relating to the maintenance of peace, security and stability in Africa;

**NOTING WITH CONCERN** that terrorism and radicalisation continue to be fuelled by illicit proliferation, circulation and trafficking of small arms and light weapons, which

threatens peace and security in the continent and undermines efforts to improve the living standards of African peoples;

**MINDFUL** that the African continent has a long history of armed conflicts and the commitment of the African Union Member States to silence the guns by 2020;

**APPRECIATING** the efforts and collaboration of the Peace and Security Council with the PAP to end conflict on the African continent;

**CONVINCED** that the challenges of peace and security can only be resolved through collective efforts by all Organs of the African Union;

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

**NOW HEREBY RESOLVES TO:**

5. **REQUEST** the Bureau of Pan African Parliament through the President of the PAP to engage with the Peace and Security Council to strengthen collaboration and cooperation on peace and security issues, including the undertaking of joint fact-finding missions with the Committee on Cooperation, International Relations and Conflict Resolution to conflict areas;
6. **REQUEST ALSO** the Committee on Cooperation, International Relations and Conflict Resolution to undertake independent fact-finding missions to enrich their understanding of the causes of conflict on the continent.
7. **REQUEST FURTHER** the Committee on Cooperation, International Relations and Conflict Resolution to undertake activities aimed at promoting the silencing of guns by the African Union Member States;

**Done in Midrand, South Africa  
17 October 2019**

**RESOLUTION ON THE PEACE AND SECURITY SITUATION IN THE SAHEL  
REGION**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament to ensure the “full participation of the African people in the development and economic integration of the continent”;

**CONSIDERING** Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament (PAP) to ensure the “full participation of the African people in the development and economic integration of the continent”;

**CONSIDERING ALSO** Article 3 (a), (f) and (k) of the Constitutive Act of the African Union outlining the objectives of the Union to achieve greater unity and solidarity between the African countries and the people of Africa, to promote peace, security and stability on the continent and to promote co-operation in all fields of human activities to raise the living standards of African peoples;

**CONSIDERING FURTHER** that Article 3 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament, which facilitates the effective implementation of the policies and objectives of the African Union; the promotion of the principles of human rights and democracy in Africa; and promotes peace, security and stability;

**RECALLING** Article 20 of the Constitutive Act also referred to as Article 9 of the Protocol on Amendments to the Constitutive Act 2003; and Article 2 of the 2002 Protocol Relating to the Establishment of the Peace and Security Council of the African Union as “the standing decision-making organ for prevention, management and resolution of conflicts”;

**RECALLING** Aspiration 4 of Agenda 2063, which envisages a fully functional and operational African Peace and Security Architecture (APSA) for the preservation of peace, security and stability in Africa;

**NOTING** that climate change is one of the major challenges faced by countries in the Sahel with an estimate of 80 percent of agricultural areas in the Sahel belt affected by climate change thereby impacting on the socio-economic livelihood of the people in the Region;

**NOTING WITH CONCERN** that the rise in temperature in the Sahel is one and a half times faster than the global average which has a great impact on the availability of water

in the Sahel region causing the transitional semi-arid eco-region to face major and persistent challenges including adverse climate change effects, regular rainfall patterns and recurrent droughts that have resulted in reduced harvests and that the impact of depleting water resources due to high temperatures in the region impacts the environment negatively;

**NOTING ALSO WITH CONCERN** that terrorism and radicalisation continue to be fuelled by illicit proliferation, circulation and trafficking of small arms and light weapons, which threatens peace and security in the continent and undermines efforts to improve the living standards of African peoples;

**NOTING ALSO** the complex and multifaceted factors contributing to illegal migration, human trafficking and constant terrorist attacks by AQIM, Boko Haram and other terrorist groups in the Sahel region;

**NOTING FURTHER** the number of small arms circulating within the Sahel region; and the effects to peace and stability posed by outbreaks of repeated violent conflicts, terrorism and extremist acts on the continent;

**APPRECIATING** the efforts being made by the governments of the Sahel and the role played by the Peace and Security Council in the Region;

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

**NOW HEREBY RESOLVES TO:**

**UNDERTAKE** a fact-finding mission to the Sahel region in order to assess the refugee and humanitarian situation on the ground and their impact to peace, security and stability in the region.

**Done in Midrand, South Africa  
17 October 2019**

**RESOLUTION ON THE CONSIDERATION OF THE ACTIVITY REPORT OF THE PAN-  
AFRICAN PARLIAMENT**

**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 empowers the PAP to facilitate the implementation of policies, objectives and programmes of the African Union and to oversee their effective implementation;

**TAKING NOTE** of the Activity Report of the Pan-African Parliament for the period May\_ September 2019 as presented by the President of the Pan-African Parliament, and the Plenary discussions thereon;

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

**NOW HEREBY RESOLVES to:**

1. **ADOPT** the Activity Report of the Pan-African Parliament for the period May \_ September 2019;
2. **URGE** the President and the Bureau of the Pan-African Parliament to engage with the African Union in particular the PRC for an improved working relationship with a view to addressing the budget of the Pan-African Parliament and the challenges faced by the Pan-African Parliament as a result of the reduction in its budget for 2019;
3. **FURTHER URGE** the Bureau of the Pan-African Parliament to engage the policy organs of the African Union to reinstate the benefits and allowances of the Parliamentarians of the Pan\_African Parliament to enable them better execute their functions and duties;
4. **REMINDE** the Bureau to ensure that Permanent Committees are provided with the required support for the implementation of their planned activities;

5. **COMMENDS** the Bureau and the Secretariat for improving the working conditions of the Parliamentarians of the African Union particularly with regards to translation and documentation facilities

Adopted at Midrand, South Africa  
17 October 2019





**RESOLUTION ON THE TERMINAL REPORT OF THE COMMITTEE ON AUDIT AND PUBLIC ACCOUNTS OF THE PAN-AFRICAN PARLIAMENT**

**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 empowers the PAP to facilitate the implementation of policies, objectives and programmes of the African Union and to oversee their effective implementation;

**TAKING NOTE** of the terminal report of the Committee on Audit and Public Accounts, October 2019, including the recommendations formulated therein, as well as the various observations made by the PAP Members during the Plenary discussions;

**NOTING WITH CONCERN** the instability in the position of Clerk, the vacancy in the Office of the Clerk and the need for an independent Secretariat by complying with Rules 17 and 21 of the Rules of Procedure of the Pan\_African Parliament vis-à-vis the relationship between the Bureau and the Office of the Clerk;

**NOTING WITH CONCERN ALSO** the continued lack of implementation of several audit recommendations previously made by the external auditors, the AU Board of External Auditors as well as the Committee on Audit and Public Accounts;

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

**NOW HEREBY RESOLVES TO :**

1. **ADOPT** the terminal report of the Committee on Audit and Public Accounts, October 2019 and all the recommendations formulated therein;
2. **DIRECT** the Secretariat to fully operationalize the Internal Audit Progress Committee which will engage all Heads of Units to facilitate and ensure timely implementation of all Audit and CAPA recommendations as well as providing for the organisational audit of the PAP to be carried out under the supervision of the CAPA;

3. **URGE** the Bureau of the Pan-African Parliament to ensure that qualified professional persons are appointed to vacant positions for the effective and efficient management of the Secretariat;
4. **FURTHER URGE** the Bureau of PAP to address issues relating to the high turnover in the Office of the Clerk by expediting the appointment of a Clerk to ensure stability and give strategic direction and coordination to the Staff, departments and for the smooth operations of PAP;
5. **CONSIDER** reviewing Rule 17 (a & b) of the PAP Rules of Procedures relating to the management and administration of the affairs and facilities of the Parliament;
6. **ENCOURAGE** the Bureau to remind the AU Policy Organs to take steps to expedite the revision of the annexes to the Host agreement between the AU and South African Government relating to the PAP;
7. **REQUEST** the Bureau to ensure that all audit recommendations are complied with so that the image of the Pan-African Parliament can improve vis-à-vis the AU Policy Organs;
8. **FURTHER REQUEST** the Bureau take the necessary measures to deal with issues relating to non-implementation of audit recommendations and budget implementation in order to avoid the sanctions;
9. **REQUEST ALSO** the Bureau to engage with the Policy Organs of the AU to get the 50% cut in the budget for MPs' medical insurance restored and to ensure that the relevant AU regulations, rules and policies provide to PAP Members benefits and entitlements due to "Elected Officials", including in relation to the travel class and allowances;
10. **REQUEST** the Bureau to hold personally and/or jointly accountable for USD140,143 the three individuals who were the trustees to the PAP Trust Fund.

**Adopted at Midrand, South Africa  
17 October 2019**

**RESOLUTION PAYING TRIBUTE TO HIS EXCELLENCY ROBERT GABRIEL MUGABE, FORMER PRESIDENT OF THE REPUBLIC OF ZIMBABWE**

**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 empowers the PAP to facilitate the implementation of policies, objectives and programmes of the African Union and to oversee their effective implementation;

**NOTING** that His Excellency Robert Gabriel Mugabe, former President of the Republic of Zimbabwe, a fervent Pan-Africanist, defended his country and Africa on the world stage;

**NOTING ALSO** his quest for the dignity of Africa and equal treatment of African countries in the comity of nations;

**NOTING FURTHER** his determination to promote and protect the human rights of women, youth and children;

**ACKNOWLEDGING** his advocacy for women as potential and essential partners in developing the African continent;

**ACKNOWLEDGING ALSO** the legacy left by him, not only to Zimbabwe and Africa, but also to the rest of the world;

**ACKNOWLEDGING FURTHER** the important lessons learned from him in terms of solidarity and commitment to Africa;

**RECOGNIZING** the firm commitment and determination of His Excellency Robert Gabriel Mugabe to ensure the financial independence of the African Union Commission to enable the African continent to take ownership of its programmes and destiny;

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

**NOW HEREBY RESOLVES TO:**

1. Join African leaders, the people of Zimbabwe, Africans and the rest of the world in paying a well-deserved tribute to this African hero who recently passed away at the age of ninety-five;
2. Name the PAP Committee room number three after former President, H.E Robert Mugabe.

**Adopted at Midrand, South Africa  
17 October 2019**



**RESOLUTION ESTABLISHING THE ADOPTION OF THE MODEL LAW ON  
POLICING IN AFRICA**

**THE PAN-AFRICAN PARLIAMENT,**

**CONSIDERING** the provisions of Article 17 of the Constitutive Act of the African Union establishing the Pan-African Parliament that enjoins the PAP to ensure the “full participation of the African people in the development and economic integration of the continent”;

**RECALLING** 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 PAP to facilitate regional cooperation, development and promotion of “collective self-reliance and economic recovery” as well as the implementation of the policies, objectives and programmes” of the African Union;

**CONSCIOUS** of Article 11 (3) of the PAP Protocol and Rule 4 (1) (d) & (e) of the PAP Rules of Procedure, which empowers the PAP to work towards the harmonization or co-ordination of the laws of African Union Member States, inter alia through proposing and developing model laws;

**CONSIDERING FURTHER** the African Charter on Human and Peoples’ Rights and AU agenda 2063, the African charter on democracy, the AU Security Sector Reform Policy Framework that promotes harmonisation and consistency in reforms across the continent, and, the African Commission on Human and Peoples Rights African interpretive documents on policing.

**RECALLING FURTHER** the PAP Resolution on the Model Police Law in Africa, which was adopted during the Sixth Ordinary Session of the Fourth Parliament, in May 2017;

**NOTING** that the development of a Model African Law on Policing in Africa by the Pan-African Parliament will make a significant normative contribution to improving policing in Africa, and will complement other African Union and regional efforts to promote safety, security, democratic governance and human rights.

**FURTHER NOTING** that a Model Law on Policing in Africa is an effective way to promote review by Member States of existing policing legislation and bi lateral treaties, and to encourage legislative reform, that governs the mandate, organisational structure, and performance of law enforcement agencies in African Union Member States.

**CONFIRMING** that model police legislation in Africa must be based on democratic and civilian control, adherence to rule of law, and human rights compliant standards of policing.

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

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

**WELCOMING** of the partnership between the Pan-African Parliament and Africa Policing Civilian Oversight Forum (APCOF) by promoting and mainstreaming policing matters within the African Union Member States through the development of a Model Policing Law;

**APPRECIATING** the contributions from the regional consultations on the Draft Model Police Law which provided an opportunity for African citizens, the grassroots organizations and other interested stakeholders to engage with the draft Model Law;

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

**NOW HEREBY RESOLVES TO:**

8. **ADOPT** the Model Law on Policing in Africa;
9. **REQUEST** the Bureau of PAP to submit the Model Law on Policing to the AU Policy Organs for endorsement and use by the AU Member States;
10. **STRENGTHEN** the collaboration and exchanges among regional and national parliamentary bodies, with a view to enhancing the capacity of parliamentarians to monitor and promote policing mainstreaming in national policies and programmes, as well as the budgetary and legislative instruments.



Adopted at Midrand, South Africa  
17 October 2019

