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KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT- FOURTH SESSION

REPORT OF THE SIXTH SESSION OF THE 2ND LEGISLATURE OF
THE PAN-AFRICAN PARLIAMENT

ADIS ABABA, ETHIOPIA

January 16-20, 2012

CLERKS CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

March 2012

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LIST OF ABBREVIATIONS

PAP	-	Pan African Parliament
AU	-	African Union
UN	-	United Nations
NEPAD	-	New Economic Partnership for Africa Development
APRM	-	Africa Peer Review Mechanism
CEMAC	-	Economic Community of Central Africa
SADC	-	Southern Africa Development Community
ECOWAS	-	Economic Community of West Africa States

PREFACE

Hon. Speaker,

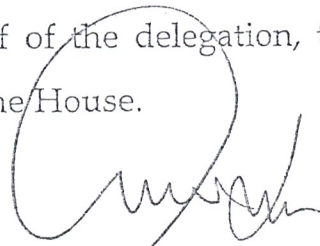
The Kenya delegation to the 6th Ordinary Session of the 2nd Parliament of the Pan-African Parliament comprised of the following;

- a) Hon. Gitobu Imanyara, M.P - Leader of Delegation.
- b) Hon. Abdul Bahari, M.P.
- c) Hon. Gideon Mungaro, M.P.
- d) Hon. Musa Sirma, M.P
- e) Mr. M. A. Mohamed -Second Clerk Assistant/Secretary to the Delegation

The delegation fully participated the deliberations of the Ordinary Session and the sittings of the Permanent Committees of the Pan African Parliament.

The delegation is grateful to you for allowing us attend the Session and the office of the Clerk for facilitating the travel and providing logistical and technical support.

It is now my pleasant duty, on behalf of the delegation, to present and commend this report for adoption by the House.



Hon. Gitobu Imanyara, MP.

LEADER OF THE DELEGATION.

INTRODUCTION

The Pan African Parliament was established in the Protocol to the Treaty establishing the African Economic Community. Article 2 of the Protocol provides;

“Member States hereby establish a Pan African Parliament, the composition, functions, power and organization of which shall be governed by the present protocol.”

The ultimate aim of the Pan African Parliament shall be to evolve into an institution with full legislative powers, whose members are elected by Universal adult suffrage.

The Pan African Parliament’s mandate and objectives in accordance with Article 3 of the Protocol is to *inter alia*;

- a) Facilitate the effective implementation of the policies and objectives of the OAU / AEC and ultimately of the African Union;
- b) Promote the principles of human rights and democracy in Africa;
- c) Encourage good governance, transparency and accountability in Member States;
- d) Promote peace, security and stability;
- e) Facilitate Co-operation & development in Africa;
- f) Strengthen continental solidarity and build a sense of common destiny among the people of Africa.

EXECUTIVE SUMMARY

1. The President of the Pan-African Parliament Hon. Dr. Idriss Ndele Mousa officially opened the Session.
2. The Prime Minister of the Democratic Federal Republic of Ethiopia, H. E. Meles Zenawi was the Chief Guest and gave a keynote address to the Members during the opening sitting.
3. The Speaker of the Kenya National Assembly, the President of the ECOSSOC, President of the of the African Court on human and people's rights, Third Deputy Speaker of the ECOWAS Parliament, the Speaker of the Assembly of South East Asia, Speaker of the Sudanese Parliament, President of the Assembly of Orthodoxy, Chairperson of SADC Parliament , the Speaker of the House of Peoples' Representatives of Ethiopia and Speaker of the EALA Parliament gave messages of solidarity during the opening session.
4. The former President of Ghana, H.E. Jerry Rawlings also gave a keynote address during the opening session. In his message of solidarity, the former president underscored the need to legally empower the Pan African Parliament to enable it have capacity and responsibility of vetting finances of the African union as well as marshalling legislations.
5. The Chairperson of the African Union Commission briefed the House on the state of the Union. The Chairperson spoke on the Commission's role in climate change, continental integration, establishment of the African Peace and Security Architecture as well as restoration of peace and stability in the Continent.
6. The Commissioner for Political Affairs of the African Union, H.E. Mrs. Julia Dolly Joiner briefed the House on the Status of the ratification of the African Charter on Democracy, Elections and Governance.

7. The AU Commissioner for Peace and Security, H.E. Mr. Ramtane Lamamra briefed the House on the peace and security situation in the continent.

RECORD OF PROCEEDINGS IN THE PLENARY

1.0: OPENING CEREMONY

The President of the Pan-African Parliament Hon. Dr. Idriss Ndele Mousa officially opened the Session.

The Prime Minister of the Democratic Federal Republic of Ethiopia, H. E. Meles Zenawi was the Chief Guest and gave a keynote address to the Members during the opening sitting.

In his address, the Prime Minister emphasized on the need for the Pan African Parliament to address itself to building democracy and good governance on the African land, and applying accountability and transparency all of which are cornerstones in the unity of the Continent.

The Speaker of the Kenya National Assembly, the President of the ECOSSOC, President of the of the African Court on human and people's rights, Third Deputy Speaker of the ECOWAS Parliament, the Speaker of the Assembly of South East Asia, Speaker of the Sudanese Parliament, President of the Assembly of Orthodoxy, Chairperson of SADC Parliament , the Speaker of the House of Peoples' Representatives of Ethiopia and Speaker of the EALA Parliament gave messages of solidarity during the opening session.

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In his remarks the Hon. Kenneth Marende, the Speaker of Kenya National Assembly informed the House of the following:

- i. That this year marks the eleventh year of the existence of the Pan African Parliament (PAP) since year 2001 when it was created as an organ of the African Union (AU), to promote popular participation and representation of African peoples in decision-making, good governance, oversight, accountability and transparency. PAP's peak is to become by core mandate a legislative organ, playing an oversight role in the implementation of the decisions of the AU with the goal of ushering in greater, credible and tangible development to the African continent.
- ii. That the Protocol that established PAP Protocol, signed in 2001, envisions transformation of the PAP into a legislative body to, inter alia, oversee the domestication of African Union (AU) Decisions and the advocacy of African Parliamentary Knowledge Network with the National Parliaments in Africa.
- iii. That at full throttle the Pan-African Parliament is expected to have standard legislative powers with Members elected through universal adult suffrage. Whereas some ground has been covered, a great deal more needs to be done. So as to achieve enduring peace, prosperity and security in Africa, there is need to provide appropriate legislative framework that will check institutionalized corruption, create wealth, tackle the prevalence of life-threatening diseases, reduce poverty and unemployment, ensure food security and boost economic prosperity. This is an apparent lacuna that the Pan African Parliament is enjoined to fill.
- iv. That at ten years old, all Member States of the African Union are well aware of the inevitable, if not indispensable place, of the Pan African Parliament as its legislative organ.
- v. That the Pan African Parliament is the centre piece, the engine that has to make this happen. To do this PAP needs to take three steps;

One is that the Pan African Parliament breaks out of its protective cocoon to functionally engage with all Sectoral organs of the African Union (A.U). The outcome of this would be that each Commission of the A.U will be gainfully and productively engaged with the respective Committee of the Pan African Parliament. A demonstrated example would be for the Committee on International Relations and Conflict Resolution to practically and regularly

engage and leverage on the activities of its counterpart Commission under the ambit of the A.U. This will call for a formalized reporting mechanism, joint briefings, information sharing and indeed accord with Article 11(5) of the PAP Protocol.

Second, that the Assembly have vested in it powers to determine its budget. Article 11 (2) provides that the PAP 'discuss its budget and the budget of the Community and make recommendations thereon'. Without control over its own budget, the PAP is spineless and subservient to the institutions that make the final decision on the allocation of resources, notwithstanding any residual advisory powers on the budget of the AU. Budgetary control by the PAP would subscribe to its autonomy if not effectiveness.

The third step should be development and improvement of the oversight and control function of the PAP. In tandem with this step and symbiotically related has to be conferrment of oversight mandate on the PAP over the A.U annual budgetary performance. This, in my considered view, would further go a long way to grow the ownership and acceptance of the A.U among the peoples of Africa to whom largely as at where we are the A.U is an obstruction.

The fourth step is to permanently entrench the Pan African Parliament in our governance as a continent. Currently, Members of the PAP, speaking from the operational position in Kenya (and pray that it is not of common application to the other Member States) is that members of PAP are nominated from their respective national Parliaments largely on the whims and caprices of Parliamentary Political Parties whose tunes are called by the respective party leaders in the main, eroding the standing of the Members and claim to security of tenure and independence.

2: THE STATE OF THE AFRICAN UNION

The Chairperson of the African Union Commission briefed the House on the state of the Union. The Chairperson spoke on the Commission's role in climate change, continental integration, establishment of the African Peace and Security Architecture as well as restoration of peace and stability in the Continent (*The full text of the statement by the Chairperson is annexed to the report*)

3: THE STATUS OF RATIFICATION OF THE AFRICAN CHARTER ON DEMOCRACY, ELECTIONS AND GOVERNANCE

The Commissioner for Political Affairs of the African Union, H.E. Mrs. Julia Dolly Joiner briefed the House on the Status of the ratification of the Charter.

In her brief, the Commissioner informed the House of the following;

- i. that the Commission has successfully engaged in popularizing the ratification of the Charter through the "11 before 2011 campaign" and other efforts which have been most instrumental in securing the fifteen ratifications required for its entry into force.
- ii. that a total of 39 Member States of the African union had signed the Charter as at 16th January 2012.
- iii. that Burkina Faso, Cameroon, Ethiopia, Ghana, Guinea, Guinea Bissau, Lesotho, Mauritania, Mozambique, Niger, Nigeria, Rwanda, Sierra Leone, South Africa and Zambia have all ratified the Charter and deposited original instruments of ratification at the level of the Commission.
- iv. that the collective journey to implement the Charter starts with Parliamentarians at the National Parliaments and at Pan African Parliament.
- v. that the African Union Commission is in the process of developing an implementation framework grounded on review of States' Compliance, engagement with peace and security council and greater collaboration with all AU organs with a mandate on governance.
- vi. that the African governance platform which will be formally launched in accordance with the Executive Council decision (EX.CL/619) in the near future will afford the opportunity for a coordinated evaluation on implementation of the African charter on Democracy, Elections and Governance with other key organs of the Union, Regional Economic Communities and appropriate nation-level structures.

4: PEACE AND SECURITY SITUATION IN AFRICA

The AU Commissioner for Peace and Security, H.E. Mr. Ramtane Lamamra briefed the House on the peace and security situation in the continent.

In his brief the Commissioner informed the House of the following major security situation;

- i. that Tunisia has made some notable and confidence building progress following the demise of the previous regime and that the Constituent Assembly elections were held successfully and a Transitional Government was constituted to work on a new Constitution with a view to comprehensively address all the factors that led to the revolution.
- ii. that in Egypt, there are recurrence demonstrations in parts of the country.
- iii. that the Commission continues to monitor the situation in Libya although progress is now being achieved in restoring peace, security and stability of the country.
- iv. that in Cote D'voire, Constitutional order has been restored following the legitimate accession to power of President Alassane Quattarra and that Parliamentary elections were held on 11th December 2011 while a Dialogue, Truth and Reconciliation Commission has been established to promote reconciliation.
- v. that in Somalia, a unique window of opportunity was opened following the defeat of Al-Shabab in Mogadishu August 2011 as result of the combined effort of the AU Mission in Somalia and the Transitional Federal Government forces.
- vi. that in Darfur, there has been some progress in the implementation of the Doha agreement.
- vii. that in to South Sudan and Sudan relations, a number of outstanding issues such as citizenship, border security, financial arrangements, the status of Abiyei, South Kordofan and Blue Nile remain unresolved.

- viii. that in Nigeria, the religious extremist group, Boko Haram is threatening normalcy, peace and security particularly in the North of the Country.
- ix. that the main security threats confronting the Continent today is the proliferation of weapons in North Africa and the Sahel region.

5: RESOLUTIONS AND RECOMMENDATIONS OF THE PERMANENT COMMITTEES OF PAN -AFRICAN PARLIAMENT

RECOMMENDATION ON RELATIONS WITH THE AFRICAN UNION COMMISSION

- i. Appreciating the participation of the Chairperson of the Commission and the Commissioners for having honoured by their presence the proceedings of the Parliament that were held from 16 to 20 January 2012 in Addis Ababa, Ethiopia;
- ii. Recalls the provisions of the Protocol to the Treaty establishing the African Economic Community (AEC) relating to the PAP in its Article 11 paragraph 5 which *“Requests officials of the OAU/Community to attend its sessions, produce documents or assist in the discharge of its duties”*;
- iii. Calls on the Chairperson of the African Union Commission to take all the necessary measures in order to effectively implement the provisions of Article 11 paragraph 5.

RECOMMENDATION ON THE ACCELERATION OF THE REVIEW PROCESS OF THE PROTOCOL TO THE TREATY ESTABLISHING THE AFRICAN ECONOMIC COMMUNITY (AEC) RELATING TO THE PAN-AFRICAN PARLIAMENT

- i. In accordance with the provisions of Article 25 of the Protocol which stipulates that *“Five years after the entry into force of this Protocol, a Conference of the States Parties to this Protocol shall be held to review the operation and effectiveness, as well as the system of representation at the Pan-African Parliament in order to guarantee the attainment of its aims and objectives, as well as its vision in light of the evolving needs of the African Continent”*;

- ii. In accordance with Decision Assembly/AU/Dec.223(XII) of January 2009 on the review process of the Protocol establishing the AEC relating to the PAP.
- iii. Considering Decision EX.CL/Dec.667(XIX) of July 2011 on the report of the PAP which underscores the need to accelerate the review process of the Protocol of the PAP in order to enable it effectively carry out its mandate;
- iv. Noting the road map presented by the Chairperson of the African Union Commission during his presentation at the 6th Ordinary Session that was held in Addis Ababa;
- v. Recalls that the consideration of all the provisions of the revised Protocol were adopted and validated without any reservation by Government Experts during the meeting held from 7 to 11 November 2011 in Addis Ababa;
- vi. Draws the attention of the legal experts of the African Union and that of the Attorneys General and the Ministers of Justice of Member States to accelerate the review process of the Protocol during their meetings that will take place from 22 to 26 February 2012 and on 27 and 28 February 2012 respectively;
- vii. Calls on the members of the PRC to include the consideration of the revised Protocol on the agenda of the next meeting of the Executive Council as soon as it is adopted by the legal experts of the African Union and the Attorneys General and the Ministers of Justice of Member States;

RECOMMENDATION ON THE ADVOCACY, RATIFICATION AND DOMESTICATION OF THE AFRICAN CHARTER ON DEMOCRACY, ELECTIONS AND GOVERNANCE

- i. In accordance with the provisions of the Protocol to the Treaty establishing the African Economic Community (AEC) relating to the PAP in its Articles 3 and 18 which calls on the Parliament to *"Promote the principles of Human rights and democracy in Africa and encourage good governance and accountability in Member States; which mandates it to work in close collaboration with the Parliaments of Regional Economic Community (RECs) and the National Parliaments or other deliberative organs of Member States"*;

- ii. **In accordance** with Decision EX.CL/Dec. 526(XVI) of the Executive Council which calls on the PAP to support the efforts of the AUC and carry out advocacy and sensitization of Member States in order that they accelerate the signing/ratification/membership process of OAU/AU treaties;
- iii. **Congratulating** the efforts of the African Union Commission and the Parliament on having deposited the ratification instruments of 15 countries and the entry into force of the Charter on 15 February 2012;
- iv. **Encourages** the States that have not yet done so to ratify the Charter;
- v. **Recommends** to the 17 States that have ratified the Charter to take the necessary measures to include it in the national legal order notably by the domestication of these provisions;
- vi. **Calls on** the States that have ratified the Charter but have not deposited it to do so;
- vii. **Recommends** to the Civil Society and the media to play an active role in disseminating the Charter at the national level.

RECOMMENDATION ON FOREIGN DIRECT INVESTMENT ON LAND

- i. **Considering** the recommendations of the workshop on *"Making Investment Work for Africa: a Parliamentarian's response to Land grab"*;
- ii. **Cognizant of the need of investing in** Africa's development in particularly in agriculture and in rural areas where the majority of people live;
- iii. **Noting with deep concern** the recent rise of large-scale land acquisitions also known as 'land grabbing' and the impact of domestic and Foreign Direct Investment in land, water and related natural resources;

- iv. **Fully alarmed** by the negative impacts on human rights especially on women, including unequal access to land and disruption of access to water;
- v. **Deeply disturbed** by the unprecedented drought in the Horn of Africa and its consequences on our people;
- vi. **Recognizing** the importance of defending and promoting equality and fairness among our people;
- vii. **Acknowledging** the African Union Framework and Guidelines on Land Policy in Africa, the Maputo protocol relating to the ACHPR on the Rights of Women in Africa and the Solemn Declaration on Gender Equality in Africa;
- viii. **Emphasizing** the 2003 “Maputo Declaration on Agriculture and Food Security in Africa”, especially the commitment to allocate at least 10 percent of national budgetary resources to agriculture and rural development policy implementation;

Recommends to:

- i. **Member States** to respond to this phenomenon as a matter of urgency and therefore calls on the African Union Commission and the Agency for the Coordination and Planning of NEPAD to spearhead this endeavour.
- ii. **Call for** a moratorium on new large-scale land acquisitions pending implementation of land policies and guidelines on good land governance.
- iii. **Call for** the establishment of an *African Ministerial Conference on Land-based Investments* equivalent to the African Ministerial Conference on Environment (AMCE) and the African Ministerial Council on Water (AMCOW).
- iv. **Call for** comprehensive land policies that recognise and secure the land rights of citizens as a precondition for any negotiations on investment.
- v. **Urge for** the development and the implementation of guidelines on good land governance in order to enhance a code of conduct for Foreign Direct Investment in Africa.

- vi. **Urge for rules on Foreign Direct Investments in land and related natural resources, building on existing initiatives of the AU, FAO and World Bank, so as to secure benefits of investment for African people and to develop sustainable livelihoods. This includes:**
 - a. Legally-binding and enforceable obligations on the investor to contribute to the local economy and social wellbeing;
 - b. Reducing levels of poverty, improving food security, and protecting the environment;
 - c. Increasing employment quantitatively and qualitatively and capacity building and improving infrastructure and technology transfer.
 - d. Ensuring effective consultations with local communities and various people affected by investment projects and ensuring that any investment is approved through free, prior and informed consent of affected communities;
 - e. Enhancing the system of land certification and registration that take into account different agricultural systems that is to say pastoralist rights, women's rights and communal rights, prior to land investment.
- vii. **Ensure** that Governments are accountable by increasing transparency and making investment contracts and treaties publicly available in a timely fashion.
- viii. **Endorse** a process of regional workshops of parliamentarians, politicians, civil society, farmers' organisations and research organisations, in order to raise awareness on large-scale land acquisition.
- ix. **Support** African initiatives to raise awareness amongst national parliaments, citizens and affected communities.
- x. **Ensure** stronger mechanisms for monitoring an enforcement of domestic Laws, regional Agreements and International Treaties and Conventions.

- xi. **Support** for centres of excellence including research institutions to document land-based investments underway and to share information in accessible formats with policy makers, parliamentarians, civil society and affected communities.

RESOLUTION ON THE ADVOCACY, RATIFICATION AND DOMESTICATION AND IMPLEMENTATION OF THE AFRICAN CHARTER ON DEMOCRACY, ELECTIONS AND GOVERNANCE

- i. **In accordance** with Articles 3 and 18 of the Protocol which calls on the Pan-African Parliament to *“Promote the principles of Human rights and Democracy in Africa and encourage good governance, transparency and accountability in Member States» and which mandates the Parliament to work in close collaboration with the Parliaments of Regional Economic Communities and National Parliaments or all other deliberative organs”*;
- ii. **In accordance with** Decision EX.CL/Dec.31(III) adopted in July 2003 and Decision Ex.CL/124(V) adopted in May 2004 relating to the African Charter on Democracy, Elections and Governance;
- iii. **Considering** the entry into force of the African Charter on 15 February 2012;
- iv. **Reaffirms** its role on the establishment and consolidation of democracy and good governance in Africa;
- v. **Pledges to exercise its oversight mandate in ensuring compliance of national texts and the popularisation of the Charter within national populations**;
- vi. **Pledges to coordinate the implementation of the Charter with the other organs of the African Union such as the Peace and Security Council, the Court of Justice, the Commission for Human Rights, the Economic, Social and Cultural Council and Regional Economic Communities**;
- vii. **Pledges to support the actions of the Department for Political Affairs of the African Union in establishing National inter-Ministerial**

Committees and thus enabling all stakeholders to conduct an evaluation of national progress and to coordinate and sensitize political leaders and instruments necessary for the implementation of the Charter on Democracy, Elections and Governance.

AFRICAN UNION

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UNION AFRICAINE

UNIÃO AFRICANA

P. O. Box 3243 Tel/Fax: (251-1) 51 14 75 Addis Ababa, ETHIOPIA

STATEMENT BY DR JEAN PING,
CHAIRPERSON OF THE AFRICAN UNION COMMISSION,

TO

THE 6TH ORDINARY SESSION OF THE PAN-AFRICAN PARLIAMENT

ADDIS ABABA, ETHIOPIA,

17 JANUARY 2012

Honorable Dr. Moussa Idriss Ndele, President of the Pan-African Parliament,

Honorable Members of the Pan-African Parliament,

Distinguished Guests

Excellencies,

Ladies and Gentlemen

Welcome to this beautiful city of Addis Ababa, the Headquarters of the African Union

Allow me first of all to express my sincere gratitude for inviting me to address the 6th session of this august House focusing on the 'State of the African Union'. The session could not have been better scheduled, as it is being held right at the beginning of the year, which is naturally the most ideal time to undertake a review of the preceding year, a year that most of us will never forget because it was an eventful year.

It is also the ideal time to carry out introspection on the state of our Union. As you are aware, this session is being held right before the 18th Ordinary Summit of the Assembly of the Union which is beginning next week. There could have also been no better theme for the Summit, than "Boosting Intra-African Trade".

Boosting intra-African trade will significantly contribute towards accelerating continental integration. However, peace and security is the cornerstone of all our endeavors, without which nothing concrete can happen in this regard.

Africa continues to make major gains in terms of the efforts being deployed to realize a peaceful, developed, prosperous and integrated continent. All the various programmatic areas pursued by the AU, under the current AU Vision and Strategic Plan, have seen significant progress in 2011, to date. The dreams of the Founding Fathers of the OAU, as well as the Vision of the Founding Leaders and Peoples of the AU, are moving fast towards their realization.

The lead tangible progress belongs to the peace and security domain. In carrying out its mandate, in line with Article VIII of the UN Charter and the AU Peace and Security Council (PSC) Protocol, in the promotion of peace and security on the continent, the PSC has always been seized with conflict and crisis situations on the continent and has been proactive in addressing them, particularly, though not only, the popular uprisings that swept through parts of North Africa. In this regard, we have demonstrated a high level of innovation in addressing these popular uprisings, given the fact that our existing normative frameworks and instruments on unconstitutional changes of government did not provide for the possibility of such events ever taking place in our continent. This placed constitutional legality in contradiction with necessary popular legitimacy.

The popular uprisings in North Africa have compelled us to re-visit our appropriate instruments that will ensure that sovereignty rests with the people who, in all respects and circumstances, should always be the source of legitimacy and custodian of political power, under a people-centered constitutional framework put in place by the people, through the representatives they themselves would have chosen.

Mr. President,

Excellencies,

Significant progress has been made in the establishment of the African Peace and Security Architecture (APSA), in terms of the achievements of the Peace and Security Council (PSC), the Panel of the Wise and the Continental Early Warning System and the development of the African Standby Force, as well as enhanced coordination between the AU and the RECs through the regional early warning and prevention mechanisms, the border demarcation/delimitation programme, the post-conflict reconstruction and development support programme, and the progress achieved in the sphere of security sector reform.

We have deployed sustained efforts to restore peace to Somalia, Darfur-Sudan and in other conflict zones. Once again, I commend the sacrifices made by countries like Uganda and Burundi, which have now been joined by Kenya and Djibouti in providing AMISOM with the means to assist the institutions of the Transitional Government of Somalia in their efforts to effectively combat Al Shabab and rebuild their country. I also commend the Federal Democratic Republic of Ethiopia for its support to the TFG forces in fighting the extremist Al Shabaab.

Furthermore, with regard to the promotion of democratic governance, respect for human rights and the rule of law, we have developed and adopted appropriate instruments and mechanisms. The Shared Values are indeed enshrined in several instruments that were adopted by the Assembly of the Union and they include: the African Charter on Democracy, Governance and Human Rights, the African Youth Charter, the African Charter on the Principles and Values of Public Service and Administration, as well as the African Women's Decade.

We also continue to provide technical assistance to national institutions responsible for organizing and managing elections, to enable them to ensure honest, credible, free and transparent democratic elections whose outcomes will be accepted by all the contesting parties and not trigger violent conflicts. We value elections that consolidate democracy and facilitate national development in the countries concerned. It is unfortunate that, rather than being the legitimate peaceful and democratic means of managing political change, poorly managed elections have generated deep crises that have left societies deeply polarized, in some parts of the continent.

Mr President,

Excellencies,

With regard to the process of continental integration, development and international cooperation, the Commission focused its efforts on the Union's flagship projects as set out in the Strategic Plan 2009-2012. I am pleased to mention some of the most significant achievements, notably: the

launch of the Pan-African University that we initiated in 2009, the first three faculties of which will become effectively operational during this 2012-2013 academic year; support to centers of excellence for vocational training; finalization of the studies on the Programme for Infrastructure Development in Africa (PIDA), and the prefeasibility studies on the Dakar-Djibouti and Djibouti-Libreville corridors; the implementation of the Yamoussoukro Decision on air transport; the airports, railway, maritime and inland waterways inter-connectivity development projects; as well as the energy, telecommunications and ICT networks integration projects. In this same vein, CAADP is a source of pride for the Union, given that an increasing number of Member States have taken steps to implement the Programme pursuant to the commitments made at the Maputo Summit, in July 2003.

On the issue of Climate Change, we have provided African negotiators with the needed assistance for the successful conduct of the negotiations. As a result, Africa went into the negotiations united and spoke with one voice, thanks to the guidance of the Union and the outstanding leadership of His Excellency Prime Minister Meles Zenawi of Ethiopia. I am also pleased that, under the leadership of H.E. President Denis Sassou Nguesso of the Republic of Congo, Africa will go united to the Rio+20 Conference on Sustainable Development due to be held in Rio de Janeiro, Brazil, in June 2012.

In the social, cultural and health sectors, as well as science and technology fields, many achievements have been realized, such as the CARMMA Programme on the Accelerated Reduction of Maternal Mortality, the implementation of the African Regional Nutritional Strategy, the support

programmes for implementation of the Abuja Declaration and Framework of Action on HIV/AIDS, Tuberculosis, Malaria and Other related infectious diseases, population and reproductive health, sports development and youth guidance, and promoting the rights of vulnerable people, to mention but a few.

With regard to international cooperation, the voice of the Union is increasingly being listened to, and afforded its rightful place in the community of nations. We now have the opportunity to project our voice within the frameworks of the G8 and the G20. The Commission is now a member of the Forum on China-Africa Cooperation (FOCAC). It is also a co-organizer of TICAD, and is expected to play an important role in the preparations leading to TICAD V which will take place in Japan next year. The level and frequency of consultations between the African Union and the various organs of the UN system in all matters affecting the continent, have also improved. Similarly, our partnership with the European Union, South America and countries like India, Turkey and the Republic of Korea continue to grow to the mutual benefits of each party.

Although 2011 was, in many respects, an extremely difficult and trying year, we nevertheless managed to successfully deal with some of the very complex situations: the Arab spring/Popular uprisings in North Africa, the disputed election results in Côte d'Ivoire, the global economic and financial crisis, protest movements, natural disasters, drought and famine in the Horn of Africa and forced displacements. In the face of these difficulties, the Commission has always been proactive and mobilized all Member States and other stakeholders to enable Africa to play its

legitimate role and defend its positions in the quest for lasting African solutions to all the challenges faced by the continent.

Mr President,

Excellencies,

This is not the time to contemplate on drafting new AU instruments and frameworks. It is time to adhere to the Shared Values that AU Member States have already agreed to. As our continental Parliament, you have an obligation to do everything it takes, within your jurisdiction, to encourage all the Member States to sign, ratify and effectively domesticate all the existing normative frameworks of the Union. We also need to ensure that our public policies are responsive to the legitimate needs of the people. We need to address, once and for all, the root causes of poverty, and unemployment, destitution and alienation of our people which, as you are aware, contributed in large measure, to the uprisings we witnessed last year in parts of North Africa.

We should also ensure that our quest for African Solutions to African problems is matched by the timely provision of necessary resources. If we are to legitimately claim ownership and leadership of all peace efforts on the continent, we equally need to ensure that African peace efforts should ideally be funded from African sources. These are some of the practical means and ways of guaranteeing ourselves of effective prevention of violent conflicts and crises on the continent.

In conclusion, I would like to reiterate the Commission's unwavering commitment to promote better institutional governance practices, ensure improved performance in a culture driven by the abiding quest for results at

all levels of responsibility, and thus meet the legitimate expectations of Member States and the international community. Similarly, we are determined to pursue and strengthen our collaboration with all Member States, organs of the Union, the Regional Economic Communities (RECs) and Regional Mechanisms for Conflict Prevention, Management and Resolution, all other stakeholders and our partners, so that the aspirations and objectives of the Union are timely achieved.

I wish you fruitful deliberations

Thank you

AFRICAN UNION

الاتحاد الأفريقي

UNION AFRICAINE

UNIÃO AFRICANA

Office of the Commissioner for Peace and Security

P. O. Box 3243 Tel/Fax: (251-1) 51 14 75 Addis Ababa, ETHIOPIA

STATEMENT BY AMBASSADOR RAMTANE LAMAMRA,
AU COMMISSIONER FOR PEACE AND SECURITY,
TO THE 6TH ORDINARY SESSION OF THE PAN-AFRICAN PARLIAMENT
ON PEACE AND SECURITY IN AFRICA

ADDIS ABABA, ETHIOPIA, 19 JANUARY 2012

Honorable Dr. Moussa Idriss Ndele, President of the Pan-African Parliament,

Honorable Members of the Parliament,

Distinguished Guests

Excellencies, Ladies and Gentlemen,

Good morning, and welcome to Addis Ababa

On behalf of the AU Commission and on my own behalf, I would like to first of all, express my sincere gratitude to the Pan African Parliament (PAP) for inviting me to address this august gathering, focusing on the status of peace and security in Africa.

This session could not have been held at a better time than now, when we are starting a new year but also with indelible memories of the eventful 2011, a year we will always remember as "the year of unprecedented political changes in parts of Africa and the rest of the world". I hope 2012 will be a better year in terms of consolidating the gains made and preventing crises and conflicts by addressing their root causes.

In discharging its mandate of promoting peace, security and stability on the African continent, the Peace and Security Council (PSC) continues to engage in efforts aimed at preventing, managing and lastingly resolving conflicts and crises situations in different parts of the continent. The implementation of the African Peace and Security Architecture (APSA) is on course. The AU, the Regional Economic Communities (RECs) and the Regional Mechanisms for Conflict Prevention, Management and Resolution (RMs) continue to deploy robust collective efforts towards the full operationalization of the African Standby Force and the Continental Early Warning System. A fully operational APSA will create more opportunities for conflict prevention and effective resolution of conflicts on the continent. As a matter of fact, prevention should become the linchpin of all AU-RECs/RMs peace efforts.

Mr. President, Excellencies,

Since your 4th Session, where I spoke on the same subject, we have realized some progress in some situations, while in other situations there are still outstanding challenges to be addressed.

The African peace and security landscape is ever changing. In addition to the traditional threats to peace, security and stability on the continent, a new pattern of threats is emerging, which demands from us, flexible, appropriate, timely and robust responses. Indeed the popular uprisings that swept through parts of North Africa last year, offer many compelling lessons for the present and for the future. We need to be proactive rather than reactive. We need to make sure that our policies fit hand-in-glove with the legitimate demands and aspirations of the people. Furthermore, we need to address poverty, unemployment and destitution as well as the social inequalities prevailing in our countries, because these were found to be at the tap root of these uprisings.

Tunisia has made some notable and confidence building progress, following the demise of the previous regime early last year. The Constituent Assembly elections were held successfully and a transitional government was constituted to work on a new constitution with a view to comprehensively address all the factors that led to the revolution. In Egypt, although some progress has been achieved including the holding of legislative elections, we are still witnessing recurrent demonstrations in parts of the country, and mainly in Cairo's Tahrir Square. The Commission will continue to work with the Egyptian authorities and other stakeholders and to extend every possible support for the successful completion of the transition process, which remains on track. It is worth noting that the democratic space that has been opened by the revolution is irreversible. Understandably, building democracy is not an event, but a process.

The Commission continues to monitor the situation in Libya. Although progress is now being achieved in restoring peace, security and stability in that country, there are still a number of challenges to be urgently addressed, ranging from the daunting task of national reconciliation,

disarming, demobilizing and reintegrating (DDR) all former combatants to Security Sector Reform (SSR), so that there is one integrated national defence force, national and public safety and proper security institutions/structures. The AU is in the process of establishing a Liaison Office in Tripoli, to be headed by a Special Representative, to assist, in cooperation with the partners, in the efforts aimed at stabilizing the situation in Libya, promoting national reconciliation and inclusivity, and facilitating the transition process towards democratic institutions.

In Cote d'Ivoire, constitutional order was restored following the legitimate accession to power, of President Alassane Ouattara, the elected President. To ensure the successful conclusion of the institutional normalization process, parliamentary elections were held on 11 December 2011, while the Dialogue, Truth and Reconciliation Commission (CDVR) established in September 2011, to promote reconciliation has continued to carry out its mandate. The AU continues to accompany the post-conflict reconstruction efforts in Cote d'Ivoire, with emphasis being placed on national reconciliation and peace-building to prevent relapse back to conflict. Other remaining challenges facing that country include disarmament, demobilization and reintegration, as well as security sector reform.

As far as Darfur is concerned, there has been some progress in the implementation of the Doha Agreement. The Darfur Peace Process is also proceeding well, thanks to the relentless efforts of the UN-AU hybrid Mission (UNAMID) and the AU High Level Implementation Panel (AUHIP). The political, security and humanitarian situation in Darfur has significantly improved, thanks to the efforts of UNAMID and other international bodies as well as the Government of Sudan.

Regarding South Sudan, I would like to indicate that, since my last briefing to this Parliament, on 17 May 2011, some significant achievements have been recorded. On 9 July 2011, South Sudan declared its independence and effectively seceded from the North to become Africa's 'newest and youngest' State. On 15 August 2011, South Sudan formally joined the AU to become its 54th member. However, the country is still facing other challenges that include cattle rustling, proliferation of small and light weapons, disarmament of thousands of civilians, as well as DDR and SSR processes.

Regarding Sudan-South Sudan relations, a number of outstanding issues remain unresolved, within the context of the Comprehensive Peace Agreement, post-referendum and post-independence arrangements. These include the citizenship of the Southerners living in the North and Northerners living in the South; border security; financial arrangements; Blue Nile, South Kordofan, and Abyei; access by the South to the oil pipeline running through the North, just to mention a few. The AUHIP is working with the parties to ensure the implementation of the June 2011 Abyei Transitional Agreement, after which it will present proposals to the presidents of South Sudan and the Republic of Sudan, regarding the final status of this region. The AUHIP is currently facilitating ongoing consultations with all the parties with a view to finding mutually acceptable lasting solutions to all the outstanding issues.

In Nigeria, the religious extremist group, Boko Haram, is threatening normalcy, peace and security, particularly in the north of the country. It is fanning religious extremism and acrimony.

We need to urgently address this extremist and terrorist menace in support of the Government's efforts aimed at resolving all security issues in that country.

In Somalia, a unique window of opportunity was opened following the defeat of Al Shabab in Mogadishu, early in August 2011, as a result of the combined effort of the AU Mission in Somalia (AMISOM) and the Transitional Federal Government (TFG) forces. Nearly 99% of Mogadishu has now been liberated from Al Shabab. Ethiopia and Kenya have also intervened to assist the AMISOM and TFG forces to ensure that the momentum gained in Mogadishu is not lost and also to bring more decisive pressure to bear on Al Shabaab throughout the country. However, the humanitarian crisis affecting the country still compels our sustained attention and that of the rest of the international community. There is also need to ensure the security of humanitarian corridors.

At its 307th meeting, the PSC endorsed the new Strategic Concept for future AMISOM operations, which was also forwarded to the UNSC for its endorsement. Our ultimate aim is to ensure that the necessary resources in terms of force enablers and multipliers are timely availed to AMISOM to enable it to implement the new strategy successfully in support of the political objectives set for the Mogadishu Roadmap. The TFG Forces should also be empowered to play an active role in the new and evolving security landscape.

On behalf of the Commission, I would like to pay tribute to the AMISOM Troop Contributing Countries (TCCs), in particular Burundi and Uganda for their commitment to the cause of peace and security on the continent and Somalia in specifically. I would also like to thank Djibouti for beginning to deploy its forces in Somalia and to appeal to all Member States to contribute in building the capacity of AMISOM so that 'African Solutions to African Problems' becomes a reality. I also salute the already significant contribution made by Kenya in the Middle and Lower Jubba and Gedo regions, jointly with the TFG forces, as well as by Ethiopia in support of the TFG and AMISOM forces, which have contributed to the weakening of Al Shabaab extremists.

In Madagascar, SADC has made significant progress, with AU's support, in facilitating the process leading to the return to constitutional normalcy. Elsewhere, notably, in Niger, Guinea, Comoros and Burundi, we are sparing no effort in ensuring that our post-conflict peace-building and reconstruction endeavors effectively prevent the relapse back to conflict and crisis.

The peace process in Western Sahara remains at a stalemate. On its part, and alongside the UN, the AU continues to strive towards a lasting solution to the impasse. It was in this perspective that the Chairperson of the Commission and I undertook a visit, on 13 December 2011, for consultations with the President of the Sahrawi Republic on the eve of the convening of the 13th Congress of the Polisario Front.

I commend the Republic of Zambia for the smooth transition following peaceful democratic elections that saw President Michael Sata smoothly succeeding former president, Mr. Rupiah Banda. Smooth transitions should be the hallmark of our elections. In the Democratic Republic of Congo (DRC), the elections faced some challenges, but stability is gradually returning to the country. Every effort must be made to consolidate peace and reconciliation in the country.

Mr. President, Honourable Members,

One of the main security threats confronting the continent today, is the proliferation of weapons in North Africa and the Sahel region. Related to it is the growing threat posed by armed criminal and terrorist groups including the activities of the Lords Resistance (LRA) and al-Qaeda in the Islamic Maghreb (AQIM). Indeed, Africa, like other parts of the world, continues to face the complex interrelated threats of terrorism, piracy and transnational organized crime. These threats require concerted efforts of the entire international community, including PAP, to effectively combat.

It is therefore imperative that we make renewed efforts to address the root causes of conflict and to do so in a holistic manner in order to avert crises. We must scrupulously implement the existing instruments, particularly those relating to democracy, elections, governance, and rule of law and human rights. The recent increase in election-related and governance-linked crises is a trend that must be arrested before it reaches unmanageable proportions. The deepening of democracy and improving political and economic governance could significantly contribute to our efforts to effectively prevent conflicts, and ensuring durable peace security and stability on the Continent.

May I, therefore, appeal to the Pan-African Parliament to deploy the necessary efforts to ensure accelerated signature, ratification and domestication of AU instruments relating to democracy, good governance, and peace and security on the Continent by all Member States that have not yet done so. The fact that PAP is composed of representatives of ruling and opposition parties on the continent, while at the same time being the representative body of African peoples, equips it with necessary capacity to influence governance and election trends for the better. Undoubtedly, PAP could play a locomotive role in the AU's Make Peace Happen Campaign, which aims at promoting a culture of peace throughout the continent.

It is my hope that this session will go a long way in placing our Continent on a track of renewed momentum and more vigorous initiatives aimed at democratization and democratic consolidation and structural prevention of conflicts.

Let us all work harder to make Africa the peaceful, developed and integrated continent that we, as Africans, aspire to, for the benefit of future generations.

I wish the 6th Ordinary Session of the PAP Success, and to all of you, a happy and prosperous 2012.

I thank you

