



FINAL COMMUNIQUE

FROM

**THE JOINT MEETING OF PERMANENT
COMMITTEES OF THE PAN-AFRICAN PARLIAMENT**

ADDIS ABABA/ BUJUMBURA/ MIDRAND

24 NOVEMBER 2023

1. The Pan-African Parliament (PAP) held a Joint Meeting of eleven Permanent Committees, in three different venues, namely Addis Ababa, the Federal Democratic Republic of Ethiopia, Bujumbura, Republic of Burundi and Midrand, Republic of South Africa, on 20 - 24 November 2023.
2. The Joint Meeting considered and deliberated on the following topics:

 - 2.1. Irregular immigration within Africa,
 - 2.2. Unconstitutional change of government,
 - 2.3. Parliamentary diplomacy, oversight and advocacy, and
 - 2.4. More importantly, examination and evaluation of the PAP 2023 Strategic Plan and challenges to its implementation under the leadership of the PAP Bureau.
3. The Opening Ceremony of the Joint Meeting recorded three high-level political interventions:

 - 3.1. The first intervention was made by **the Right Hon. Mrs Zahra Humaed Ali, Deputy Speaker of the House of Federation**, who welcomed Members of the Pan-African Parliament and all participants at the House of Federation in Addis Ababa, Ethiopia, reaffirming the firm stand of the House of Federation of the Federal Democratic Republic of Ethiopia and its Leadership on African issues and the mandate of the Pan-African Parliament. She highlighted the numerous challenges facing Africa, including global peace and security, global political economy, environmental challenges and irregular migration, for which the Pan-African Parliament is expected to play a critical and positive role. She suggested that this role can be played *inter alia* through adoption of various pertinent laws and policies and by helping the continent to improve its political, economic, security posture and its governance structures and systems. She also underscored the role of PAP Parliamentarians to push for well-functioning democratic systems and institutions capable of addressing the challenge of unconstitutional change of government, including through effective recourse to parliamentary diplomacy, oversight and advocacy.
 - 3.2. The second opening remarks were delivered by **the Right Hon. Tadesse Chafo, Speaker of the House of Peoples' Representatives**, who also welcomed Members of the Pan-African Parliament and all participants in Addis Ababa, Ethiopia and reiterated the commitment of the House of Federation to support the effective implementation by the Pan-African Parliament of its mandate. He reflected on the thematic focus of the Joint Meeting and highlighted the urgency with which the Pan-African Parliament should play its role to curb the phenomenon of irregular migration and unconstitutional changes of government in Africa. He concluded by wishing fruitful deliberations to the participants.
 - 3.3. The third speech was delivered by **the Right Hon. Dr. Ashebir W. Gayo, Acting President of the Pan-African Parliament**, who welcomed all participants, particularly Members of the Pan-African Parliament who travelled to participate in

the Joint Meeting. He expressed his deep appreciation to the Parliaments of the Federal Democratic Republic of Ethiopia, the Republic of Burundi and the Republic of South Africa as the Host Country to the Pan-African Parliament for the support provided to the Pan-African Parliament for the hosting of the Joint Meeting of Permanent Committees and for the warm welcome reserved to all PAP delegations. He reminded Members of the PAP on the current leadership and institutional challenges facing the Pan-African Parliament and called upon all members to rise above personal and sectoral interests and to demonstrate a sense of unity, responsibility and objectivity in ensuring that the Pan-African Parliament remains stable and ready to fulfil its mandate to tackle the challenges facing the continent and peoples of Africa, such as irregular migration, unconstitutional change of government and democracy and governance challenges. He expressed hope that the Joint Meeting will enable Members of PAP to critically assess those challenges and formulate concrete recommendations that may help to break the cycle of irregular migration, unconstitutional change of government and democracy and governance challenges in Africa. He concluded by officially opening the Joint Meeting of Permanent Committees.

4. During the course of the Joint Meeting, the deliberations focused on the human rights challenges pertaining to irregular immigration and the impacts and potential responses to unconstitutional changes of government in Africa. Guided by the African Union legal and policy frameworks, and following up on previous resolutions and recommendations of the Pan-African Parliament in the field of democracy, human rights and governance, the Joint Meeting received several technical presentations, which enabled it to reflect and exchange ideas on irregular migration, unconstitutional changes in Government and Political Transitions in Africa, and to formulate the following key observations and recommendations:

4.1. Concerning Irregular Migration in Africa

- 4.1.1. The presentations provided a reality check on the pressing issue of irregular immigration affecting both sides of the Mediterranean, sparking global debates. The Joint Meeting noted that the clandestine nature of irregular migration, involving particularly the youth, whose departure implies a loss of valuable human resources, raises concerns about its impact on development, social cohesion, human rights, and peace and security.
- 4.1.2. The Joint Meeting further explored the various African Union legal and policy frameworks designed to address irregular migration, particularly the Migration Policy Framework for Africa and Plan of Action (2018-2030), which contains detailed guidelines and strategies on migration governance, including support for the ratification of AU, RECs and ILO legal instruments related to migration/labour migration, increased protection for vulnerable groups including vulnerable migrant workers, and women and youth in particular, improvements to the capacity building of national and regional migration institutions, and

promoted greater regional and national harmonisation of legislation, policies, and data sharing.

4.1.3. To effectively address the challenges related to the cycle of irregular migration in Africa, the Joint Meeting agreed to:

- 4.1.3.1. Recall and follow up on the implementation of PAP previous recommendations and resolutions on the issue of migration, specifically Resolution on labour migration (November 2022), Resolution on the promotion of the African Union ten-year action plan to eradicate child labour, forced labour, human trafficking, and modern slavery (November 2022), Recommendation on labour migration in Africa (November 2022), Recommendation on labour migration governance (June 2023).
- 4.1.3.2. Continue supporting the Joint Labor and Migration Programme and other relevant Agenda 2063 flagship projects of the African Union;
- 4.1.3.3. Promote the ratification, domestication and effective implementation of the African Union treaties pertaining to migration;
- 4.1.3.4. Deploy their oversight and legislative mandates for development of effective migration laws and policies, including rights-based and gender-responsive policies, laws, institutions, structures;
- 4.1.3.5. Improve advocacy and communication on migration issues, including through production of joint knowledge products and public condemnation of violation of migrants' rights;
- 4.1.3.6. Advocate for harmonized disaggregated data and statistics on irregular migration and associated socio-economic and political implications;
- 4.1.3.7. Encourage inter-parliamentary collaboration and greater regional cooperation on migration in order to address irregular migration cohesively, strengthen regional and continental frameworks for information sharing and joint initiatives;
- 4.1.3.8. Propose model laws on various policy areas of migration and support the ongoing formulation of the drat model law on labour migration.

4.2. Concerning Unconstitutional Change of Government in Africa

- 4.2.1. The Joint Meeting received presentations on the legal and policy framework pertaining to unconstitutional change of government, and particularly noted the normative gaps that still inhibit the efforts by the African Union and Member States to curb unconstitutional change of government.
- 4.2.2. The Joint Meeting also noted the alarming resurgence of unconstitutional change of government across Africa over the last years, which the African Union has qualified as a threat to democracy, peace, security, and development of the continent;

- 4.2.3. The Joint Meeting further considered the efforts made by the African Union and its organs, particularly the Peace and Security Council and the African Union Commission in undertaking a comprehensive and objective analysis of the root causes and impacts of the unconstitutional change of government arising from non-consensual and/or politically manipulated democratic processes;
- 4.2.4. The Joint Meeting also referred to PAP previous recommendations and resolutions which proposed targeted measures to counter unconstitutional changes of government, promote peaceful political transitions, uphold constitutionalism, and advance democracy across the African continent.
- 4.2.5. To effectively address the challenge of unconstitutional change of government in Africa, the Joint Meeting agreed to:
 - 4.2.5.1. Recall and follow up on the implementation of PAP previous recommendations and resolutions on the issue of unconstitutional change of government, specifically Recommendation from the 2022 high-level parliamentary dialogue on democracy, human rights, and governance in Africa under the theme of the unconstitutional changes in government and political transitions in Africa;
 - 4.2.5.2. Take action to ensure that the normative framework on unconstitutional change of government is strengthened by providing a clear definition that covers all possible cases of unconstitutional change of government, including popular uprisings, institution of third-term mandates, removal of term limits against the will of the people, serious deficits attacks or undermining of democratic governance, human and peoples' rights, the rule of law and constitutionalism, specifically in case of weakening of the State apparatus or neutralisation of the constitutional power of a State organ ;
 - 4.2.5.3. Ensure that the Member States recommit to constitutionalism and democracy and abide by the relevant AU legal and policy instruments, including the African Charter on Democracy, Elections and Good Governance (ACDEG), the Lomé Declaration of July 2000 on the framework for an OAU response to unconstitutional changes of government (AHG/Decl.5 (XXXVI) and other relevant African Union policy and legal instruments against unconstitutional changes of government;
 - 4.2.5.4. Promote collaboration with the Regional Economic Communities, Regional Mechanisms and the governments of AU Member States as required by the ACDEG to foster a common response and action toward unconstitutional change of government;
 - 4.2.5.5. Support the establishment of the Subcommittee on unconstitutional change of government in line with Article 8(5) of the Peace and Security Protocol;

- 4.2.5.6. Encourage the strengthening of the effective engagement between the African Governance Architecture and African Peace and Security Architecture.

4.3. Concerning Parliamentary Diplomacy, Oversight and Advocacy

- 4.3.1. The Joint Meeting noted that Parliamentarians acting abroad are, in essence, democratically mandated diplomats and should be empowered with the necessary knowledge and skills for effective parliamentary diplomacy, oversight and advocacy.
- 4.3.2. The Joint Meeting also noted that parliamentary action at the international arena is an integral part of parliamentary work as the active involvement of parliamentarians in international fora and activities contributes to the knowledge and insights necessary to scrutinize national governments' foreign policies and to exercise positive influence on international and regional decision-making processes.
- 4.3.3. The Joint Meeting also observed that parliamentary diplomacy neither duplicates nor replaces traditional governmental diplomacy, but is ideally placed to build bridges between conflicting parties, unshackled by instructions from governments and to put across views or positions which the official government representatives are not able (or willing) to convey.
- 4.3.4. The Joint Meeting further reflected on the principles, ways and means by which parliamentary diplomacy can supplement government diplomacy because members of parliament can be more flexible when engaging in diplomatic activities. They are not, after all, bound by the positions taken by the government and can transcend their own government's interests by providing principled support for democracy and human rights.
- 4.3.5. To effectively advance effective parliamentary diplomacy, oversight and advocacy by the Pan-African Parliament, the Joint Meeting agreed to:
- 4.3.5.1. Ensure that the Pan-African Parliament effectively deploy its mandate "to ensure the full participation of African peoples in the development and economic integration of the continent" through proactive engagement with the various stakeholders whose decisions can affect the aspirations and welfare of the peoples of Africa ;
- 4.3.5.2. Ensure that PAP parliamentary diplomacy is evidence-based and well-prepared and implemented on time to ensure that any deployed PAP delegation have the means and tools to advance the institutional position and aspirations of the PAP;
- 4.3.5.3. Ensure also that the Pan-African Parliament is able to secure effective funding for its parliamentary diplomacy and oversight, and particularly in

- a position to play a positive mediation role in the various conflicts affecting the African continent;
- 4.3.5.4. Urge the Bureau of the Pan-African Parliament to establish and maintain strategic alliances with the relevant partners to ensure that the Pan-African Parliament can also effectively play a critical role in the continental and global policy discourse, including in the field of climate change, women and youth empowerment, human rights, peace and security and economic development;
- 4.3.5.5. Bolster collaboration with the African National and Regional Parliaments to ensure policy coherence and coordinated action in matters of African interest, including threats to good governance, human rights, peace and security and Africa's integration.
- 4.3.5.6. Renew advocacy engagements with the African Union policy organs and with the respective Member States to ensure that lift the Assembly Decision barring the Pan-African Parliament is empowered and adequately funded to conduct parliamentary elections observer missions or at least to play a meaningful role in the current African Union electoral observer missions.

4.4. Concerning the implementation of the Pan-African Parliament 2023 Strategic Plan

- 4.4.1. The Joint Meeting took note of the Evaluation Report on the Implementation of the 2018 – 2023 Strategic Plan, to which the Members expressed several comments and observations for compilation by the Bureau.
- 4.4.2. The Joint Meeting further requested the Bureau and the Secretariat to convene a Retreat dedicated to the consideration of the Evaluation Report of the 2023 Strategic Plan to enable the Members to have adequate time and space to make their inputs.
- 4.4.3. The Joint Meeting further endorsed the draft 2024 Work Plan of the Pan-African Parliament with the various observations expressed by the Members, and requested the Bureau to ensure that the election of the vacant positions in the Bureau is held as soon as possible.
- 4.4.4. The Joint Meeting took note of the ruling of H.E. Moussa Faki Mahamat, Chairperson of the African Union Commission concerning the flawed process of amendment of the Rules of Procedure, in which H.E. Moussa Faki suspended the amended Rules of Procedure and reinstated the 2011 Rules of Procedure of the Pan-African Parliament.
- 4.4.5. The Joint Meeting also noted that the current composition of the Bureau, consisting of the Acting President and the Third Vice-President, is competent to

lead the affairs of Parliament in line with the PAP Sirte Protocol, the 2011 Rules of Procedure and consistent PAP parliamentary practice, until the Bureau vacancies are filled in line with Article 12 (10) of the PAP Sirte Protocol.

4.4.6. The Joint Meeting therefore requested the Bureau to:

- 4.4.6.1. Ensure strict adherence with the decision of the Chairperson of the African Union Commission;
 - 4.4.6.2. Exercise responsible leadership and not to allow any external interference with the internal business of Pan-African Parliament;
 - 4.4.6.3. Take all necessary measures to organise an elective plenary to fill the vacancies for the positions of President, First Vice-President and Fourth Vice-President as soon as possible;
 - 4.4.6.4. Ensure that the allegations of corruption and fund mismanagement within the Pan-African Parliament are investigated and that adequate disciplinary action is taken in line with the PAP Sirte Protocol, Rules of Procedure and other applicable African Union instruments;
 - 4.4.6.5. Also ensure that the recruitment for the vacant posts within the Secretariat is handled fairly without compromising the equitable representation of the five regions, equal treatment of all African citizens with due consideration to the rights of internal staff members;
 - 4.4.6.6. Give full support to the Bureau under the leadership of **the Right Hon. Dr. Ashebir W. Gayo**, the Acting President and call upon on the Permanent Representatives Committee, the African Union Commission and stakeholders to work with the Bureau and Parliament without interfering with or undermining the Parliament of peoples of Africa.
5. The Pan-African Parliament and all participants in the Joint Meeting of Committees expressed sincere gratitude to the House of Federation and the House of Peoples' Representatives of the Federal Democratic Republic of Ethiopia, the Parliament of the Republic of Burundi and the Republic of South Africa as PAP Host Country, and the Governments and peoples of these three African Union Member States for the support and hospitality received, which permitted the successful holding of the Joint Meeting.
 6. The PAP Delegation and participants also commended **the Right Hon. Dr. Ashebir W. Gayo**, the Acting President, the Bureau and the Secretariat for all efforts, which made the holding of the Joint Meeting of Permanent Committees possible and successful.
 7. The PAP Delegation and participants also congratulated and expressed sincere gratitude to **the Right Hon. Dr. Ashebir W. Gayo**, the Acting President for his leadership and his hospitality during the Joint Meeting of Permanent Committees in Addis Ababa, Ethiopia.

Adopted in Addis Ababa, Ethiopia

Bujumbura, Burundi &

Midrand, South Africa

On 24 November 2023