



Organization of African Unity

**STATEMENT BY
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AT THE MEETING OF EXPERTS AND PARLIAMENTARIANS
ON THE DRAFT PROTOCOL
ESTABLISHING THE PAN-AFRICAN PARLIAMENT**

**HOLIDAY INN PRETORIA
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**Your Honour, the Speaker of the National Assembly of the Republic of South Africa, Madame Ginwalla,
Distinguished Parliamentarians and Other Participants,
Excellencies, Ladies and Gentlemen.**

I would like to welcome you all to this meeting, which has been convened to examine and finalise the Draft Protocol to the Treaty Establishing the African Economic Community relating to the Pan-African Parliament. Allow me, on your behalf and on behalf of the OAU General Secretariat, to convey to the Government and People of the Republic of South Africa our sincere gratitude to them for the warm welcome and generous hospitality accorded us since our arrival in Pretoria. It is fitting that this meeting is taking place here in South Africa, a country which embodies the triumph of the human spirit and values; and which, along with others, has stood steadfast in the continuing struggle for democracy, human rights, equality and justice, as well as peace and stability on this Continent.

The meeting is part of the historic momentum that was unleashed with the adoption of the Sirte Declaration on 9.9.99 in which African Heads of State and Government decided to establish an African Union in conformity with the ultimate objectives of the OAU Charter and the provisions of the Treaty establishing the African Economic Community. In that landmark Declaration, the Leaders also decided to accelerate the process of implementing the Abuja Treaty by shortening its implementation period and ensuring the speedy establishment of all the institutions provided for in that Treaty. Specific mention was made of the establishment of the Pan-African Parliament so as to provide a common platform for the African peoples and their grass-root organizations to be more involved in discussions and decision-making on the problems and challenges facing the Continent.

In July this year, that momentum was further galvanized by the endorsement of the Constitutive Act of the African Union by the 36th Ordinary Session of the Assembly of Heads of State and Government of our Continental Organization, meeting in Lome, Togo. I am pleased to inform you that to-date, 31 Member States have signed the Constitutive Act of the Union, and that 4 of those signatories have already ratified it. These are Mali, Senegal, Togo and Libya. I should like to take this opportunity to appeal to those Member States who have not yet signed the Constitutive Act to do so, and those who have signed, but have not yet ratified it, to expedite the process of ratification. This would ensure that the objective of launching the Union is realized speedily, within the time-frame that was agreed upon by the Leaders at their historic Summit in Sirte.

The decision to establish a Pan-African Parliament underscores the undiminished and unflagging determination to ensure that the problems of our Continent are a matter of concern not only to the political leaders but also all Africans. Indeed, these problems – whether of poverty and under-development in general, the external debt, the environment, internal conflicts and wars, refugees, humanitarian disasters, the AIDS pandemic or other resurgent diseases – entail the collective response and action of governments, individuals, non-governmental organizations and civil society at large, acting towards the same objective.

This meeting is yet another step in the long march of the African Continent and peoples towards unity which was initiated by the Founding Fathers of our Continental Organization in the Sixties, and later revitalized by the Abuja Treaty on the establishment of the African Economic Community. It is expected to address the issues involved in ensuring the effective participation of the African peoples in the process of forging closer cooperation and integration. The assumption of a central role by the people in Continental development requires that an appropriate institutional structure is provided for harnessing their energies, for articulating their interests and concerns, and at an advanced stage for representing their sovereign power. Critical in this respect, however, is the need to bear in mind that the establishment of an institution such as the Pan-African Parliament needs to correspond with the objective realities of the endeavour that is being pursued. It may require pursuing it in phases whose characteristics have to be adapted with the broader aspiration at each specific period.

The challenge for this meeting is to work out modalities that can most effectively facilitate the participation and involvement of the ordinary people in the decision-making process of the Pan-African Parliament to ensure that the peoples of Africa have an assertive voice in the work of the Continental Parliament. Furthermore, the issue of the Pan-African Parliament as a mechanism interacting with the other organs within the African Union needs to be addressed. What, for example, should be the relationship between the Pan-African Parliament and the other decision-making bodies of the African Union?

As you are aware, two meetings of legal experts and parliamentarians have been convened by the General Secretariat to discuss the establishment of the Pan-African Parliament. The first meeting was held in Addis Ababa, Ethiopia, from 17 to 21 April, 2000. The second meeting was convened in Tripoli, the Great Socialist People's Libyan Arab Jamahiriya, from 27 to 29 May, 2000. It was followed immediately thereafter by a Ministerial Meeting which took place from 31 May to 2 June, 2000.

However, your meeting here is unique in that it has been convened primarily as a meeting of Parliamentarians. In mandating the convening of this meeting, the Assembly of Heads of State and Government no doubt recognise the value and importance of involving you, as the people with the most direct practical experience in this matter, in the challenging task of elaborating the requisite constitutive legal instrument for the setting up of a Continental Parliament.

I have no doubt that in your deliberations over the next three days, you will address the various issues that arose in the preceding discussions as well as new ones that remain outstanding and require your attention. Among these are the issues of representation, modes of electing the representatives, the powers and functions of the proposed Pan-African Parliament, and its area of jurisdiction and relationship with the national parliaments or other regional and sub-regional parliaments. But, above all, I trust that this forum will also address the questions I alluded to earlier: what would be the role of the Pan-African Parliament and its members in upholding democracy and defending fundamental human rights in Africa? And in what ways can this body play a role in the on-going project for the integration of the African Continent? These are only some of the key questions which, I have no doubt, you will be addressing in the course of your deliberations over the next few days.

The establishment of a Continental Parliament would enable the participation of a wider spectrum of political and policy-decision makers in addressing the key issues that call for collective attention: issues of democracy, good governance, peace, security, stability, human rights and justice and above all, the development of our people. All these are factors which were identified in the Cairo Agenda for Action, adopted by the Heads of State and Government during their Thirty-First Ordinary Session, held in Addis Ababa, Ethiopia, in June 1995, as being among the most essential pre-requisites in Africa's economic and social transformation.

The 1990s have witnessed a new era in the Continent with most of our countries embarking on the process of democratization, instituting good governance, respect for human rights and the rule of law. In this regard, despite a few setbacks here and there, the democratization process has surely taken root, and it should be stressed that African people themselves have played a critical role in the progress made in this area. There is now a clear determination on the part of citizens in the various corners of the Continent to reject dictatorial and authoritative political practices and to continue to express their opposition to all forms of oppression and repression carried out by undemocratic governments. Most significantly, the Assembly of Heads of State and Government has, since its Summit in Harare, Zimbabwe, in 1997, reiterated its commitment to the ideal of democracy and good governance by

adopting decisions rejecting the legitimacy of governments that shall have come to power through unconstitutional means and, henceforth, denying such governments the right to participate in the work of the Policy Organs of the OAU. Parliamentarians have a clear role to play in consolidating these gains, and in encouraging the march of democracy on the Continent.

I believe that members of the proposed Pan-African Parliament would be best placed to support the democratization process through various mechanisms and procedures. Such mechanisms and procedures could include, for example, election observation and civic education on the role, responsibilities and accountability of members of national parliaments to the electorate in general and on the relationship between the executive and the legislature. I further believe that members of the Pan-African Parliament would also, by engaging with the issues of human rights, democracy, good governance and the rule of law in their deliberations, contribute to the development of standard democratic values in Africa.

The challenge before this Meeting of distinguished Parliamentarians and Experts is therefore formidable and cannot be underestimated. Beyond addressing the issues related to the establishment of the Pan-African Parliament, we should endeavour to do all we can to mobilize support for the cause of establishing the Pan-African Parliament as well as popularizing it amongst the majority of peoples in our countries. In this regard, I would earnestly appeal to all Parliamentarians gathered here on this occasion, that it would be desirable if such efforts to enlist good will and support for the Pan-African Parliament could be augmented by a concerted effort to persuade those Member States that have not signed the Constitutive Act of the African Union to sign it, whilst those that have signed, should be persuaded to ratify the Act in the shortest possible time.

I would like to conclude by noting that the immense and complex challenges that globalization has unleashed at the dawn of this new Millennium require that we fundamentally reinforce and re-energize the institutional underpinnings of our unity and solidarity. We should be confident in the human and natural resources of our Continent and not be afraid to take bold and decisive steps that could significantly strengthen the unity, solidarity and cooperation between African peoples and among African States. Only in this way can we enhance the Continent's negotiating capacity vis-à-vis the rest of the world.

I am confident that this meeting will come up with concrete and realizable recommendations which will facilitate the speedy establishment of the Pan-African Parliament. But, your task shall not end here, at the end of this meeting. The process we are embarking upon today must be seen as part

of the historic quest for the attainment of a politically and economically integrated and prosperous Africa, as espoused by the Founding Fathers of our Continental Organization and as encapsulated in the recently adopted Constitutive Act of the African Union. This will require your continued attention and participation, and that of all of us: political leaders, ordinary citizens, governments, non-governmental organizations, and all segments of civil society.

I thank you for your attention.