



## CONCEPT NOTE

### MEETING OF THE REGIONAL PARLIAMENTARY MODEL LAWS OVERSIGHT COMMITTEE OF THE SADC PARLIAMENTARY FORUM

#### INTRODUCTION

One of the strategies that SADC PF employs in its endeavour to strengthen the implementation of SADC and advocate the ratification and domestication of the SADC Treaty, Protocols and decisions, is the development of Model Laws across the SADC areas of cooperation as stipulated in the SADC Treaty.<sup>1</sup> Model laws being prototypes or suggested legislation, provide useful benchmarks and standards for governments to consider when enacting domestic law and public policy in their jurisdictions.

The SADC PF's thrust to develop Model Laws is buttressed in its current Strategic Plan (2019 – 2023), which enjoin SADC PF *“To align, harmonise and create operational and institutional linkages between SADC PF Standing Committees and Programmes, and SADC Organs and Sectors, in view of promoting integration of the region.”*<sup>2</sup>

However, unless Model Laws are domesticated by Member States, they will be of little value except to add to the growing pile of regional commitments that are not backed by action. The establishment of the RPMLOC is a deliberate and strategic step by the SADC PF to ensure constant tracking of progress on the implementation of regional commitments and obligations. SADC PF leverages the mandate of the RPMLOC in *“monitoring and evaluating progress made by Member States in domesticating SADC Model Laws and implementing related laws and policies”*<sup>3</sup> by ensuring relevant tools for use by the Committee are developed. One of the ways in which the Work of the Committee is vitalised is through experience sharing and benchmarking with like-minded Committees at regional, continental and international. Entities such as the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) under the African Charter for the

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<sup>1</sup> Article 21 of the Consolidated Text of the SADC Treaty (2015). Available on [https://www.sadc.int/files/5314/4559/5701/Consolidated\\_Text\\_of\\_the\\_SADC\\_Treaty\\_-\\_scanned\\_21\\_October\\_2015.pdf](https://www.sadc.int/files/5314/4559/5701/Consolidated_Text_of_the_SADC_Treaty_-_scanned_21_October_2015.pdf).

<sup>2</sup> Objective 2 in the SADC PF Strategic Plan (2019 – 2023).

<sup>3</sup> Article 16 4(a) of the SADC Constitution.

Rights of the Child, and the African Commission under the African Charter for Human and Peoples' Rights have been pivotal in this regard.

The RPMLOC also references monitoring tools and procedures developed by for similar committees at other regional and international inter-parliamentary bodies such as the Pan African Parliament, the East African Legislative Assembly (EALA), ECOWAS Parliament and Inter-Parliamentary Union (IPU). Furthermore, consideration is also given to Member State reports which are delivered through Parliaments as well as shadow reports from civil society.

At international level, the Committee has tapped on the very rich history of UN treaty-based bodies that are mandated to monitor treaty-based obligations under the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

### **MEETING OF THE RPMLOC**

In view of the recent elections of Chairpersons of Standing Committees and the RWPC which implies new Members for the RPMLOC, it is imperative that the new Members be oriented on their mandate and working methods. This is the focus of the statutory meeting which is on 9<sup>th</sup> April 2021. The meeting will be held virtually and will mark the commencement of the Standing Committee Session for the 49<sup>th</sup> Plenary Assembly which will run from 9<sup>th</sup> to 16<sup>th</sup> April. A programme has been drafted and is appended to this Concept Note.

### **SPECIFIC OBJECTIVES AND EXPECTED OUTCOMES**

The following are the expected outcomes from the meeting of the RPMLOC:

- i) Enhanced knowledge on the mandate and working procedures of the RPMLOC for the new Members;
- ii) Exposure to regional and international monitoring bodies and their monitoring tools for domestication of regional and international treaty-based and non-treaty obligations and standards;
- iii) Exposure on the working procedures of monitoring bodies at regional and international inter-parliamentary bodies; and
- iv) Adoption of priorities for 2021 in monitoring the domestication of Model Laws by the RPMLOC.