



SPEECH TO BE DELIVERED BY THE VICE PRESIDENT OF THE SADC PARLIAMENTARY FORUM DURING PRESENTATION OF THE REPORT OF THE EXECUTIVE COMMITTEE ON GENERAL SADC PF POLICY AND ADMINISTRATIVE MATTERS TO THE 52ND PLENARY ASSEMBLY SESSION OF THE SADC PARLIAMENTARY FORUM HELD IN KINSHASA, DEMOCRATIC REPUBLIC OF CONGO

1.0 Mr President, I beg to move that this House do adopt the Report of the Executive Committee on General SADC PF Policy and Administrative Matters, laid on the Table of the House on Monday ...December, 2022.

2.0 Mr President, the Executive Committee met virtually via the ZOOM video conferencing platform on 18th November 2022. In this respect, the Executive Committee (EXCO) which is the Management organ of the Forum under Article 12(1) is required to report regularly to the Plenary Assembly of the SADC-PF. The EXCO now presents its Consolidated Report on Policy and Administrative Matters containing its recommendations and resolutions to the 52nd Plenary Assembly for consideration, adoption and/or noting, as the case may be.

3.0 HOSTING OF THE 52ND PLENARY ASSEMBLY

3.1 Mr President, EXCO invites the Plenary Assembly to place on record its sincere thanks to the Parliament of the Democratic Republic of the Congo, led by Hon Speaker Christophe MBOSO N’kodia Pwanga for graciously accepting to host the 52nd Plenary Assembly Session.

3.2 The Host Speaker, Hon Christophe Mboso N’kodia Pwanga, is further requested to convey the Plenary Assembly’s gratitude to His Excellency, Félix Antoine Tshisekedi Tshilombo, President of the Democratic Republic of the Congo (DRC), for officially opening the 52nd Plenary Assembly session and to the Government and people of DRC for the warm hospitality enjoyed by all delegates.

4.0 THE THEME FOR THE 52ND PLENARY ASSEMBLY SESSION

4.1 Mr President, the Plenary Assembly is invited to note that the theme for the 52nd Plenary Assembly is: *“The Role of Parliaments in Strengthening Legislative Frameworks for Peace and Security in the SADC Region.”*

4.2 The theme has been arrived at pursuant to consultations with Member Parliaments and partners to the Forum and is to be deliberated upon in a comprehensive manner through the Symposium organised as a satellite session to the Plenary Assembly. On this occasion, several stakeholders have been invited to engage on the avenues to strengthen legislative peace and security frameworks in the region in view of implementing the Sustainable Agenda 2030 and the AU Africa Agenda 2063.

5.0 DEMOCRATISATION AND ELECTIONS IN SOUTHERN AFRICA

5.1 Further, Mr President, the Plenary Assembly is requested to note that parliamentary elections took place in the Republic of Angola on the 24th August 2022. On this occasion, a SADC PF Election Observation Mission (EOM) to Angola was deployed under the leadership of Hon. Speaker Adv. Jacob Francis Mudenda from 17th to 27th August 2022, with the National Parliaments of Madagascar, Mozambique, Namibia, South Africa, Zambia and Zimbabwe participating.

5.2 The Plenary Assembly is also invited to note that Parliamentary elections also took place in the Kingdom of Lesotho in October 2022. Regrettably, however, the SADC PF EOM which was scheduled by the Forum from 25th September to 10th October 2022 could not take place due to lack of participation.

5.3 EXCO invites the Plenary Assembly to recall that the low participation in EOMs by Member parliaments runs counter to the spirit and the letter of the 36th Plenary Assembly Resolution that the logistics for EOMs are to be funded by participating countries which fielded their members accordingly.

5.4 Given the foregoing, EXCO invites the Plenary Assembly to note that the sporadic and inconsistent participation in EOMs by the Forum may lead to an unwarranted differential treatment of countries since a Member Parliament which has diligently fielded delegates and contributed to nearly all EOMs would be necessarily disadvantaged when the Forum fails to deploy an EOM in its home country when elections are to take place. EXCO therefore invites the Plenary to encourage that all Member Parliaments participate actively in future EOMs in line with the 36th Plenary Assembly Resolution.

5.5 EXCO further invites the Plenary Assembly to express profound appreciation to the Head of the EOM to the Republic of Angola, Hon. Speaker Adv. Jacob Francis Mudenda, for diligently leading the Election Observation mission to Angola and to resolve that respective Speakers of SADC Member Parliaments be allocated to head EOMs for the upcoming election missions in 2023 and 2024.

5.6 EXCO further calls upon the Plenary Assembly to congratulate and warmly welcome the Hon. Speakers from Republic of Angola Hon. Carolina Cerqueira and Rt. Hon. Tlohang Sekhamane of Lesotho for the constitution of their new Parliaments and for a smooth transition following successful elections in their countries.

6.0 PEACE, SECURITY AND INTERNATIONAL COOPERATION

6.1 Mr President, EXCO wishes to update the Plenary Assembly that at the time of its meeting, there was no state-to-state conflict in any country in the SADC region, although mass migration continued to be a concern, especially from countries in Northern Africa. There were also isolated cases of civil unrest across the region, stemming largely from the inordinate rise in commodity and fuel prices. EXCO, therefore, invites the Plenary Assembly to encourage Parliaments to adopt subsidies for basic foodstuffs and to promote price stability which had a direct impact on the purchasing power of SADC citizens.

6.2 EXCO further invites the Plenary Assembly to note that the SADC Summit of Heads of State and Government, endorsed the Assessment Report on the risks, threats, implications and opportunities of the ongoing conflict in Europe for the SADC region, and urged Member States to monitor the movement of mercenaries from conflict zones and introduce legal instruments that would enable them to take measures to counter mercenary activities in line with AU Convention for the Elimination of Mercenarism in Africa of 1997, among others.

7.0 UPDATE ON THE TRANSFORMATION OF THE SADC-PF INTO A SADC REGIONAL PARLIAMENT

7.1 Mr President, EXCO wishes to inform the Plenary Assembly that the 42nd SADC Summit of Heads of State and Government convened from the 17th-18th August 2022 in Kinshasa, Democratic Republic of Congo to, *inter alia*, review the progress made on the transformation of the Forum into a SADC Regional Parliament. To this effect, Summit approved the Agreement Amending the SADC Treaty for signature, thereby giving the green light for the SADC Parliament be established as an organ of SADC under Article 9(1) of the Treaty. The process of signing the Agreement Amending the Treaty is ongoing and is currently being conducted by the SADC Secretariat, by circulation to Member States.

7.2 Additionally, the Plenary Assembly is informed that while a few SADC Member States have already signed the Agreement, the requisite number of 12 signatures out of 16 is yet to be attained for Amendment to take legal effect in accordance with Article 36(1) of the Treaty.

7.3 Given that the Agreement Amending the SADC Treaty has not yet been signed by the majority of Member States, EXCO recommends to the

Plenary Assembly that this should remain the cardinal priority of lobby initiatives by the Forum and its Member Parliament in order to ensure that Member States who have not yet signed the Amendment do so as soon as possible so that the figure of 12 out of 16 signatures is promptly attained.

- 7.4 EXCO therefore, recommends to the Plenary Assembly that lobby efforts be heightened through the engagement of Heads of State and Government of SADC Member States who have not yet signed the Agreement Amending the Treaty to forthwith do so.

8.0 UPDATE ON POST-ADOPTION STRATEGIES OF THE SADC MODEL LAW ON GBV

- 8.1 Mr President, EXCO invites the Plenary Assembly to recall that the Forum adopted the SADC Model Law on Gender-Based Violence at its 50th Plenary Assembly Session hosted by the Kingdom of Lesotho in December 2021 and that the SADC Model Law on GBV was the first ever model law of its nature to deal with gender-related violence in all its forms, including physical, verbal, economic, psychological and even cyber violence, and thus paving the way to end GBV in Southern Africa by 2030.

- 8.2 Further to the adoption of the Model Law, the Plenary Assembly is requested to note that the Forum is actively considering post adoption strategies in close collaboration with regional partners, including Civil Society Organisations, to domesticate the Model Law across the region.

9.0 ORIENTATION TRAINING FOLLOWING THE INAUGURAL CEREMONY OF THE FIFTH LEGISLATIVE TEAM OF THE NATIONAL ASSEMBLY OF ANGOLA

- 9.1 Mr President, EXCO further invites the Plenary Assembly to note that the Forum participated from the 15th to 22nd September 2022 in the sensitisation of the new MPs of the National Assembly of Angola on the theme of the SADC-PF's mandate in inter-parliamentary diplomacy and cooperation.

- 9.2 The Plenary Assembly wishes to place on record the Forum's appreciation for the sterling contribution to the Forum by Hon. Speaker Piedade Dias Dos Santos during his tenure of office.

10.0 ALIGNMENT OF THE SADC-PF LEADERSHIP WITH THE SADC TROIKA SYSTEM

- 10.1 Mr President, EXCO invites the Plenary Assembly to recall that at SADC level, there was the Troika system which operates with a current Chairperson, the previous Chairperson (the Deputy) and the Chairperson before him or her. The Troika system operates at different

levels of the SADC institutional framework, including the Summit, the Organ on Politics, Defence and Security, the Council of Ministers and the Standing Committee of Senior Officials. The Troika, which constitutes three people, is thus a convenient avenue for SADC to take policy-related decisions in between the times when the Summit meets (normally between the 17th and 18th August every year).

- 10.2 Mr President, in view of promoting an alignment of the mandate between the SADC-PF and the SADC institutional framework and ensuring that the agenda of the Forum at Summit level is dealt with by the leadership of the same country, it was proposed that the Presidency and Vice-Presidency of the Forum be aligned with the Presidency and Vice-Presidency of the SADC Summit. In other words, when the SADC Summit will be chaired by the Head of a particular SADC Member State, the Forum will also be chaired by the Speaker/Presiding Officer by the same Member State. The same would apply for the Vice-President of the Forum who would align with the Vice-President of the SADC Summit. In this way, when the Forum (or eventually the SADC Parliament) would be discussed on the Agenda of the SADC Summit, it would be administratively convenient for the Speaker/Presiding Officer of a SADC-PF Member Parliament to engage directly and lobby his or her Head of State.
- 10.3 EXCO posits that the proposed changes, if approved, has the potential to assist to reinforce the bonds between the SADC-PF and the SADC Summit, and to ensure that the voice of the SADC-PF was better heard at Summit level.
- 10.4 For the avoidance of doubt, such changes if approved, will only take place pursuant to the end of the current rotational cycle of EXCO after Seychelles and Madagascar have been offered the Presidency of the Forum.
- 10.5 In light of the above, EXCO invites the Plenary Assembly to consider and approve the above proposed changes, including approving that the Constitution and the Rules of Procedure of the Forum be amended to accommodate the new system of leadership.

11.0 REVIEW OF SADC-PF SECONDMENT POLICY

- 11.1 Mr President, EXCO invites the Plenary Assembly to recall that a secondment policy was approved by the Forum in relation to which Committee Secretaries were sourced from Member Parliaments on a part time basis to service the thematic committees of the SADC-PF.
- 11.2 This arrangement was approved against the unique background that the Forum did not have sufficient financial resources to recruit full time programme managers/committee secretaries whilst there was also the imperative to service the Committees.

- 11.3 The Plenary Assembly is invited to note that unfortunately, the part-time secondment arrangement has not proved to be fruitful due *inter alia* to competing priorities of staff at national level, the absence of an adequate accountability framework, and the lack of prioritisation of SADC-PF duties which lead to considerable pressure on the SADC-PF management to perform committee related tasks.
- 11.4 The Plenary Assembly is requested to note that in a recent performance assessment, most seconded staff were interviewed by the Secretariat, and it was apparent that it would be difficult to remedy or resolve the above impediments due to their competing duties at national level. Consequently, it was not possible to renew the secondment contracts as per policy.
- 11.5 EXCO, therefore, recommends that the Plenary Assembly refers this matter to the Committee of Clerks to guide and align the secondment policy to existing functions of Programme Managers and Committee Secretaries. Further, as an interim measure pending a long-term solution, the Plenary Assembly is requested to approve that other remedial actions be taken by the Secretariat to ensure that the Forum's Committees are properly serviced.

12.0 REVIEW OF THE ISSUE OF QUOTAS FOR FORUM STAFF

- 12.1 Mr President, EXCO invites the Plenary Assembly to recall that under the existing staff quota system at the Forum, regional posts are limited to one per country. As a result, deserving candidates for positions cannot be considered, even if they have the best credentials and can bring the best value-addition. This has an impact on administrative and programme work at the Secretariat.
- 12.2 Furthermore, EXCO requests the Plenary Assembly to note that, over time, the services required by the Forum have become more and more specialised given the targeted requirements of programme work and portfolios which requires profound knowledge and wide work experience. The Plenary Assembly is also invited to note that while other similar organisations such as the Pan African Parliament (PAP), the Commonwealth Parliamentary Association (CPA) or the Inter-Parliamentary Union (IPU) have a huge pool of over fifty countries to choose candidates from, the Forum has a limited Membership of only fifteen Member States, with the staff quota system reducing the selection to only four or five Member States at a given time.
- 12.3 EXCO recommends that, although geographical representation is an important aspect in staff selection and will continue to remain so, some flexibility is necessary such that a candidate may be considered, notwithstanding the quota system. This discretion should be vested in the EXCO. EXCO would then be able to conduct a balancing

exercising on the basis of the quota system and all other interests concerned.

- 12.4 EXCO further recommends that the Plenary Assembly approves that an alternative formula be applied, that is by applying a quota system with a maximum ceiling instead of a minimum formula, for instance by simply providing that one country should not have more than three regional staff at any given time. This would ensure that all countries could participate at a selection exercise, however bearing in mind that at any given time, there should not be more than a total of three regional staff from the same country.

13.0 UPDATE ON IMPLEMENTATION OF SRHR PROJECT (2019-2023)

- 13.1 Mr President, EXCO invites the Plenary Assembly to recall that the SRHR Project has been extended to the 31st March 2023 with the approval of the donor, Sweden. In this respect, EXCO expressed satisfaction that Monitoring and Evaluation is being conducted very closely to ensure that all project activities are completed in accordance with work plans.

- 13.2 EXCO invites the Plenary Assembly to note further that due to the good ongoing work of the Forum under the SRHR Project, Sweden is in the process of approving a project proposal made by the Forum for the next phase which is to run from 2023-2026, a development which augurs well to assist the Forum in consolidating the democratic drive in the SADC region in the years to come.

14.0 REGIONAL POLICY DIALOGUES CONDUCTED IN COLLABORATION WITH PARTNERS AND DEVELOPMENT OF KNOWLEDGE TOOLS

- 14.1 Mr President, EXCO invites the Plenary Assembly to note that Regional Policy Dialogues were held with the support *inter alia* of Sweden and the Austrian Development Agency (ADA) through GIZ, from the 4th to 7th November 2022 in view of advancing democratisation by enhancing democratic accountability and parliamentary oversight and by heightening the participation of women in politics.

- 14.2 EXCO invites the Plenary Assembly to note that knowledge tools have also been developed and these will be validated during early 2023. These are the Principles and Guidelines for Parliament in Promoting Democratic Accountability and Curbing Corruption in the SADC Region; and the Handbook for Parliaments in Promoting and Protecting Human Rights in the SADC Region. A third tool on the role of Parliament in Protecting Human Rights during emergencies will also be developed, especially in the light of recent emergency situations which prevail in the SADC region with the COVID-19 pandemic which threaten the enjoyment of key human rights. In this regard,

questionnaires have been issued to national Parliaments to obtain empirical data and feedback from a cross-national perspective.

- 14.3 In light of the above, the EXCO is requested to encourage national Parliaments to respond promptly to the said questionnaires in view of ensuring that the tools are available for use by parliaments and MPs in a timely manner.

15.0 SIDA AND SADC PF COLLABORATION IN HELPING TO CONSOLIDATE THE DEMOCRATIC DRIVE IN SADC

- 15.1 Mr President, EXCO invites the Plenary Assembly to recall that the Swedish Embassy had worked in close collaboration with the SADC Parliamentary Forum over the past decade, with at least five Grant Agreements signed and implemented in relation to HIV/AIDS, Governance, Gender and Democracy, and various other projects. These initiatives have *inter alia* led to the development of Model Laws such as the Model Laws on HIV/AIDS, Child Marriage, Gender-Based Violence and Public Financial Management, all of which have supported the agenda of the Forum to accelerate democratisation in the SADC region.
- 15.2 In particular, SRHR, HIV/AIDS Governance Projects delivered over the years had promoted the institutionalization of a culture of respect for human rights within SADC national Parliaments, in line with, *inter alia*, the provisions of the African Charter on Human and Peoples' Rights and the African Charter on Democracy, Elections and Governance. Accordingly, national legislation relating to SRHR and governance initiatives have been progressively adopted in the SADC region over the past decade, leading to strengthened legal norms to protect children from child marriage, prevent discrimination, and promote gender equality in all walks of life, to cite but a few areas of intervention.
- 15.3 In this regard, EXCO invites the Plenary Assembly to note that in view of marking the remarkable achievements and continued collaboration with the Swedish Embassy, the SIDA Ambassador at the Swedish Embassy based in Pretoria will be invited to the 52nd Plenary Assembly to receive a memorabilia of a canvass from the President of the Forum, during the Official Opening Session, which will stand as a token of gratitude from the Forum for the efforts and interest of Sweden to promoting democracy in the SADC region.

16.0 THE PRESIDENCY OF THE FORUM

- 16.1 Mr Speaker, EXCO invites the Plenary Assembly to recall that the Presidency of the Forum changes on a rotational basis every 2 years, in line with Article 12(3) of the Constitution of the Forum. Pursuant to consultations held with the only two eligible countries (Madagascar

and Seychelles) remaining in the rotational cycle of the Forum, the Speaker of the National Assembly of Madagascar indicated that Madagascar would support Seychelles in assuming the Presidency of the Forum, due to competing national priorities.

- 16.2 EXCO invites the Plenary Assembly to note that, since there is only one candidate on the ballot, Hon. Roger Mancienne, Speaker of the Parliament of Seychelles, would de facto be designated as the President of the Forum. EXCO noted with satisfaction that Hon Mancienne had since graciously accepted to take the position of President of the SADC-PF, which also entailed being the Chairperson of the Executive Committee, the Management Board of the organisation. EXCO invites the Plenary Assembly to place on record warmest wishes for the incoming President.

17.0 UPDATE ON PROCEDURES LEADING TO THE ESTABLISHMENT OF THE SADC-PF AND ITS SUCCESSORS TRUST

- 17.1 Mr President, By way of update, EXCO invites the Plenary Assembly to note that a meeting was convened by the Hon Speaker Prof H. Katjavivi representing the first donor, the Parliament of Namibia, on the 2nd of November 2022 with the Attorney General's Office as part of concluding on queries that were submitted for the consideration of EXCO related to administrative efficiency clauses and governance related clauses contained in the Trust Deed. The parties were able to clarify the issues and resolved to finalise their input in due course.

- 17.2 In this respect, EXCO invites the Plenary Assembly to:

- a) acknowledge with thanks, the continued unwavering support and valuable facilitation of Hon. Prof. P. Katjavivi, Host Speaker and Speaker of the Parliament of Namibia, in his capacity as a representative of the first donor, in expediting the registration process.
- b) encourage the Parliaments of Angola, DRC and Namibia to nominate persons to serve as Trustees in readiness for signing of the Trust Deed and facilitate its registration once the consultations between the Attorney General and ENSAfrica are concluded.

18.0 UPDATE ON THE DISPOSAL OF PROPERTY AT 66, EROSWEG, EROS, WINDHOEK, NAMIBIA

- 18.1 Mr President, EXCO invites the Plenary Assembly to take note that it has come to the Forum's attention that the property can no longer be placed on the market as it cannot be sold in the absence of the compliance certificate issued by the Municipality. The said compliance certificate from the Municipality cannot be issued until the

recommended illegal structures were demolished and other features of the property renovated in compliance with the law.

18.2 Consequently, EXCO invites the Plenary Assembly to approve that:

- a) The secretariat be instructed to comply in full with the directives of the Municipality in order to redress the illegalities surrounding the property;
- b) Going forward, a robust system be developed that should be scrupulously followed in the acquisition of property of a capital nature in order to ensure that all such transactions are handled transparently and all due diligence undertaken;
- c) The use of professionals and experts must be mandatory in such transactions in order to avoid the pitfalls that have characterised the purchase of this property;
- d) In future, should the Forum embark on purchasing any property, the Forum should adequately vet the purchase agreement, and any conditions attached thereto, in order to ensure that the agreement, including the conditions, can be enforced within a reasonable time.

19.0 STAFF MOVEMENT

19.1 Mr President, EXCO invites the Plenary Assembly to note that Mr Pedro Lusakalalu, an Angolan national who had been serving as Language Services Officer at the Forum, was due to retire from the Forum on 2nd November 2022 on attaining the retirement age of 65 years in accordance with Rule 7.6.4. of the SADC PF Administrative Rules and Regulations Handbook.

19.2 The EXCO invites the Plenary Assembly to note that the departure of Mr Lusakalalu will leave the Forum without a single Language Services Officer. Since the Forum does not have the financial ability to recruit at the moment and to pay for relocation of a new officer, it is proposed that interim measures be taken.

19.3 In this respect, EXCO recommends that the Plenary Assembly approves that:

- (a) Mr Lusakalalu be maintained on the database of language service providers, whilst the Forum considers adequate replacement through recruitment or secondment of the regional post. In this regard, consideration may be given for financial resources to be allocated for a recruitment despite the high costs involved given that the Forum needs language services on a permanent basis;

- (b) To ensure a smooth transition, Mr Lusakalalu be engaged by the Forum for a further period of between one and two years so that he can continue to coordinate language services in the Forum until replacement is found for him, and to support his successor, once identified, to settle in the new role;
- (c) a budget be allocated for an adequate staff farewell to be organised for the departure of Mr Lusakalalu who had been in the loyal service to the Forum for more than 15 years and assisted more than 25 Plenary Assemblies and hundreds of statutory meetings;
- (d) The Speaker and the Parliament of Namibia be commended for his commitment to contribute towards a staff farewell for Mr Pedro Lusakalalu.

20.0 IMPLEMENTATION OF THE RECOMMENDATIONS EMANATING FROM THE JOB EVALUATION

- 20.1 Mr President, the Plenary Assembly is invited to recall that at its 50th Plenary Assembly Session, the Forum resolved that the recommendations of the Job Evaluation and Salary Review processes be implemented, and a new organogram be brought into effect which would be focused on the strengthening of the staffing levels in the Programmes and Parliamentary Business Department in phases in order to support the core business of the Forum.
- 20.2 The Plenary Assembly is further invited to note that besides undermining efficiency at the Forum, there is a risk of staff burnout in not implementing fully the organogram as recommended by the Job Evaluation.
- 20.3 EXCO recommends that the Plenary Assembly:
- (a) takes note of the above human resource management issues which pose a performance risk for the Forum since the Secretariat is the driving engine of the Forum's operations. Whilst it was understood that financial constraints result from the fact that member subscriptions may not be increased at the moment, the Plenary Assembly is requested to take note of the matter in view of devising appropriate future secondment/recruitment strategies;
 - (b) encourages Parliaments to second staff to the Forum on a full-time basis at their own cost in line with the resolution of the 50th Plenary Assembly.

21.0 COMPREHENSIVE MEDIA AND COMMUNICATION PLAN FOR THE 52ND PLENARY ASSEMBLY SESSION

- 21.1 Mr President, the Plenary Assembly is invited to note that in order to ensure optimum visibility of the 52nd Plenary Assembly Session, a comprehensive media and communication plan has been adopted. Under the plan, the host Parliament has put in place arrangements for the accreditation of various national and international media and would liaise with the Secretariat in this regard. A media consultant will also be engaged to compile a newsletter and undertake media liaison. Furthermore, social media platforms would also be capitalised as usual to ensure the widest possible reach.
- 21.2 EXCO invites the Plenary Assembly to note and approve the Media and Communication Plan as described above.

Mr President, I beg to move.