



**REPORT OF THE SADC PF STANDING COMMITTEE ON  
DEMOCRATISATION, GOVERNANCE AND HUMAN RIGHTS (DGHR) TO  
THE 54<sup>TH</sup> PLENARY ASSEMBLY**

***THEME: AMPLIFYING CITIZENS' VOICES IN REGIONAL INTEGRATION IN  
SOUTHERN AFRICA: BRIDGING THE ENGAGEMENT GAP BY BRINGING  
PARLIAMENT TO THE PEOPLE***

Mr. President, I beg to move that this Plenary Assembly do adopt the Report of the Standing Committee on Democratisation, Governance and Human Rights to the 54<sup>th</sup> Plenary Assembly Session of the SADC Parliamentary Forum, laid on the Table on 22<sup>nd</sup> November 2023.

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## 1.0 COMPOSITION OF THE COMMITTEE

The Committee consisted of the following Members:

- |  |              |
|--|--------------|
| 1. Hon. Prof. Nqosa Leuta Mahao ( <b><i>Vice Chairperson</i></b> ) | Lesotho      |
| 2. Hon. Leepeetswe Lesedi  | Botswana     |
| 3. Hon. Chikez Diemu Ghislain                                      | DRC          |
| 4. Hon. Tsiliva Didiot Chistophe                                   | Madagascar   |
| 5. Hon. Hon. Leonard Mwalwanda                                     | Malawi       |
| 6. Hon. Ashley Ittoo   | Mauritius    |
| 7. Hon. Utaara Mootu   | Namibia      |
| 8. Hon. Richard Labrosse   | Seychelles   |
| 9. Hon. Darren Bergman   | South Africa |
| 10. Hon. Selemani Jumanne Zedi                                     | Tanzania     |
| 11. Hon. Victor Lumayi   | Zambia       |
| 12. Hon. Pedro Sebastiao   | Angola       |
| 13. Hon. Jerónima Agostinho  | Mozambique   |

## 2.0 TERMS OF REFERENCE

The Standing Committee on Democratisation, Governance and Human Rights (DGHR) was guided by its mandate in terms of Rule 42 (d) of the SADC PF Rules of Procedure.

## 3.0 NUMBER OF MEETINGS HELD AND MEETING DATES

The DGHR Standing Committee held its meeting on 16<sup>th</sup> October 2023 under the theme: *“Amplifying Citizens’ Voices in Regional Integration in Southern Africa: Bridging the Engagement Gap by Bringing Parliament to the People.”*

## 4.0 BACKGROUND

While the political and security situation in the region remains relatively stable, there are several threats to peace and stability. These include intra-state tensions, terrorism, violent extremism, food and energy insecurity, natural disasters, and pandemics, among other challenges. DRC and Mozambique are experiencing acts of terrorism and violent extremism which are not only disrupting peace and security but are also resulting in loss of life and internal displacement. Of greater concern is the fact that the prevalence of poverty, inequality, and unemployment in the communities affected by terrorism, along with a general lack of development, are being exploited by terrorist groups to garner local support. This complicates efforts to combat terrorism and violent extremism. The island states, namely Madagascar, Seychelles and Comoros, along with Mozambique, have consistently faced the threat of piracy from criminals operating off the eastern coast of Africa, especially within the western Indian Ocean. This situation places additional pressure on these nations to intensify their naval patrols and implement more security measures, in addition to joining international efforts to address the root causes of piracy.

On the governance front, while strong public institutions are essential for democratic accountability, recent evidence, such as the Afrobarometer

survey from 2021, unfortunately indicates a disconcerting trend of declining public trust in these institutions and in public leaders. This can be attributed to their failure to effectively combat corruption and ensure accountability. In 2022, a study conducted by SADC PF on the separation of powers and checks and balances in the region revealed that, although the legal frameworks of countries generally recognised the concept of separation of powers, in practice, parliaments often exhibited weaknesses and tended to be subservient to the executive.

Concerns have also been raised about a democratic deficit in the institutional mechanisms for safeguarding human rights. Consequently, there is a growing consensus on the necessity to strengthen the role of parliaments in this context. Although SADC PF has adopted the *Principles and Guidelines for Parliaments in Promoting Human Rights in the SADC region*, there remains a significant amount of work for parliaments to undertake in establishing the required structures and processes to prioritise human rights in their legislative and oversight functions.

Against this background, the SADC PF has consistently focused on bridging the gap between citizens and regional integration processes as part of its founding values. It does this through facilitating active engagement between parliamentarians, who serve as the people's elected representatives, and the citizens. As a demonstration of this commitment, the DGHR Standing Committee participated in the second public hearing session, which built upon the inaugural session held in November 2022. These public hearings play a critical role in upholding democratic principles and showcasing SADC PF's commitment to preserve the expression of the people's will by taking Parliament to the people. The engagement also serves to improve accountability on regional commitments and contributes to building public trust in the regional integration process. It allows citizens to directly share their views with Parliamentarians, for them to deliberate on and make recommendations to the Plenary Assembly.

## **5.0 SUMMARY OF PRESENTATIONS ON THE THEME**

The presentations highlighted that Model Laws and reference instruments developed by the SADC PF serve as valuable tools to guide Member States in incorporating regional and international commitments into their national legal frameworks. Meaningful participation of the citizenry in democratic and peacebuilding processes creates a secure and stable environment for sustainable development and prosperity. However, substantial challenges continue to persist, including the slow pace of domestication and implementation of these Model Laws and regional commitments. Thus, submissions underscored the need to discuss and identify barriers to progress and formulate actionable strategies to expedite the domestication and effective implementation of Model Laws and regional commitments.

## **5.1 Enhancing Security in the SADC Region to Promote Regional Stability**

The submissions condemned all acts of terrorism regardless of the perpetrators. It was highlighted that the youth are often the primary target for recruitment by rebel groups due to high levels of unemployment. Women on the other hand often lose their livelihoods and are exposed to violent extremism, trafficking, sexual harassment, and gender-based violence. Due to their vulnerability, some are recruited through abduction, whilst others willingly join to gain access to basic necessities such as water and food.

It was also noted that several SADC Member States had revised and strengthened their legal frameworks to address acts of terrorism. However, there were concerns regarding the potential hindrance these revised provisions posed to humanitarian activities in support of victims of conflicts as some laws were not compliant with international humanitarian standards. Accordingly, there was a call for SADC Member States to expedite the implementation of the SADC Regional Counter-Terrorism Strategy and prioritize aligning their anti-terrorism legal provisions with international humanitarian laws.

Experts in the field of Artificial Intelligence and Autonomous Weapon Systems expressed grave concern about the use of autonomous weapon systems that are powered by artificial intelligence. These weapons raise serious legal and ethical concerns as they pose a danger to regional peace and security and violates the international humanitarian law. It was also highlighted that the use of automatous weapons systems created an accountability gap where crimes committed in combat may go unpunished.

## **5.2 How to Strengthen Democratic institutions through the promotion of rule of law and domestication and implementation of the Model Law on Elections and SADC Principles and Guidelines Governing Democratic Elections**

The presentations emphasised the importance of addressing corruption as it obstructs good governance, the protection of human rights, and the delivery of public services. They highlighted the pivotal role of whistleblowers in combating corruption, promoting good governance, holding governments accountable, and uncovering hidden corruption cases. Additionally, the presentations shaded light on the issue of excessive political influence on Electoral Commissions, which could potentially impede the right to vote and political participation, particularly for women and young people.

Furthermore, it was pointed out that although frameworks existed to encourage meaningful youth participation in electoral processes, young people continued to face marginalisation due to negative stereotypes, biases, and discriminatory practices. The importance of involving youth in electoral processes was underscored as it plays a crucial role in fostering social and economic development.

The presentations also emphasised the importance of accelerating the implementation of the SADC Model Law on Elections, which serves as a facilitating instrument for adopting the SADC Principles and Guidelines Governing Democratic Elections at the national level. The adoption of both documents would contribute to improving the quality and credibility of elections by identifying gaps in the election cycle and making recommendations for electoral reforms. Given the growing trend of voter apathy, particularly among young people, it was reiterated that citizen participation lied at the heart of regional election standards, with both the Model Law and Principles Guidelines containing substantial provisions dedicated to citizen involvement.

### **5.3 What can SADC PF Countries do to promote Human rights and how can the countries collaborate to uphold the rights?**

The presentations highlighted that despite the adoption of several strategies to support and promote human rights, women and youth are still not adequately protected. This was primarily due to lack of funding for forums that would enable women and the youth to advocate for the implementation of these strategies. The presentations also highlighted that in the presence of several established legal frameworks, gender-based violence continued to rear its ugly head due to deeply entrenched stereotypes. Therefore, a call for regional awakening among activists to look beyond the limited and direct impact of the established laws and examine the norms that entrench the freedoms of women, the youth and other minority groups.

## **6.0 RECOMMENDATIONS**

In the ensuing deliberations from the public hearings with citizen representatives and partners, the DGHR Standing Committee:

**COGNISANT** of the valuable role played by Model Laws and reference instruments developed by the SADC PF in guiding Member States to align with regional and international commitments within their national legal frameworks.

**EMPHASISING** the crucial importance of meaningful citizen participation in democratic and peacebuilding processes, recognizing its role in fostering a secure and stable environment conducive to sustainable development and prosperity.

**REAFFIRMING** the existence of persistent challenges, including slow domestication and implementation of Model Laws and regional commitments, which require focused attention and strategic solutions.

**NOTING WITH DEEP CONCERN** the impact of terrorism, particularly on the youth and women, leading to recruitment and exposure to violence, trafficking, harassment, and gender-based violence.

**FURTHER CONCERNED** about the potential hindrance posed by certain anti-terrorism legal provisions on humanitarian activities for victims of

conflicts, as some laws do not comply with international humanitarian standards.

**NOW THEREFORE**, the Committee recommends to the 54<sup>th</sup> Plenary Assembly to:

- (i) **Urge** SADC Member States to expedite the collaborative implementation of the SADC Regional Counter-Terrorism Strategy and prioritise the alignment of their anti-terrorism legal provisions with international humanitarian laws to ensure access to humanitarian activities for those in need and strict adherence to international humanitarian laws.
- (ii) **Call** for support of policies that effectively promote women's active and meaningful participation in peace and security in line with United Nations resolutions, advocating for the development, effective implementation, and continuous monitoring of national action plans aimed at advancing women's involvement in peace and security decisions, and prioritising the production of educational materials on women's participation in security and the training of women as peace negotiators, as crucial steps in supporting women's active and meaningful engagement in peace and security efforts.
- (iii) **Call** for decisive measures to protect women in conflict situations, especially in Cabo Delgado, given their vulnerability, by combatting terrorism in a gender-responsive manner and ensuring the incorporation of gender-sensitive approaches to address the unique challenges faced by women in conflict zones.
- (iv) **Call** for urgent and deliberate measure to encourage and facilitate youth participation in electoral processes by creating policies and frameworks that reflect the needs and concerns of young people, amplifying their voices through organised platforms for engagement, and making electoral fees affordable for young people to enable their participation.
- (v) **Call** for immediate actions to counter the recruitment of youth by rebel groups and their susceptibility to violent extremism by offering enhanced educational and economic opportunities to engage them constructively, alongside implementing reforms to safeguard the rights of young people in the region.
- (vi) **Urge** the SADC PF Secretariat to consider the feasibility of conducting pre-election missions virtually to mitigate financial challenges faced by National Parliaments in funding Election Observation Missions (EOMs), thereby reducing costs and ensuring continued engagement of electoral stakeholders across the region to promote democratic elections and advocate for the domestication of the SADC Model Law on Elections.

- (vii) **Call** for further engagement of National Parliaments to consider allocating resources for Election Observation Missions (EOMs) in their operational budgets to ensure the ongoing deployment of parliamentary EOMs, recognising their vital role in promoting democratic elections and monitoring the implementation of the SADC Model Law on Elections.
- (viii) **Urge** national Parliaments to prioritize awareness-raising on the *SADC Principles and Guidelines Governing Democratic Elections* and advocate for adherence to these principles by Member States to enhance the quality and credibility of elections in the region.
- (ix) **Urge** SADC Member States to prioritize discussions on the rapid development and deployment of autonomous weapon systems powered by artificial intelligence, recognising their potential risks to regional peace, security, and international humanitarian law; collaborate in developing regional guidelines for regulation and strengthening monitoring, including through parliamentary mechanisms; and actively engage in international dialogues and global diplomatic efforts to address these concerns and promote the ethical and responsible use of such systems in warfare.
- (x) **Call** upon Parliaments to fully utilise their legislative and oversight mandate to advocate for and facilitate the effective implementation of comprehensive measures aimed at combating corruption, including the protection of whistleblowers, as this pervasive issue not only undermines good governance but also threatens human rights and the efficient delivery of services, emphasising the urgent need for the enhanced domestication and implementation of the SADC Protocol Against Corruption.
- (xi) **Call** for the implementation of effective measures to protect vulnerable women and girls from sexual abuse and exploitation, specifically addressing the issue of sextortion, which constitutes a form of corruption, and emphasise the importance of integrating sextortion into gender-based violence policies to ensure the establishment of a safe and secure workplace environment for all individuals.

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**Hon. Prof. Nqosa Leuta Mahao**  
**VICE CHAIRPERSON**

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**Upile Polepole**  
**COMMITTEE SECRETARY**



## 7.0 APPENDICES

### APPENDIX I – LIST OF OFFICIALS

Ms. Boemo Sekgoma, Secretary General	SADC PF Secretariat
Mr. Joseph Manzi, Director of Parliamentary Business and Programmes	SADC PF Secretariat
Mr. Sheuneni Kurasha, Programme Manager Democracy, Governance and Human Rights	SADC PF Secretariat
Ms. Upile Polepole	Committee Secretary
Mr. Ronald Windwaai	ICT Offiier
Paulina Kanguatjivi	SADC PF Secretariat
Mamosella Ramosella	Moderator

### APPENDIX II – RESOURCE PERSONS

- i) Pusetso Morapedi - Director Platform to Protect Whistle Blowers in Africa, Southern Africa Office.
- ii) Professor Thompson Chengeta - Expert in the field of AI and Autonomous Weapon Systems and Professor at Liverpool John Moores University, United Kingdom.
- iii) Tamalin Bolus - Regional Legal Advisor, International Committee of the Red Cross, South Africa.
- iv) Maxwell Mapopa Mvula - Centre for Human Rights and Rehabilitation, Malawi.
- v) Edwick Madzimure – President, Women's International League for Peace and Freedom (WILPF), Zimbabwe.
- vi) Namatama M. P. Sakabilo - Gender Advisor, SADC Mission in Mozambique (SAMIM).
- vii) Mathews Kajani - Youth Leader in Malawi.
- viii) Nadine Rodrigues - SRHR Africa Trust, Mozambique.
- ix) Mahongo Nasilere - Youth Leader and SRHR Africa Trust, Zambia.
- x) Sofonea Shale - Executive Director, Development for Peace Education, Lesotho.
- xi) Ian Chawanga - Human Rights and Governance Expert and Youth Leader.
- xii) Bora Kaumba - Head of the Gender and Young Women Development Cluster, SAYoF.