



REPORT OF THE REGIONAL PARLIAMENTARY MODEL LAWS OVERSIGHT COMMITTEE (RPMLOC) TO THE 55th PLENARY ASSEMBLY HOSTED BY THE PARLIAMENT OF THE REPUBLIC OF ANGOLA FROM 1ST TO 7TH JULY 2024

THEME: “ENHANCING THE ROLE OF THE RPMLOC IN MONITORING THE DOMESTICATION OF SADC MODEL LAWS AND IMPLEMENTATION OF RELATED POLICIES AND LAWS THROUGH STRUCTURED REPORTING FRAMEWORKS AND MECHANISMS: A LOOK AT THE DOMESTICATION OF THE SENDAI FRAMEWORK FOR DISASTER RISK REDUCTION”

Mr President, I beg to move that this Plenary Assembly do adopt the Report of the Regional Parliamentary Model Laws Oversight Committee to the 55th Plenary Assembly of the SADC Parliamentary Forum, laid on the table on 3rd July 2023.

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1.0 COMPOSITION OF THE COMMITTEE

At the time of the meeting, the Committee consisted of the following Members:

1. Hon. Ishmael Ndaila Onani, MP, Malawi (**Chairperson**)
2. Hon. Shally Josepha Raymond MP, Tanzania (**Vice-Chairperson**)
3. Hon. Regina Esparon, MP, Seychelles
4. Hon. Kelly Samynadin, MP, Seychelles
5. Hon. Tendai Nyabani, MP, Zimbabwe
6. Hon. Dr. Pinkie Manamolela, MP, Lesotho

2.0 TERMS OF REFERENCE

The Regional Parliamentary Model Laws Oversight Committee (RPMLOC), also known as the “Oversight Committee” is established as an organ of the Forum pursuant to Articles 10(1) and 17 of the SADC-PF Constitution. The overarching objective of the Oversight Committee is to act as a dedicated Forum organ to monitor the domestication of Model Laws developed by the Forum, as well as related instruments, particularly the Sendai Framework on Disaster Risk Reduction 2015-2024, which was being considered at the meeting.

The functions of the RPMLOC are provided for in Article 17(4) of the Constitution of the SADC Parliamentary Forum, *inter alia*, monitoring and evaluation of progress made by SADC Member States in domesticating SADC Model Laws and implementing related laws and policies; and facilitating awareness on specific issues in the Model Laws by engaging with appropriate authorities, grassroots and community-based organisations and the private sector, including the media and encouraging National Parliaments and appropriate authorities to establish a desk/focal person or subcommittees to co-ordinate actions on the various Model Laws. Further, according to Rule 20(2) of the SADC PF Rules of Procedure, the RPMLOC reports directly to the Plenary Assembly.

3.0 MEETINGS HELD AND MEETING DATES

The Committee held its statutory meeting on 22nd May 2024 at Southern Sun Hotel, Johannesburg, South Africa ahead of the 55th Plenary Assembly, under the theme: *“Enhancing the Role of the RPMLOC in Monitoring the Domestication of SADC Model Laws and Implementation of related Policies and Laws Through Structured Reporting Frameworks and Mechanisms: A look at the Domestication of the Sendai Framework for Disaster Risk Reduction”*

4.0 BACKGROUND

The SADC Parliamentary Forum (SADC PF) has been at the forefront of promoting engagement of Parliamentarians in tackling climate change and

coming up with mitigation initiatives to address the impact of climate change across the SADC region, including the occurrence of extreme weather patterns, natural hazards, low rainfalls, severe droughts, flooding, tropical storms and cyclones. Over the years the Members of Parliament have had the opportunity, during Standing Committee Meetings and in Plenary Sessions, to engage on how best to address climate change issues, including promoting resilient development on all fronts.

The most recent engagement was at the Symposium preceding the 54th Plenary Assembly which was held in Mauritius in November, 2023 under the theme *“The Role of Parliaments in Promoting Coordination for Enhanced Disaster Risk Reduction and Recovery Planning in the SADC Region”*. Among the topics that were considered during the session was the domestication of norms relating to Disaster Risk Reduction and Preparedness by Parliaments with emphasis on the Sendai Framework for Disaster Risk Reduction (2015-2030) which has been subscribed to by most of the SADC countries in view of reducing the number of people affected by disasters in the region.

During the meeting, the Members received presentations on various topics including the role of Parliaments and Parliamentarians in ensuring Disaster Risk Reduction and Preparedness Planning within SADC countries, including the domestication of the Sendai Framework. Furthermore, the Members noted that since the Sendai Framework introduced a proactive rather than reactive approach to disasters, Parliamentarians across the SADC region are expected to assess the grassroots concerns of communities concerning disaster risk reduction and ensure that mitigation strategies are devised to protect constituents. Furthermore, Members of Parliament are expected to ensure that yearly State budgets are sufficiently robust to invest largely in disaster risk reduction which would minimize loss and damage and save costs in the future.

In this regard, the SADC Parliamentary Forum made a number of resolutions for the implementation of Disaster Risk Reduction. It was thus opportune for the RPMLOC to meet in line with its mandate under the Constitution to consider issues relating to the domestication of the Sendai Framework on Disaster Risk Reduction ahead of the 55th Plenary Assembly as it was imperative that the Committee, convened to take stock of the implementation of the resolutions of the 54th Plenary Assembly and endeavour to assist member Parliaments in translating them into actionable steps and bring the recommendations to fruition. This was in line with the resolution calling upon the Plenary Assembly to remain seized of the matter through exchanges of country reports in booklet form and through an implementation matrix which could be updated from time to time.

Furthermore, the Committee received an insightful presentation by Mr. Sheuneni Kurasha, Programme Manager–DGHR from the SADC PF Secretariat titled: *“Understanding the Mandate of Standing Committees in relation to SADC Model Laws and related policies and laws”*. The Committee also received a

presentation by Dr. Alex Banda, Senior Advisor for DRR, SADC Secretariat titled: Disaster Risk Reduction in the SADC Region, and three informative presentations by experts from UNDRR Headquarters and Regional Offices on: Strengthening Disaster Risk Reduction: Perspectives and Practices. In this regard it is worth mentioning that in October 2022, UNDRR and the SADC Secretariat signed a memorandum of understanding that outlined areas of cooperation between the two organizations. Strengthening the capacity of SADC Member States to implement the Sendai Framework and supporting the alignment and harmonization of SADC Member States' policies and programmes to the Sendai Framework were identified as two action areas and that, therefore, the work of the RPMLOC could play a pivotal role in supporting the implementation of these action areas.

The presentation by the SADC PF Secretariat was aimed at reviewing the constitutional mandate of standing Committees in relation to the monitoring and evaluation of the implementation of SADC Model Laws, related policies and laws. The presentation by SADC Secretariat focused on SADC initiatives for Disaster Risk Reduction in the SADC region and was aimed at giving the members a picture of what obtained in member countries regarding Disaster Risk Reduction and oversight initiatives by SADC Parliaments to ensure Disaster Preparedness and Disaster Risk Reduction and Planning in their respective countries with emphasis on the 54th Plenary Assembly Resolutions on Disaster Risk Reduction with a view to address Climate Resilience in the SADC region. The presentation by UNDRR focused on the reporting and mechanisms for Disaster Risk Reduction and unpacking what the Parliamentarians should do to ensure Domestication of the Sendai Framework by their countries and that the Executive implements the Framework. Further the session focused on how the Standing Committees could report to the RPMLOC on the oversight initiatives by Parliaments in ensuring Disaster Risk Reduction. The session also explored financing mechanisms for DRR initiatives. This included discussions on budget allocation and tagging specifically dedicated to DRR activities.

5.0 SUMMARY FROM THE PRESENTATIONS

Below is a synopsis of the key issues raised in the presentations made during the meeting:

- a) The Committee noted with satisfaction the actions taken by the Secretariat on the Resolutions of the 54th Plenary Assembly and that implementation of those resolutions was in progress.
- b) The Committee noted, with appreciation from the actions taken, the on-going initiatives and programmes in the domestication and implementation of the SADC Model laws in Member Countries, in Particular the PFM scorecard pilot, to ensure efficacy of the assessment

results, which is in progress in selected countries and would proceed to other Member countries after the pilot as the aim of the scorecard was to track the progress on domestication of the Model Law in the Member States.

- c) The Committee further noted with appreciation the progress made towards the realization of the SADC PF transformation to a SADC Parliament and the initiatives of the Secretariat towards the realization of this milestone.
- d) The Committee appreciated that there was need for them to devise a reporting mechanism for the Committee Members as Chairpersons of Standing Committees to report to the Parliamentary Model Laws Oversight Committee on the activities of the Standing Committees and on strategies and activities carried out in their respective committees on the Domestication of the SADC Model Laws and related instruments.
- e) The Committee noted the they were principal role players in the ratification of regional instruments and the domestication of the same and that they were, therefore, indispensable in the effective oversight, implementation, and promotion of SADC Model Laws by monitoring, advising, supporting, engaging, and creating linkages.
- f) The Committee noted the mandates of the Members, being among others: monitoring and evaluation to track Member States' progress in domesticating and implementing SADC Model Laws; playing an advisory role through providing advice to SADC PF on Member States' compliance with Model Laws; ensuring support measures to assists Member States in addressing issues targeted by Model Laws and conducting awareness and engagement with authorities, communities, and the private sector to raise awareness on Model Laws.
- g) The Committee further noted that the mandate of the Committee was to ensure national coordination by the establishment of focal points or subcommittees in National Parliaments; undertake research and advocacy to for data generation; develop monitoring mechanisms to assists in setting up monitoring and data collection systems; ensure capacity building for relevant authorities and law enforcement; information sharing and collaboration in the development of action plans with stakeholders; coordinating with other Standing Committees and the Regional Women Parliamentary Caucus. Most importantly coming up with recommendations on oversight and accountability mechanisms for Model Law implementation.
- h) The Committee also noted the need to devise a reporting mechanism for the Committee Members as Chairpersons of Standing Committees to

report to the Parliamentary Model Laws Oversight Committee on the activities of the Standing Committees and on strategies and activities carried out in their respective committees on the Domestication of the SADC Model Laws and related instruments.

- i) The Committee appreciated global and regional DRR tools and DRR Governance mechanisms which they gained from the presentations by the SADC Secretariat and UNDRR experts on the Sendai Framework.
- j) Further the Committee noted that since the Sendai Framework introduced a proactive rather than reactive approach to disasters, Parliamentarians across the SADC region, were expected to assess the grassroots concerns of communities concerning disaster risk reduction and ensure that mitigation strategies are devised to protect constituents.
- k) The Committee noted that the mandate of the Disaster Risk Reduction Unit of the SADC Secretariat was established to facilitate disaster risk management programmes and projects and their effective coordination, monitoring and evaluation in the region and that guided by the Sendai Framework for Disaster Risk Reduction, the mandate of the DRR Unit was to translate the provisions of the global and regional frameworks for mainstreaming of DRM in the regional interventions, cemented on the aspirations of regional integration.
- l) The Committee noted that Disaster Risk Reduction was not a humanitarian response but that it was intervention after the occurrence of disaster for ensuring resilience and that the goal of the Sendai Framework was to prevent new and reduce existing disaster risk by strengthening the resilience of people, systems and approaches.
- m) The Committee noted the brief history of the Sendai Framework as an advocator for Disaster Risk Reduction and the global outlook on Disaster Risk Reduction which showed that the world has experienced 350-500 medium-to-large-scale disasters per year over the last 20 years which they noted was five times higher than in the previous three decades as evidenced by the increase in economic losses, people affected, deaths and the disasters from 1980-2019.
- n) The Committee noted UNDRR support in the SADC Region which is done from the Humanitarian Operation Centre, which included technical assistance on training and assistance in processes for a Multi-Hazard Early Warning Systems for Member States and strengthening of the resilience of National Critical infrastructure and development of policy and investment recommendations based on the Principles for Resilient Infrastructure and the Global Methodology for Infrastructure Resilience and Early Warning Systems.

- o) The Committee noted that there was a need to address how Parliaments could unlock resources for DRR. Members were also cautioned that there was a need for Parliamentary interventions or actions to avoid duplication of efforts and also to ensure reporting on issues in existing committees.
- p) The Committee further noted that the Sendai Framework had a parliamentarian's toolkit which could guide Members in ensuring Disaster Risk Reduction in their respective countries;
- q) The Committee noted that their role should be the development of DRR laws, frameworks and norms; fostering enabling environments for risk-informed investments; building greater risk understanding and DRR coordination; raising DRR awareness amongst peers and constituencies; ensuring inclusive legislative processes and ensuring inclusive legislative processes.
- r) The Committee further noted that Parliamentarians could advocate and ensure disaster risk reduction in their roles as legislators, budget allocators, reviewers and approvers, financiers, overseers of government activities, and constituency representatives,
- s) The Committee further noted that successful DRR would not be achievable without DRR-specific policies, legislation, budgets and oversight

6.0 COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

Based on the presentations, the Committee:

1. **Emphasized** on the need for Members of Parliament to be consistent in paying Membership subscriptions to ensure the full realization of the SADC PF Transformation to a SADC Parliament and sustenance of the work of Standing Committees.
2. **Reaffirmed** that SADC PF should invest in building the capacity of the Members to carry out their mandate in their respective Standing Committees to enable them to fully carry out their mandate and to effectively report to National Parliaments on the cross-cutting work of the Forum to dispel the misconception that the Forum was only about the development of Model laws.
3. **Reiterated** that Members should put their efforts in domestication initiatives and come up with strategies and mechanisms for raising awareness in targeted laws and ensure collaboration and partnerships

for funding the domestication initiatives and strengthening capacity of the Members in terms of frameworks, tools and operations.

4. **Realised** that there were not readily available funds for DRR and that Governments have to put aside financial and human resources and come up with resource mobilization strategies locally instead of looking for external finding from global funds as these were not easily accessible due to their stringent requirements.
5. **Noted** that since the Sendai Framework introduced a proactive rather than reactive approach to disasters, Parliamentarians across SADC were expected to assess the grassroots concerns of communities concerning disaster risk reduction and ensure that mitigation strategies are devised to protect constituents.
6. **Noted** further that information sharing between Members on possible resource mobilization initiatives domestically for Disaster Risk Reduction in the SADC region was key and that Members should be proactive and ensure that they played their oversight and representative roles in initiative for the prevention of disaster and recovery in their respective countries in order to save lives and save a lot of money.
7. **Reiterated** that Parliaments should exercise oversight on Bills brought before their Parliaments and approach the Forum for guidance in the provisions of those Bills and advice on whether or not they comply with the provisions of the SADC Model Laws and how they could have the provisions of the Model Laws incorporated in Bills.
8. **Noted** with appreciation the active role SADC PF Secretariat was playing in ensuring that the Committee developed effective monitoring systems at national level to track ratification and domestication of the laws that are enacted by Member Countries to give effect to international instruments including the Sendai Framework on Disaster Risk Reduction.
9. **Recognised** need to devise a reporting mechanism for the Committee Members as Chairpersons of Standing Committees to report to the Parliamentary Model Laws Oversight Committee on the activities of the Standing Committees and on strategies and activities carried out in their respective committees on the Domestication of the SADC Model Laws and related instruments.
10. **Recalled** the need for countries to devise DRR strategies and be innovative for creating pathways for domestication of the Sendai Framework and that successful DRR would not be achievable without DRR-specific policies, legislation, budgets and oversight.

NOW, THEREFORE, the Regional Parliamentary Model Laws Oversight Committee resolves and recommends to the 55th Plenary Assembly to:

- i) Urge** SADC Member States to be consistent in paying Membership subscriptions to ensure the full realization of the SADC PF Transformation to a SADC Parliament and sustenance of the work of Standing Committees.
- ii) Implore** SADC Parliaments to put their efforts in domestication initiatives and come up with strategies and mechanisms for raising awareness in targeted laws and ensure collaboration and partnerships for funding the domestication initiatives and strengthening capacity of the Members in carrying out their mandate.
- iii) Encourage** Member States to put aside financial and human resources and come up with resource mobilization strategies locally instead of looking for external finding from global funds.
- iv) Authorize and direct** the Secretariat to continue to invest in building the capacity of the Members to carry out their mandate in their respective Standing Committees to enable them to fully carry out their mandate.

7.0 CONCLUSION

The SADC Parliamentary Forum (SADC PF) has been at the forefront of promoting engagement of Parliamentarians in tackling climate change and coming up with mitigation initiatives to address the impact of climate change across the SADC region, including the occurrence of extreme weather patterns, natural hazards, low rainfalls, severe droughts, flooding, tropical storms and cyclones. Over the years the Members of Parliament have had the opportunity, during Standing Committee Meetings and in Plenary Sessions, to engage on how best to address climate change issues, including by promoting resilient development on all fronts.

Given its constitutional mandate, RPMLOC is there to ensure that Member countries are encouraged to ratify and domesticate the SADC Protocols and implement the provisions of the Model Laws as well as related instruments such as the Sendai Framework on Disaster Risk Reduction. It was apposite that the Regional Parliamentary Model Laws Oversight Committee (RPMLOC), convened to take stock of the implementation of the resolutions of the 54th Plenary Assembly and endeavour to assist member Parliament in translating them into actionable steps and bringing the recommendations to fruition as those resolutions were mainly concerned with the implementation of DRR for climate resilience, in particular the 54th Plenary Assembly resolved to instruct the Secretariat of the SADC Parliamentary Forum to ensure that climate

governance including disaster risk reduction and preparedness was consistently addressed through its relevant Standing Committees and in this regard the RPMLOC was better placed to deliberate on them in the meeting as it is made up of chairpersons of the SADC PF Standing Committees.

Hon. Ishmael Ndaila ONANI
CHAIRPERSON

Ms. Thoko GUMEDZE
COMMITTEE SECRETARY

8.0 APPENDICES

Appendix II – List of Officials

Ms. Boemo Sekgoma, Secretary General
Ms. Yapoka Mungandi, Director - Finance and Corporate Services
Mr. Joseph Manzi, Director - Parliamentary Business and Programmes
Ms. Paulina Kanguatjivi, Assistant Procedural Officer and Coordinator
Dr. Moses Magadza Media & Communication
Ms. Rachel Mundilo, Programme Manager & Committee - FANRCJ
Mr. Ronald Windwaai, Webmaster
Mr. Unaro Mungendje, Protocol Officer
Ms. Samueline Kauvee,
Ms. Lorenda Boois, Finance Officer
Mr. Toivo Mwaala, Finance Officer
Ms. Thoko Gumedze, Committee Secretary
Mr. Pedro Lusakalalu, Interpreter
Mr. Sam Bokosi, Internal Auditor

Appendix III – List of Staff from Member Parliaments

Dr. Cleophas Gwakwara, Zimbabwe
Mr. Munashe Tofa Committee Secretary HSDSP, Zimbabwe
Ms. Nyasha Turundi, Committee Secretary FANR,
Ms. Idda, Kombe, Desk Officer, Tanzania
Ms. Sipiwe Komwa, Assisant Desk Officer, Malawi

Appendix III - Resource Persons

Mr. Sheuneni Kurasha, Programme Manager-DGHR, SADC PF
Dr. Alex Banda, Senior Advisor for DRR, SADC Secretariat
Ms. Sara Wade Apicella, UNDRR Headquarters
Mr. Roberto Schiano Lomoriello, UNDRR Headquarters
Ms. Mekailah Stephens, UNDRR Headquarters
Mr. Huw Beynon, UNDRR Regional Office