



REPORT OF THE SADC PF TRADE, INDUSTRY, FINANCE AND INVESTMENT COMMITTEE TO THE 57TH PLENARY ASSEMBLY SESSION TO BE HOSTED BY THE PARLIAMENT OF THE REPUBLIC OF ZIMBABWE IN VICTORIA FALLS FROM 31ST MAY TO 7TH JUNE 2025

THEME: *“FOSTERING BUDGET TRANSPARENCY, IMPROVING PRISON INFRASTRUCTURE, AND SECURING ACCESS TO AFFORDABLE HEALTH CARE.”*

Mr. President, I beg to move that this Plenary Assembly do adopt the Report of the Trade Industry Finance and Investment Committee to the 57^h Plenary Assembly of the SADC Parliamentary Forum, laid on the Table of the House on 03rd June 2025.

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1.0 COMPOSITION OF THE COMMITTEE

The Committee was composed of the Members as contained in Appendix I. The list of Officials and Resource Persons who attended the meeting are mentioned in Appendices II and III respectively.

2.0 COMMITTEE'S TERMS OF REFERENCE

The SADC PF Standing Committee on Trade, Industry, Finance and Investment (TIFI) Standing Committee, draws its mandate from Rule 42(d) of the Rules of Procedure of the SADC PF *"To deal with all matters related to economic cooperation, industry and trade, mining, finance and investment and regional integration"*

3.0 NUMBER OF MEETINGS HELD AND MEETING DATES

The SADC PF Standing Committee on Trade, Industry, Finance and Investment (TIFI) Standing Committee, met on the 23rd April 2025 at the Premier Hotel, OR Tambo, Johannesburg, to consider its agenda items and deliberated on the theme of *"Fostering Budget Transparency, Improving Prison Infrastructure and Securing Access to Affordable Health Care"* which fell under its mandate pursuant to Rule 42(d) of the Rules of Procedure of the SADC PF'.

The Committee also met as part of a larger group during the Joint Session of Standing Committees of the SADC PF on the 24th-25th April 2025 under the overall theme: *"Towards Developing a SADC Model Law on Prison Oversight."* At this juncture the Committee was able to put forward recommendations that would be considered in the development of the SADC PF Model law on Prison Oversight and contributed to the finalization of the Position paper.

4.0 BACKGROUND

Pursuant to the 54th Plenary Assembly resolution, which approved the development of the Model Law on Prison Oversight, and in line with the 2024-2028 Strategic Plan, which among others enjoins this SADC PF to co-create interventions related to advancement of human rights, the United Nations Standard Minimum Rules for the Treatment of Prisoners and the SDG, the Committee considered certain facts and figures presented by resource persons on the state of SADC prisons.

In view of the above the Committee having noted that, the prison population across SADC is nearly 400,000, with South Africa and the DRC (World Prison Brief data) holding the largest share. This is exacerbated, by high pre-trial detention rates, gender disparities, overcrowding, and inadequate infrastructure. It was further reported that existing prison facilities are often outdated and do not meet current human rights standards. Effective prison oversight must go beyond monitoring visits to include budget oversight linkages for accountability. TIFI recognises the need for vigorous Parliamentary involvement especially in appropriating sufficient funds for adequate investments into prison infrastructure and as well as maintaining sufficient resources including human

resources. It is, therefore, critical to ensure that prisons have adequate budgets to pay staff, feed inmates, and provide adequate medical, educational, recreational, rehabilitation and reintegration services.

The TIFI Committee has a mandate of regional integration, and therefore lauds the SADC PF for consistency in developing laws that harmonise legislation in the SADC region. Legal frameworks on prisons vary across countries, and often do not reflect constitutional rights. TIFI also recognises that developing the Model Law on Prison Oversight will address structural issues such as Parliament's lack of structured access to prison data and reporting systems, which invariably weaken accountability.

5.0 SESSION DELIBERATIONS AND RECOMMENDATIONS TO THE PLENARY ASSEMBLY

After thorough deliberations and expert presentations, the Committee wishes to highlight the following for appreciation of the Plenary Assembly and made the following recommendations:

CONSIDERING submissions by experts and country experiences shared by Members of the Committee;

ACKNOWLEDGING the importance of prison oversight to protect prisoners' rights and ensure accountable prison institutions, including on expenditure;

UNDERSTANDING that beyond the general opacity of the budgeting process for most citizens, national budget priorities often overlook the needs of marginalised groups such as prisoners and that those confined in prisons are among the least able to influence budgetary decisions, yet they are among the most affected, as their daily survival depends entirely on the State;

REITERATING that prison oversight is not merely a governance concern but is intricately linked to sound financial management, including prudent oversight of public resources, adequate parliamentary budget allocations for effective prison administration, infrastructure and healthcare for incarcerated individuals;

FULLY UNDERSTANDING that all the rights enshrined in the Bill of Rights apply equally to inmates, except where they are justifiably limited in accordance with the Constitution;

BEARING IN MIND that incarceration does not strip individuals of their humanity;

NOTING the need to ensure adequate budgetary provisions for alternative sentencing and correctional approaches;

COGNISANT that correctional facilities are susceptible to corruption due to their closed environment and that corrupt practices within prisons endanger the safety of inmates, staff, and the public;

STRESSING that parliamentarians should conduct prison visits to gain a first-hand understanding of the conditions and budgetary needs;

REITERATING the importance of financial oversight on prisons to ensure value for money in terms of resources;

APPRECIATING the value of the innovation on prison financing, including through supplemented budget through skill development programmes and prison farms as an economical alternative source of food for prisons;

NOTING the high number of prisoners in SADC Member States, including undocumented prisoners who often overstay without due process, such as children without birth certificates and youth with petty crimes, which puts a strain on the already under-resourced prisons, including on infrastructure and food supply systems;

DEEPLY CONCERNED by the number of people behind bars who are pre-trial detainees, some of whom could be innocent, but remain in prison for considerable periods of time, including where the detainees do not have sufficient funds to pay for bail bonds, putting a strain on financial resources;

COGNISANT that Parliaments are crucial in resource allocation to prisons to ensure adequate medical supplies, staffing, and training, to meet the needs of the incarcerated population;

NOW, THEREFORE, the Committee resolves to make the following key recommendations to the 57th Plenary:

- (i) **Urge** SADC Member Parliaments to ensure appropriation of adequate budget to prisons to fund alternative approaches to incarceration, such as fines, diversion programmes, and restorative justice initiatives which have the potential to reduce the rate of incarceration and potentially free up resources;
- (ii) **Urge** national Parliaments to prioritise allocation of resources towards alternatives to incarceration, reintegration and rehabilitation programmes for prisoners to help reduce recidivism and towards early crime prevention strategies, especially among the youth;
- (iii) **Encourage** national Parliaments to ensure adequate financial oversight on prisons to ensure prudent financial management and greater transparency in prison management;

- (iv) **Call upon** civil society organisations to collaborate with Parliaments to build their capacity in tracking budget implementation strategies in prisons;
- (v) **Encourage** Parliaments to conduct vigorous oversight into investments in prison infrastructure, including where there are public-private partnerships and, in instances where the private sector is directly involved in the management of prisons; and
- (vi) **Urge** Parliaments to prioritise health financing to ensure access to quality health services by all prisoners;

Mr. President, I beg to move.

Hon. Ruth MENDES
CHAIRPERSON

Ms. Masenate MOLAPO
COMMITTEE SECRETARY

6.0 APPENDICES

APPENDIX I - COMPOSITION OF THE COMMITTEE

As at the date of the meeting, the Committee consisted of the following Members:

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| 1. | Hon. Ruth Mendes (<i>Chairperson</i>) | Angola |
| 2. | Hon. Dr. Afred James Kimea (<i>Vice Chairperson</i>) | Tanzania |
| 3. | Hon. Dumelang Saleshando | Botswana |
| 4. | Hon. Celestin Loleke Ekoto | DRC |
| 5. | Hon. Michael Masilela | Eswatini |
| 6. | Hon. Dr. Pinkie Manamolela | Lesotho |
| 7. | Hon. Bismark Monk-Mann | Madagascar |
| 8. | Hon. Francis Lucky Phisso | Malawi |
| 9. | Hon. Egbert Aglae | Seychelles |
| 10. | Hon. David Mandla Skosana | South Africa |
| 11. | Hon. Kalalwe Mukosa | Zambia |
| 12. | Hon. Mercy Mugomo | Zimbabwe |
| 13. | Namibia (Members yet to be designated to SADC PF) | |
| 14. | Mauritius (Members yet to be designated to SADC PF) | |
| 15. | Mozambique (Members yet to be designated to SADC PF) | |

APPENDIX II – LIST OF OFFICIALS

1. Ms. Boemo Sekgoma, Secretary General
2. Ms. Masenate Molapo, Program Manager and Committee Secretary (TIFI)
3. Ms. Paulina Kanguatjivi, Assistant Procedural Officer and Coordinator
4. Mr. Ronald Windwaai, Webmaster

APPENDIX III – RESOURCE PERSONS AND PARTNERS

1. John Jeffrey, Former Deputy Minister of Justice, South Africa
2. Mr Melusi Simelane, Southern Africa Litigation Centre
3. Professor Lukas Muntingh, Lecturer at the Dullar Omar Institute