



**REPORT OF THE SADC PF REGIONAL PARLIAMENTARY MODEL LAWS
OVERSIGHT COMMITTEE TO THE 57TH PLENARY ASSEMBLY SESSION
HOSTED BY THE PARLIAMENT OF THE REPUBLIC OF ZIMBABWE IN
VICTORIA FALLS FROM 31ST MAY TO 7TH JUNE 2025**

***THEME: "LAYING A FOUNDATION FOR DOMESTICATION OF SADC MODEL
LAWS: BUILDING CAPACITY FOR ENHANCED PARLIAMENTARY
MONITORING."***

Mr. President, I beg to move that this Plenary Assembly do adopt the Report of the Regional Parliamentary Model Laws Oversight Committee to the 57th Plenary Assembly Session of the SADC Parliamentary Forum, laid on the Table of the House on 3rd June 2025.

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1.0 COMPOSITION OF THE REGIONAL PARLIAMENTARY MODEL LAWS OVERSIGHT COMMITTEE

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

2.0 TERMS OF REFERENCE AND THEME OF THE MEETING

Pursuant to the Terms of Reference of the Committee as articulated in Article 17(4) of the SADC PF Constitution of the SADC Parliamentary Forum, which charges the Committee with the responsibility of monitoring and evaluating progress made by Member States towards domesticating SADC Model Laws and implementing related laws and policies, the Committee held its statutory meeting on 31st March 2025 under the theme: *“Laying A Foundation for Domestication of SADC Model Laws: Building Capacity for Enhanced Parliamentary monitoring.”*

3.0 BACKGROUND

SADC Model Laws are not developed in a vacuum but are undergirded by internationally accepted human rights principles, to which SADC Member States have subscribed. The development of SADC Model Laws is also founded and draws substantially on the regional commitments made by SADC Member States through various regional policy instruments. The Model Laws seek to breathe life into the agreed regional principles and make them a living reality for the region’s citizens.

Against this backdrop, the monitoring role of the RPMLOC is pivotal to the attainment of various developmental aspirations of the region. In this regard, the Members of the RPMLOC require capacitation to be able to canvass for the domestication of SADC Model Laws effectively. Further, it is critical for the RPMLOC to engage various stakeholders, notably the Standing Committees of the Forum who are responsible for oversight of the specific thematic areas contained in the Model Laws, in order to be updated on latest developments regarding domestication efforts by Member States.

4.0 SUMMARY OF PROCEEDINGS AND RECOMMENDATIONS TO THE PLENARY ASSEMBLY

Following deliberations anchored on the insightful expert presentations from Ms Hildah Modisane from the SADC Electoral Commissions Forum and Dr Victor Shale, a Governance Expert, the SADC PF Regional Parliamentary Model Laws Oversight Committee:

WHEREAS the statutory meeting of the RPMLOC was convened for the purpose of reviewing progress made towards domestication of the SADC Model Laws and other regional policies as part of the monitoring function of the Committee, as well as to capacitate its members with regard to the content of the Model Law on Elections and how it compares with other regional election standards;

COGNISANT of the need to broaden monitoring of domestication of SADC Model Laws efforts in order to foster the realization of tangible benefits from the Model Laws by citizens of SADC;

CONCERNED that reporting of progress made by some SADC Member States towards domestication of Model Laws to the SADC PF is not structured, posing a risk of such efforts not being acknowledged and recognised;

RECALLING that the SADC PF has been a pioneer in the development of election-related norms and standards, having developed the Norms and Standards for Elections in the SADC Region in 2001, which was repealed by the Benchmarks for Assessing Elections in Southern Africa in 2013, and closely followed by the SADC Model Law on Elections in 2018, and that each of these instruments was developed through a consultative process with Electoral Management Bodies (EMBs) and other regional electoral stakeholders;

COGNISANT that the pioneering work by SADC PF was followed by the ECF-SADC and EISA Principles for Election Monitoring, Management and Observation (PEMMO), 2003, and the 2004 SADC Guidelines Governing Democratic Elections. The SADC revised the Guidelines in 2015, while the ECF-SADC and EISA revised PEMMO and launched it in 2023;

REITERATING that the SADC Model Law on Elections was groundbreaking in that it was a significant departure from other initiatives meant to enhance the integrity of elections;

EMPHASISING that a major distinguishing feature of the SADC Model Law is that it is a detailed legal framework developed to guide SADC Member States, Parliaments, Electoral Management Bodies (EMBs) and electoral stakeholders in crafting national election laws, having been drafted in such a manner that it can easily be adopted with slight contextual modifications into national laws.

OBSERVING WITH SATISFACTION that the SADC Model Law is comprehensive, consisting of nineteen Parts, with provisions covering all aspects of elections, including Principles on Elections; Electoral Systems; the Electoral Management Body (EMB); Delimitation of Electoral Boundaries; Timing of Elections; Political Parties and Election Candidates; Electoral Code of Conduct; Eligibility of Voters; Voter Registration and Voters' Roll; Voter and Civic Education; Campaigning; Media; Election Observing and Monitoring; Polling Stations; Polling; Vote Counting, Tallying and Announcement of Results; and Electoral Disputes Resolution Mechanisms.

HIGHLIGHTING that a unique methodology was adopted in its development where, as part of the validation process, legal draftsmen from the SADC region critiqued and shaped the original draft developed by a Team of experts engaged by SADC PF.

AWARE that, on the other hand, the other principles, standards and norms developed in the region were meant to be general advisory frameworks for law making and policy development by SADC Member States, Parliaments, EMBs and electoral stakeholders.

HIGHLIGHTING further that the SADC Model Law on Elections does not necessarily stand opposed to or in competition with the different principles, standards, norms and guidelines developed before it but rather shares similar principles and amplifies them in specific legislative terms.

CONFIRMING that the Model Law supports Member States, EMBs and electoral stakeholders to integrate the various principles, standards, norms and guidelines, as well as the other continental and global instruments, into relevant national legislative frameworks.

NOTING WITH APPRECIATION the initiatives being proposed by the SADC ECF, to strengthen the capacity of key stakeholders, in particular EMBs, to deliver elections that are compliant with the on the SADC Model Law on Elections and thus contribute significantly towards its domestication as well as other regional election instruments;

ALSO APPRECIATING the plans by the SADC ECF to a survey that scans the EMBs; to identify the status and efforts in the familiarization and domestication of the Model Law and peer learning and policy dialogues on the Model Law, especially what works and what does not work in advocacy efforts towards domestication of Model Laws and that some of these activities were to be organised jointly with the SADC PF;

RECALLING that the Forum commissioned five Snapshot Surveys under the respective thematic Standing Committees of the Forum commissioned in the quest to collect updated data and evidence of work being done and progress made by Member States towards domestication of SADC Model Laws and regional policies;

CONCERNED that out of the five Standing Committees, only two were able to present results from the Snapshot Surveys on domestication of SADC Model Laws and various regional policies owing to the fact that responses from the Member Parliaments were not received timely;

GRATEFULLY ACKNOWLEDGING that some Parliaments did respond to the request for Snapshot Survey and provided important data on efforts being made towards domestication of the SADC Model Law on Elections and development of a comprehensive regional policy on the cotemporary issue of climate change, which is indispensable to the monitoring process of the RPMLOC;

FULLY AWARE of the need for the SADC region to develop a comprehensive regional policy to address the contemporary issue of climate change in a holistic manner.

COGNISANT THAT all ten surveyed countries (Angola, Tanzania, Madagascar, Eswatini, Zimbabwe, Lesotho, Zambia, Malawi, South Africa, DRC) had dedicated parliamentary committees for climate and/or environmental affairs, whose roles, while varied, typically included legislative oversight and policy review; public hearings and stakeholder engagement; international cooperation on climate commitments; and resource allocation for climate initiatives;

REALISING that eight out of the ten countries surveyed had in place specific climate laws, these being Tanzania, Madagascar, Eswatini, Zimbabwe, Zambia, South Africa and DRC while Lesotho had climate policies but no comprehensive legislation, with Angola and Malawi having related environmental legislation but no specific climate laws.

HIGHLIGHTING that SADC Member States faced some common barriers to accessing climate funding, including limited access to international climate finance; insufficient national budget allocations; challenges in preparing viable funding proposals; and lack of inter-ministerial coordination.

NOTING that there was an important intersection between gender, climate and SRHR, but this nexus was not always reflected in the national policies of SADC Member States, with only seven countries recognizing climate-SRHR intersections in policies; five countries having gender-sensitive climate resilience plans; five countries allocating some funding to SRHR in climate plans, although funding percentages are minimal (Angola reports 0.1%, Zimbabwe 2%);

As regards energy transition, **CONCERNED** that only seven countries had renewable energy transition strategies and that many SADC Member States were constrained by high technology costs, weak policy enforcement, insufficient infrastructure investment and fossil fuel industry resistance the in their quest to embrace the energy transition;

NOTING WITH CONCERN that only four of the surveyed ten SADC Member States had policies on critical minerals, these being Tanzania, Lesotho, South Africa and DRC;

FURTHER CONCERNED that with regard to the adoption of climate smart agriculture, only seven out of the ten surveyed countries promote agroecology/climate-smart agriculture, and common financial incentives offered in these countries included subsidies for climate-resilient crops; low interest green loans; and support for organic farming. Some countries also engaged in gender integration through support for women-led cooperatives gender-sensitive financial assistance and inclusive decision-making;

APPRECIATIVE that there was strong regional progress on climate governance structures, but **NOTING** the persistent challenges in financing, policy implementation, and equitable resource allocation that could inform possible SADC Model Law development;

RECOGNISING that Lesotho, Zambia and Zimbabwe have made commendable strides towards domestication of the SADC Model Law on Elections, despite some reported hurdles in Lesotho;

AWARE that capacitation of SADC parliamentarians beyond those forming part of the SADC PF delegations is fundamental to enhancing parliamentary monitoring and evaluation of the domestication and implementation of SADC Model Laws in the Member States;

NOW, THEREFORE the RPMLOC resolved to recommend to the 57th Plenary Assembly to:

- i. **RESOLVE** to facilitate the RPMLOC to collaborate with relevant partners, to ensure that SADC Parliamentarians are capacitated to enable them to effectively champion and monitor the domestication of SADC Model Laws.
- ii. **APPROVE** that, subject to availability of resources, the RPMLOC undertake advocacy missions in SADC Member States on the need for the domestication of various Model Laws.
- iii. **NOTE** the initiative to encourage Standing Committees to actively monitor and advocate for the domestication of SADC Model Laws which thematically fall under their respective mandates.
- iv. **STRONGLY ENCOURAGE** SADC PF Member Parliaments to submit updates through the Standing Committees of the Forum on progress being made towards domestication of the SADC Model Laws and regional policies in response to requests/surveys undertaken by the Standing Committees.
- v. **APPROVE** that Chairpersons of Standing Committees submit regular updates to the RPMLOC on progress being made towards domestication of SADC Model Laws and other regional policies.

Mr. President, I beg to move.

Hon. Chushi KASANDA
CHAIRPERSON

Ms Clare MUSONDA
COMMITTEE SECRETARY

5.0 APPENDICES

APPENDIX I – COMPOSITION OF THE COMMITTEE

1. Hon Chushi Kasanda, Zambia – GEWAYD (*Chairperson*)
2. Namibia – FANR (*Vice Chairperson*)
3. Hon Ruth Mendes, Angola - TIFI
4. Hon Mope Khati, Lesotho - HSDSP
5. Hon Leonard Mwalwanda, Malawi - DGHR
6. Hon Shally Josepha Raymond, Tanzania - RWPC

APPENDIX II – LIST OF OFFICIALS

SADC Parliamentary Forum

1. Ms. Boemo Sekgoma, Secretary General
2. Mr Sheuneni Kurasha, Programme Manager, DGHR
3. Ms. Clare Musonda, Programme Manager – RWPC and RPMLOC
4. Paulina Kanguatjivi, Assistant Procedural Officer and Coordinator
5. Mr. Ronald Windwaai, Webmaster

SADC Member Parliaments

1. Ms Betty Zulu - Zambia

APPENDIX III – LIST OF RESOURCE PERSONS

1. Ms Hildah Modisane – SADC Electoral Commissions Forum
2. Dr. Victor Shale – Governance Expert