



REPORT OF THE SADC PF STANDING COMMITTEE ON DEMOCRATISATION, GOVERNANCE AND HUMAN RIGHTS (DGHR) 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: “STRENGTHENING PARLIAMENTARY OVERSIGHT OF PRISONS FOR THE PROTECTION OF PRISONERS’ RIGHTS IN THE SADC REGION.”

Mr. President, I beg to move that the 57th Plenary Assembly do adopt the Report of the Standing Committee on Democratisation, Governance and Human Rights (DGHR) laid on the Table on 3rd 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

Pursuant to the Terms of Reference of the Committee as articulated in Rule 42(d) of the SADC PF Rules of Procedure which entrusts to it matters of democratisation, governance and human rights.

3.0 NUMBER OF MEETINGS AND MEETING DATES

The DGHR Committee held one statutory meeting on the 23rd April 2025 at the Premier Hotel O.R Tambo in Johannesburg, South Africa. This meeting took place as part of the 57th Plenary Session statutory meetings. The Committee met, under the theme *“STRENGTHENING PARLIAMENTARY OVERSIGHT OF PRISONS FOR THE PROTECTION OF PRISONERS’ RIGHTS IN THE SADC REGION.”*

The Committee further, participated in the Joint Session of Standing Committees on the 24th and 25th of April, as part of ensuring that the Model Law development takes on board critical components related to ensuring that the oversight of Prisons by Parliaments is integral, further that, the elements required for the protection of prisoners once in the custody of the State do not escape parliamentary scrutiny, in ensuring among others that the right to dignity and humane treatment of incarcerated persons, are at par with international standards.

4.0 BACKGROUND

The Committee meeting, held on 23rd April 2025, was convened in response to growing regional concern over the persistent violation of prisoners’ rights resulting from inadequate prison oversight and the deteriorating state of healthcare within correctional facilities across the SADC region. Chronic overcrowding—with some prisons operating at more than 200% of their intended capacity—continues to undermine the right to dignity and humane treatment of incarcerated persons, raising serious human rights concerns regarding access to justice, due process, and detention conditions that fall short of international standards.

Equally concerning for the Committee were the ongoing funding constraints affecting the deployment of SADC PF Election Observation Missions (EOMs), which are impeding the Forum’s ability to promote democratic elections and governance across the region. The recurring last-minute cancellations of missions threaten to erode the Forum’s hard-earned regional and international credibility and diminish its capacity to advocate effectively for the domestication of the SADC Model Law on Elections.

5.0 DELIBERATIONS ON THE NEED TO URGENTLY ADDRESS FUNDING CHALLENGES FOR SADC PF ELECTION OBSERVATION MISSIONS AND STRENGTHENING PARLIAMENTARY PRISON OVERSIGHT TO PROTECT THE RIGHTS OF PRISONERS

5.1 Addressing Funding Challenges for SADC PF Election Observation Missions (EOMs)

The Committee reiterated its concern over persistent funding constraints being faced by national parliaments, which continue to hamper the deployment of Election Observation Missions (EOMs). This remains the case despite the Forum's sustained implementation of cost-containment measures to reduce operational expenses.

Members raised alarm at the reputational and institutional risks associated with the last-minute cancellation of missions. Such disruptions threaten to erode the credibility of the Forum and compromise the significant regional and international recognition SADC PF has garnered through its consistent commitment to electoral reform and the promotion of democratic principles.

The Committee cautioned that discontinuing EOMs would not only diminish the Forum's visibility but also undermine its strategic advocacy for the domestication and implementation of the SADC Model Law on Elections. In light of these risks, the Committee called for urgent and concerted efforts to prioritise funding for EOMs. The Committee further reiterated that continued parliamentary engagement in electoral processes remains essential to strengthening democratic governance and supporting the conduct of free, fair, and credible elections across the region in line with the Model Law.

On a related matter, the Committee highlighted the importance of harmonising national electoral legal frameworks with regional and international standards. It welcomed the Secretariat's development of a snapshot survey to track the domestication of key provisions of the Model Law on Elections. The Committee noted that such tools are cost-effective and instrumental in supporting evidence-based advocacy and monitoring. However, concern was raised over the low response rate from national parliaments. Members were urged to ensure prompt completion of the survey by their respective parliaments to enable comprehensive analysis and meaningful follow-up. The Committee further commended the Secretariat for securing funding for key programme initiatives, including the development of the SADC Model Law on Constitutionalism and the Rule of Law, efforts to promote the domestication of the Model Law on Elections, and programmes advancing gender equality and inclusion.

5.2 Strengthening Parliamentary Oversight of Prisons to Protect the Rights and Dignity of Prisoners

On prisoners' rights, the Committee reaffirmed that while imprisonment curtails liberty, it does not extinguish other fundamental human rights. Members expressed deep concern over the widespread and ongoing violations of prisoners' rights in many Member States, linked to severe overcrowding, deteriorating infrastructure, inadequate healthcare, and the absence of rehabilitation services.

It was further noted that weak oversight frameworks, limited parliamentary involvement, and the ineffective implementation of inspection recommendations aggravate these conditions.

Following expert insights from Justice Sylvester Kalembera of the Supreme Court of Malawi and Ms Chikondi Chijozi, Chairperson of the Malawi Human Rights Commission, the Committee emphasised the urgent need to strengthen prison oversight mechanisms across the SADC region. Parliamentary oversight is critical in promoting accountability, protecting the dignity of incarcerated individuals, and ensuring state compliance with regional and international human rights obligations.

The Committee further observed that the capacity of key oversight institutions—including national human rights bodies, the judiciary, and civil society organisations—is significantly constrained by various challenges. These include fragmented legal frameworks, undue executive influence, and chronic underfunding. Poor inter-agency coordination, limited resources, restricted access to detention facilities, and insufficient enforcement powers further undermine their effectiveness.

The Committee also drew attention to the acute problem of overcrowding, often resulting from the incarceration of individuals for minor, non-violent offences. One alarming case cited involved a women's prison where only five sanitation facilities were available for up to fifty inmates and their children. Such inhumane conditions contravene fundamental human rights, compromise prisoner health, and obstruct effective rehabilitation, highlighting the urgent need for structural and policy reforms.

Accordingly, Parliaments were urged to play a more proactive role by conducting regular prison visits and adopting standardised monitoring tools to promote consistent, evidence-based oversight and data collection across the region.

6.0 COMMITTEE RECOMMENDATIONS TO THE 57TH PLENARY

Following extensive deliberations and expert presentations, the Committee made the following recommendations to the 57th Plenary Assembly:

RECALLING the longstanding commitment of the SADC PF to advancing democratic governance and human rights through the adoption and implementation of model laws, including the SADC Model Law on Elections, and reaffirming the key role of Parliamentarians in translating regional instruments into national legislation;

ALARMED by the systemic challenges and rights violations reported in correctional facilities across Member States, including overcrowding, poor sanitation, inadequate access to healthcare, gender-specific vulnerabilities, and limited access to legal representation, which undermine the dignity and rights of incarcerated persons;

CONCERNED that existing prison oversight frameworks often lack independence, suffer from inadequate resources, and are weakened by fragmented institutional

mandates, poor coordination, and the absence of enforceable follow-up mechanisms;

DEEPLY CONCERNED about the challenges associated with the deployment of election observation missions, in particular the funding constraints faced by national parliaments, which continue to impede their participation and the attendant reputational risks arising from the last-minute cancellation of SADC PF EOMs which undermine the Forum's visibility and advocacy for the domestication of the Model Law on Elections for electoral reforms;

RECALLING that SADC PF has made substantial investments in sustaining its election observation and electoral reform initiatives, supported by implementing cost-containment measures to ensure sustainability, which has earned strong regional and international recognition;

ACKNOWLEDGING the strategic importance of accelerating the domestication of the SADC Model Law on Elections and the need for timely completion of the ongoing snapshot survey by national Parliaments to support data-driven advocacy and regional reporting;

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

- (i) **Prioritise Sustainable Funding for Election Observation Missions**
Urge Member Parliaments prioritise budgetary allocations to support their Members' participation in SADC PF EMOs to ensure the continued and timely deployment of SADC PF EOMs;
- (ii) **Safeguard the Integrity and Continuity of EOMs**
Urge national Parliaments to ensure that SADC PF election observation remains a strategic instrument for promoting democratic governance by facilitating Speakers to lead missions, leveraging their political influence, and preventing last-minute cancellations through early financial planning and effective resource mobilisation;
- (iii) **Accelerate Domestication of the SADC Model Law on Elections**
Encourage Member Parliaments to align national electoral legal frameworks with the Model Law on Elections and to advocate for its integration into domestic legislation and electoral reform agendas;
- (iv) **Complete the Snapshot Survey on the Model Law**
Call on all Member Parliaments to expedite the completion of the Secretariat's snapshot survey on the domestication of the SADC Model Law on Elections, to support data-driven reporting and policy dialogue;
- (v) **Strengthen Parliamentary Oversight of Prisons for Prisoner Rights Protection**
Urge national Parliaments to play a proactive role in safeguarding the rights of persons deprived of liberty by conducting regular prison visits, ensuring

transparency in detention conditions, and holding authorities accountable for violations of human dignity and rights;

- (vi) **Strengthen the Legal Framework for Rights-Based Prison Oversight**
Call on national Parliaments to strengthen rights-based, standardised legal frameworks that enhance institutional accountability, uphold the inherent dignity of prisoners, and ensure compliance with regional and international human rights obligations;
- (vii) **Address Structural Challenges in Oversight Institutions**
Call upon Member States to strengthen the operational independence, legal mandates, and financial capacity of national human rights institutions, judicial bodies, and civil society organisations involved in prison oversight, recognising their critical role in protecting the rights of vulnerable and detained populations;
- (viii) **Promote Gender-Responsive and Rights-Based Detention Standards**
Urge Parliaments to integrate gender-sensitive and rights-based approaches and adhere to international standards, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) and the Bangkok Rules, to address the specific needs of women, children, and other vulnerable groups in detention;
- (ix) **Invest in Rehabilitation and Alternatives to Incarceration**
Encourage Member States to reduce overcrowding and promote restorative justice by prioritising non-custodial sentencing for minor, non-violent offences, and by investing in infrastructure, psychosocial support, healthcare, and reintegration programmes in line with human rights norms; and
- (x) **Leverage Partnerships to Institutionalise Standardised Human Rights-Based Monitoring Tools**
Urge SADC PF to leverage partnership in leading the development and adoption of harmonised, rights-based monitoring and reporting tools across Member Parliaments to enable systematic, evidence-driven oversight and to foster transparency, accountability, and compliance with international detention standards.

Mr. President I beg to move.

Hon. Hon. Leonard MWALWANDA
CHAIRPERSON

Mr. Sheuneni KURASHA
COMMITTEE SECRETARY

7.0 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. Leonard Mwalwanda (<i>Chairperson</i>) | Malawi |
| 2. Hon. Ratsiraka Sophie Soamiadana (<i>Vice Chairperson</i>) | Madagascar |
| 3. Hon. Pedro Sebastiao (Virtually) | Angola |
| 4. Hon. Leepetswe Lesedi | Botswana |
| 5. Hon. Francoise Ndokwa Bemba | DRC |
| 6. Sen. Isaac Magagula | Eswatini |
| 7. Hon. Richard Labrosse | Seychelles |
| 8. Hon. Selemani Jumanne Zedi | Tanzania |
| 9. Hon. Victor Lumayi | Zambia |
| 10. Hon. Tendai Nyabani | Zimbabwe |
| 11. Hon. Napo Moshoeshe | Lesotho |
| 12. Hon. Kenneth Mosimanegare Mmoiemang | South Africa |
| 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 – IN ATTENDANCE

1. Boemo Sekgoma, Secretary General, SADC PF Secretariat
2. Sheuneni Kurasha, Programme Manager and Committee Secretary Democracy, Governance and Human Rights & GEWAYD, SADC PF Secretariat
3. Dr Moses Magadza, Media Officer SADC PF Secretariat
4. Ronald Wandwaai, ICT Officer, SADC PF Secretariat
5. Paulina Kanguatjivi, Procedural Assistant and Coordinator, SADC PF Secretariat
6. Samueline Kauvee, Human Resources and Administrative Officer

APPENDIX III – RESOURCE PERSONS

1. Justice Sylvester Kalembera, Judge of the Supreme Court of Malawi and former Inspecting Judge of the prison Inspectorate
2. Chikondi Chijozi, Chairperson, Malawi Human Rights Commission and Criminal Justice Lead, Southern Africa Litigation Centre