



Federal Republic of Somalia
Office of the President

SHARCI LR. 10

ANSIXINTA HABMAAMUUSKA (PROTOCOL) XEERKA LAGU AASAASAY MIDOWGA AFRIKA EE KHUSEEYA BAARLAMAANKA AFRIKA

TAARIIKH: 08/05/2018

MADAXWEYNAHA J.F.S,

Markuu Arkay: Qodobka 87aad, Faqradda 1aad iyo Faqradda 2aad ee Dastuurka KMG

Markuu Arkay: Qodobka 90aad, Xarafka " F" ee Dastuurka KMG

Markuu Arkay: Warqadda Guddoomiyaha Golaha Shacabka Ref: 001/1/B-10/18, taariikh: 07/05/2018 kuna saabsan Ansixinta Habmaamuuska (Protocol) Xeerka Lagu aasaasay Midowga Afrika ee Khuseeya Baarlamaanka Afrika uuna u soo Gudbiyey Madaxwaynaha JFS si uu ugu rogo sharci.

Markuu Tixgeliyay: Baahida loo qabo in la Meelmariyo Habmaamuuska (Protocol) Xeerka Lagu aasaasay Midowga Afrika ee Khuseeya Baarlamaanka Afrika

WUXUU SOO SAARAY SHARCIGAN:

Qodobka 1aad

Laga billaabo marka uu Madaxwaynaha JFS saxiixo Sharcigan, waxaa la ansixiyey Habmaamuuska (Protocol) Xeerka Lagu aasaasay Midowga Afrika ee Khuseeya Baarlamaanka Afrika

Qodobka 2aad

Waxa uu Sharcigaan dhaqan gelayaa isla marka uu Madaxwaynuhu saxiixo waxaana lagu soo daabici doonaa Faafinta Rasmiga ah ee Jamhuuriyadda Federaalka Soomaaliyeed.

Muqdishu: 07/05/2018


Madaxweynaha J.F.S.
Mudane **Maxamed Cabdullaahi Maxamed (Farmaajo)**



Ref: 001/1/B-10/18:الرقم

Mogadishu, 7th May 2018 التاريخ

Ku: Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya
Muqdisho.

Ku: R/Wasaaraha Xukuumadda Federaalka Soomaaliya
Muqdisho.

Og: Wasiirka Wasaaradda Arrimaha Dibedda
Muqdisho.

Og: Guddiga Arrimaha Dibedda
L/H. Golaha Shacabka.

Og: Garyaqaanka Guud ee Dawladda.
Muqdisho.

Og: Hantidhowraha Guud ee Dawladda.
Muqdisho.

Og: Xoghayaha Guud ee Golaha Shacabka
L/H. Golaha Shacabka.

**UJEEEDO: ANSIXINTA HABMAAMUUSKA (PROTOCOL) XEERKA
LAGU AASAASAY MIDOWGA AFRIKA EE KHUSEEYA
MIDOWGA BAARLAMAANNADA AFRIKA**

M.ne Madaxweyne;

Waxaan kugu wargelinayaa inuu Golaha Shacabka Jamhuuriyadda Federaalka Soomaaliya go'aan ka gaaray Ansixinta Habmaamuuska (Protocol) Xeerka Lagu Aasaasay Midowga Afrika ee Khuseeya Midowga Baarlamaannada Afrika oo halkan ku lifaaqan labadiisa Nuqul Soomaali iyo Ingiriisi, wuxuuna Golaha Shacabka Kalfadhiga 3-aad Kulankiisa 7-aad ee 7^{da} Maajo 2018 oo ka dhacay Xaruntiisa Caasimadda Jamhuuriyadda ee Muqdisho ku ansixiyey cod furan oo u dhacay sidatan hoos ku xusan:

- Xildhibaanada oggolaadeen: 141 (Boqol Afartan iyo Kow) Xildhibaan.
- Xildhibaanada diidey: 0
- Xildhibaanada ka aamustay 3 (Saddex) Xildhibaan

Haddaba, M.ne Madaxweyne waxaan si waafaqsan Qodobka 90-aad xarafka (f) ee Dastuurka JFS kaaga codsanaynaa in aad go'aanka Golaha ku oggolaato Xeer-Madaxweyne, si uu Sharci u noqdo looguna soo saaro Faafinta Rasmiga ah ee Jamhuuriyadda si waafaqsan Qodobbada 84-aad iyo 85-aad ee Dastuurka JFS.

Anigoo huba in waajibkaaga Dastuuriga aad ka gudan doonto, waxaad magaca Golaha Shacabka nooga guddoontaa salaam diiran iyo qaddarin gaar ah.

M.ne Maxamed Mursal Sh. Cabdiraxmaan
Guddoomiyaha Golaha Shacabka Soomaaliya

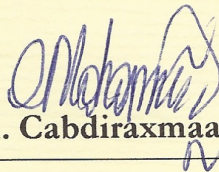


**ANSIXINTA HABMAAMUUSKA (PROTOCOL)
XEERKA LAGU AASAASAY MIDOWGA AFRIKA
EE KHUSEEYA MIDOWGA BAARLAMAANNADA
AFRIKA**

Guddoomiyaha Golaha Shacabka Soomaaliya

Tirada Xubnaha Codeysay 144: Oggol (141) Diidmo (0) ka aamustay (3)

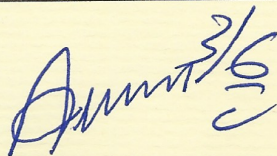
Saxiix: M.ne Maxamed Mursal Sh. Cabdiraxmaan



Taariikh: 7th May 2018

Guddoomiye Ku-xigeenka 1-aad ee Golaha Shacabka

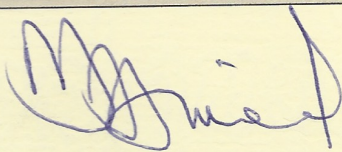
Saxiix: M.ne Cabdiweli Ibraahim Sh. Muudey



Taariikh: 7th May 2018

Guddoomiye Ku-xigeenka 2-aad ee Golaha Shacabka

Saxiix: M.ne Mahad Cabdalla Cawad



Taariikh: 7th May 2018





**JUMHUURIYADDA FEDERAALKA
SOOMAALIYA**

**BAARLAMAANKA FEDERAALKA
SOOMAALIYA**

GOLAHA SHACABKA SOOMAALIYA

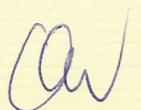
QARAAR KU SAABSAN

**ANSIXINTA HABMAAMUUSKA (PROTOCOL)
XEERKA LAGU AASASAY MIDOWGA AFRIKA
EE KHUSEEYA MIDOWGA
BAARLAMAANADA AFRIKA**

Muqdisho, 7^{da} Maajo 2018

GOLAHA SHACABKA SOOMAALIYA

- MARKUU ARKAY:** Qodobka 90(q) ee Dastuurka Federaalka Soomaaliya oo xeerinaya in heshiisyada caalamiga uu soo jeediyo Golaha Wasiirada ka dibna loo baahan yahay in uu ansixiyo Golaha Shacabka;
- MARKUU ARKAY:** Qodobka 2(p) ee Xeer Hoosaadka Golaha Shacabka oo xeerinaya in Golaha Shacabku ansixiyo Heshiisyada Caalamiga ah iyo heshiisyada ay Xukuumaddu la gasho Dowlado ama dhinacyo kale.
- MARKUU ARKAY:** Go'aanka Golaha Wasiirada Lam. XRW/0.69/05/2018 ee 06/05/2018 kuna saabsan Go'aan Gole-Ansixinata Habmaamuuska Xeerka lagu Aasaasay Midowga Afrika ee Khuseeya Midowga Baarlamaanka Afrika;
- MARKUU ARKEY:** Warqadda R/Wasaaraha Lam. XRW/0318/05/2018 ee 06/05/2018 kuna saabsan Soo Gudbin Hab-maamuuska Xeerka lagu Aasaasay Midowga Afrika ee Khuseeya Midowga Baarlamaanka Afrika;
- MARKUU DHUGTAY:** Habmaamuuska (protocolka) Xeerka lagu aasaasay Midowga Afrika ee khuseeya Baarlamaannada Afrika oo lagu oggolaaday Kalfadhiga 23-aad ee 27^{kii} Juun 2014 ee ka dhacay magaalada Malabo, Equatorial Guinea baaqii;
- MARKUU DARSAY:** Baaqii Sirte ee lagu ansixiyay Kalfadhiigi Afaraad ee aan caadiga ahayn oo ay yeesheen madaxdii dalalka iyo xukuumadaha ee lagu qabtay Sirte, Liibiya 9.9.1999 ee lagu aasaasaayay Midowga Afrika laguna baaqay in si degdeg ah lagu dhiso Midowga Baarlamaanada Afrika ugu danbayn sannaddii 2000;
- MARKUU ARKAY:** Kulankii 36aad ee Caadiga ahaa ee isugu yimaadeen Madaxda Dalalka iyo Xukuumadaha Afrika kana dhacay Lome, Togo 10kii ilaa 12kii Luulyo 2000 laguna ansixiyay Sharciga lagu aasaasayay Midowga Afrika, kaasoo si cad u muujinaayay aragti guud ee Afrika midaysan oo xoog leh;



MARKUU TIXGELIYAY:

Qodobka 5aad iyo 17aad ee Heshiiska lagu dhisay Midowga Afrika laguna aasaasay Midowga Baarlamaanada Afrika oo ah Hay'ad ka mid ah Midowga Afrika oo hawsheeda, awoodaheeda iyo qaab-dhismeedkeedaba la tilmaamay in lagu qeexi doono Habmaamuskan (Protocol).

MARKUU KU QANCAY:

Muhiimadda Midowga Baarlamaanada Afrika uu u leeyahay dadyawga Afrika si ay u helaan madal ay kaga qaybqaatan arrimaha la xidhiidha horimarka dhaqaalaha iyo iskaashiga Afrika kagana wada xaajoodaan dhibaatooyinka iyo caqabadaha soo waajaha qaaradda iyadoo la higsanayo himilada ah Afrika midaysan oo xoogan.

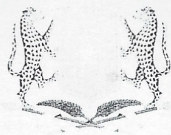
SIDAA DARAADDEED GOLAHA SHACBIGA SOOMAALIYA:

1. Kalfadhigiisa 3-aad Kulankiis 7-aad ee 07/05/2018 oo ay goobjoog yihiin 144 xildhibaan wuxuu Habmaamuuska (Protocol) Xeerka Lagu Aasasay Ururka Midowga Afrika ee Khuseeya Midowga Baarlamaanada Afrika ku ansixiyey 141 cod oggol ah, ayadoo aysan jirin xildhibaan diiday halka ay ka aamuseen 3 xildhibaan.
2. Habmaamuskan (Protocol) waxaa loo diraya saxiixa Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya si uu ugu meelmariyo si waafaqsan Qodobka 90 (q) ee Dastuurka Federaalka Soomaaliya looguna soo saaro Faafinta Rasmiga ah ee Jamhuuriyadda labadiisa nuqul ee luqadaha Soomaaliga iyo Ingiriisiga
3. Qaraarkan waxa loo gudbinayaa Guddomiyaha UMA si loo diwaangeliyo loona kaydiyo (deposit) ansixinta Dawladda Soomaaliya ee Habmaamuskan.
4. Wasaaradda Arrimaha Dibedda oo kaashanaysa Xubnaha Golaha Shacabka ku mattala Midowga Baarlamaanada Afrika waxaa la faraya in si muddeysan ay warbixin tifaftiran oo ku saabsan hadba heerka uu marayo hirgelinta Habmaamuskan (Protocol) u keenaan Golaha Shacabka.

Muqdisho, 7/05/2018

M. ne Maxamed Mursal Sh. Cabdiraxmaan
Guddoomiyaha Golaha Shacabka Soomaaliya





The Federal Republic of Somalia
Office of the Prime Minister

Tixraac:XRW/03/05/2018

Tariikh: 06/05/2018

Ku: Guddoonka Golaha Shacabka JFS

=Muqdisho=

Og: Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya

=Muqdisho=

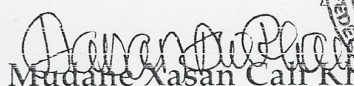
Ujeedo:- Soo Gudbin Hab-maamuuska Xeerka Lagu Aasaasay Midowga
Afrika ee Khuseeya Midowga Baarlamaanka Afrika

Mudane Guddoomiye;

Iyada oo la tix-raacayo Go'aanka Shirka aan caadiga ahayn ee Golaha Wasiirrada summaddiisuna tahay SHGW.00.43.05.18 ee 06/05/2018, kuna saabsanaa ansixinta "Hab-maamuuska Xeerka Lagu Aasaasay Midowga Afrika ee Khuseeya Midowga Baarlamaanka Afrika" oo uu Goluhu cod buuxa ku ansixiyey.

Sidaa awgeed Mudane Guddoomiye, waxa aan halkan idin-kugu soo gudbinaynaa 'Hab-maamuuska Xeerka Lagu Aasaasay Midowga Afrika ee Khuseeya Midowga Baarlamaanka Afrika oo iskii isku fasilaya' si aad uga gudataan waajibaadkiina Dastuuriga ah; waxaana idinka codsanaynaa in aad fududeysaan ansixinta iyo meel-marinta "Arrinka ujeeddada sare ku xusan" maadaama baahi weyn loo qabo meel-marintiisa iyo dhaqan-gelintiisa.

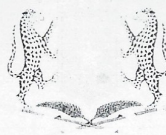
Naga Guddooma Salaan Diirran iyo Qaddarin


Mudane Xasan Cali Khasse
Ra'iisul Wasaaraha Xukuumadda JFS



hala diwaan geliyey
Mudane
06/05/18

BAARLAMAANKA FEDERAALKA SOOMAALIYEED
XAFIISKA GUDDOOMIYA GELID/RECEIVED
TAR: 06-05-18
TIX: 337
SIXIX: <i>[Signature]</i>



The Federal Republic of Somalia
Office of the Prime Minister

Tixraac: XRW/1729/05/2018

Tariikh: 06/05/2018

Ku: Dhammaan Xubnaha Golaha Wasiirrada =Muqdisho=
Og: Guddoonka Golaha Shacabka JFS =Muqdisho=
Og: Madaxweynaha Jamhuuriyadda Federaalka Soomaaliya =Muqdisho=

Ujeeddo:- Go'aan Gole-Ansaxinta Hab-maamuuska Xeerka Lagu Aasaasay
Midowga Afrika ee Khuseeya Midowga Baarlamaanka Afrika

Ra'iisul Wasaaraha Xukuumadda JFS;

Markuu arkay: Qodobka 99^{aad} xarfaha (a), (b), (e) iyo (i) ee Dastuurka KMG.

Markuu arkay: Qodobka 100^{aad} xarfaha (a) iyo (d) ee Dastuurka KMG.

Markuu arkay: Soo Jeedinta Guddoomiye Ku-xigeenka Labaad ee Golaha Shacabka.

Markuu arkay: Go'aanka Shirka aan Caadiga ahayn Golaha Wasiirrada ee summaddiisu tahay SHGW.00.43.05.18 ee 06/05/2018, kuna saabsan ansixinta "Hab-maamuuska Xeerka Lagu Aasaasay Midowga Afrika ee Khuseeya Midowga Baarlamaanka Afrika" oo uu Goluhu cod buuxa ku ansixiyey.

Markuu tixgeliyey: Muhiimadda Hab-maamuuska Xeerka Lagu Aasaasay Midowga Afrika ee Khuseeya Midowga Baarlamaanka Afrika.

Wuxuu Meel-mariyey:

Qodobka 1^{aad}

Go'aanka Golaha Wasiirrada ee summaddiisu tahay SHGW.00.43.05.18 ee 06/05/2018, kuna saabsan ansixinta "Hab-maamuuska Xeerka Lagu Aasaasay Midowga Afrika ee Khuseeya Midowga Baarlamaanka Afrika" oo uu Goluhu cod buuxa ku ansixiyey.

Qodobka 2^{aad}

In "Hab-maamuuska Xeerka Lagu Aasaasay Midowga Afrika ee Khuseeya Midowga Baarlamaanka Afrika" si deg deg ah loogu gudbiyo Golaha Shacabka, si ay uga gutaan waajibaadkooda dastuuriga ah.



Hasan Ali Khayre
Mudane Xasan Cali Khayre
Ra'iisul Wasaaraha Xukuumadda JFS

Mada Dumaangole
Al-Mohamud
16/05/78



**HABMAAMUUSKA (PROTOCOL)
XEERKA LAGU AASASAY MIDOWGA
AFRIKA EE KHUSEEYA MIDOWGA
BAARLAMAANADA AFRIKA**

GOGOLDHIG

Dawladaha xubinta ka ah Ururka Midowga Afrika, dalalka qaybta ka ah xeerka lagu aasasay Midowga Afrika:

Iyadoo maanka lagu hayo baaqii **Sirte** ee lagu ansixiyay kalfadhiigi afaraad ee aan caadiga ahayn oo ay yeesheen madaxdii dalalka iyo xukuumadaha ee lagu qabtay Sirte ee Liibiya 9.9.1999 ee lagu aasaasayay Midowga Afrika laguna baaqay in si deg deg ah lagu dhisay Hay'adaha lagu tilmaamay heshiiskii lagu dhisay Ururka Dhaqaalaha Afrika ee lagu saxiixay Abuuja, Nigeria, 3dii Juun 1991 iyo alguna aasaaso Midowga Baarlamaanada Afrika ee sannadda 2000;

Iyadoo si gaar ah loo tixraacayo kulankii 36aad ee Caadiga ahaa ee isugu yimaadeen Madaxda Dalalka iyo Xukuumadaha Afrika kana dhacay Lome, Togo inta u dhexaysa 10kii ilaa 12kii Julay 2000 laguna ansixiyay Sharciga lagu aasaasayay Midowg Afrika, kaasoo si cad u muujinaayay aragti guud ee Afrika midaysan oo xoog leh;

Iyadoo la tixgelinaayo mabaadii'da iyo ujeedooyinka lagu xusay Axdiga Ururka Midowga Afrika;

Iyadoo tixgelin dheeraad ah la siinayao Qodobka 5aad iyo 17aad ee ee Heshiiska lagu dhisay Midowga Afrika laguna aasaasay Midowga Baarlamaanada Afrika kaasoo noqonaya qayb ka mid ah Midowga Afrika koobnaantiisa, hawlahiisa, awoodiisa iyo qaab-dhismeedkiisa oo lagu qeexi doono Habmaamus (Protocol)

Iyadoo la sii tixraacayo aasaasidda Midowga Baarlamaanada Afrika waxay ku timid aragtida ah in la helo madal guud ee isugu yimaadaan shacabka dalalka Afrika, qurba-joogta iyo ururada bulshada si ay ugu lug yeeshaan doodaha iyo go'aan qaadashada arrimaha la xiriira dhibaatooyinka iyo caqabadaha soo wajahu qaaradda;

IYADOO LA GAROWSADAY baahidda deg dega ah ee loo qabo in la sii wado xoojinta rabintaanka himillada shucuubta Africa si loo gaaro midno ballaaran, wadajir iyo isdhexgal bulsho oo idil oo aanay kala qoqobin kala duwanaashaha caadooyinka, afkaarta, isirka, diinta iyo dalalka;

Iyadoo dib loo garwaaqsaday ajendahii hawlgalka ee Qaahira kaasoo lagu ansixiyay kulankii soddon iyo kowaad ee caadiga ahaa ee Golaha ee lagu qabtay Addis Ababa, Itoobiya inta u dhexeysay 26ka ilaa iyo 28ka Juun 1995 (AHG / Res. 236 (XXXI), kaasoo lagu taliyay in la dedegiyo qaab-dhismeedka hayadaha si loo gaaaro is-dhexgel dhaqaale ee heer gobol;

Iyadoo la garwaaqsaday baaqii ku saabsanaa Xaaladda Siyaasadda iyo Dhaqan-Dhaqaale ee dalalka Afrika iyo Isbedelada Aasaasiga ah ee ka dhacaayo Dunida, kaasoo lagu ansixiyay kulankii Lix-iy Labaatanaad ee Caadiga ahaa ee ka dhacay Addis Ababa, Itoobiya, 11kii Juulaay 1990kii.

Iyadoo la tixgeliyay Baaqii Algeris (AHG / Decl. 1 (XXXV) ee 14kii luulyo 1999 kaasoo Golaha markale ku adkeystay in uu daacad ka yahay Ururka Dhaqaalaha Afrika;

Wuxuu go'aansaday in la hormariyo mabaadi'ida dimuqaraadiyada iyo ka-qaybgalka dadweynaha, in la xoojiyo hayadaha dimuqaraadiga ah iyo in la helo dhaqan lagu xaqiijinaayo dawlad wanaag;

Wuxuu kaloo go'aansaday in la hormariyo lana ilaaliyo Xuquuqda Aadanaha iyo shucuubta si waafaqsan Axdiga Afrika ee Xuquuqda Aadanaha iyo xeerarka kale oo lagu ilaalinaya xuquuqda aadanaha.

Iyadoo la garowsaday go'aanka Goluhu uu gaaray kulankiisa 12aad ee caadiga ahaa ee ka dhacay Addis Ababa, Itoobiya bishii Febaraayo 2009 [Assembly/AU/Dec 223 (XII)] uu codsanayo Guddiga inuu bilaabo dib u eegista Habmaamuuska isaga oo kala tashanaya Guddiyada Matalaada Joogtada ah iyadoo la tixgelinayo aragtiyada Midowga Baarlamaanka Afrika.

Iyagoo tixraacay Qodobka 25aad ee Habmaamuska (Protocol) Heshiiska lagu dhisayay Ururka Dhaqaalaha Afrika oo la xiriira Midowga Baarlamaanada Afrika kaasoo lagu sameeyay dib-u-eegid hawlgalka iyo hufnaanta Habmaamuska iyo nidaamka matalaadda Midowga Baarlamaanada Afrika shan sano kadib, iyo shirar dheeraad ah ee xubnaha toban (10) sano dhexdooda ama muddo gaaban gudahooda ay hadba go'aansadaan Midowga Baarlamaanada Afrika.

Waxay si adag ugu qancsan yihiin in aasaasidda Midowga Baarlamaanka Afrika u si wax ku-ool ah u xaqiijinaayo ka qaybgal buuxa ee shacabka Afrika horumarka dhaqaalaha iyo is-dhexgalka qaaradda.

WUXUU ISKU RAACAY SIDA SOO SOCOTA:

Qodobka 1aad: Fasiraad

Habmaamuuskan (Protocolkan), ereyaddan soo socda waxay leeyihiin macnaha ku hor qoran:

“MA” waa Midowga Afrika;

“Qurba joogta (Diaspora)” waa dadka asalkooda yahay Afrikaan ee ku nool qaaradda dibadiisa iyagoo loo eegin muwaadinnimo ama jinsyada kuwaasoo jecel in ay ka qaybqaataan horumarka qaaradda iyo dhisidda Midowga Afrika;

“Kulanka” waa kulanka Madaxweynayaasha dawladaha iyo Madaxa Xukuumadda ee Midowga Afrika;

“Bureau” waa Xafiiska Madaxda saree ee Midowga Baarlamaannada Afrika sida ku xusan Qodobka 12 (5) ee Habmaamuuska;

“Guddomiyaha Guddiga” waa Guddomiyaha Guddiga Midowga Afrika;

“Xoghaynta Guud” waa Xoghaynta Guud ee Ururka;

“Guddi” waa Guddiga Afrika;

“Ururka” waa Ururka Dhaqaalaha Afrika;

“Golaha” waa Golaha Fulinta ee Wasiirada Midowga Afrika ;

“Maxkamadda” waa Maxkamadda Caddaaladda ee Xuquuqda Aadanaha ee Midowga Afrika;

“Ku-Xigeenka Xoghayaha Guud” waa Ku-xigeynka Xoghayaha Guud ee Midowga Baarlamaannada Afrika

“Fadhiga ugu horeeya” waa fadhiga ugu horeeya ee Midowga Baarlamaannada Afrika;

“Xubinta Midowga Baarlamaannada Afrika ama Midowga Baarlamaannada Afrika ama Xubin” waa wakiilka la soo doortay ama loo soo magacaabay si waafaqsan Qodobka 5aad ee habmaamuuskan (Protocolkan);

“Dawladda xubin ka ah” waxaa loola jeedaa Dawladaha xubinta ka ah Ururka;

“UMA” waa Ururka Midowga Afrika;

“Hay’adda Go’aan Gaasrista” waa hay’adda ay leeyihiin dawladaha xubinta ka ah kuwaasoo qabanaaya hawlaha sharci-dejinta;

“Baarlamaan” waa Midowga Baarlamaanka Afrika;

“Kalfadhiga Guud” waa fadhiga loo wada dhan yahay ee Baarlamaanka;

“Madaxweyne” Hadii si kale oo gaar ah loo qeexin, waa xubinta ka tirsan Midowga Baarlamaanka Afrika oo loo doortay in ay shirguddomiyo/shirguddomiso si waafaqsan Qodobka 13 ee Habmaamuskani.

“Habmaamus (Protocol)” waa Habmaamuska Sharciga Dastuurka Midowga Afrika ee la xiriira Midowga Baarlamaanada Afrika;

“Gobolada Afrika” wuxuu yelanayaa macnaha ay siiyaan go’aanada ka soo baxo golayasha ay khuseyso;

“Heshiis” waa heshiiska lagu dhisaayo Ururka Dhaqaalaha Afrika.

Qodobka 2aad: Midowga-Baarlamaanada Afrika

1. Midowga Baarlamaanada Afrika waxaa lagu dhisay Habmaamuska Xeerkaa lagu aasaasay Ururka Dhaqaalaha Afrika oo la xiriiray dhisidii Midowga Baarlamaanada Afrika ayaa halakn lagu sii joogteey jiritaankiisa, wuxuuna leeyahay hawlaha iyo awoodaha lagu siiyay Habmaamuskaani.
2. Hayadda Midowga Baarlamaanada Afrika wuxuu yeelanayaa kalfadhi guud, Xafiis Sare, Xoghaye, guddiyo iyo kooxo goboleed.
3. Midowga Baarlamaanada Afrika wuxuu matalaa dhammaan shucuubta Afrika iyo danaha qurba joogta (Diaspora) Afrika.

Qodobka 3aad: Ujeedooyinka Midowga Baarlamanada Afrika

Ujeedooyinka Midowga Baarlamanada Afrika waa in:

- a) Siiyo cod dadka Afrikaanka ah iyo qurba joogta;

- b) Si wax ku ool ah u fududeeyo hirgelinta siyaasadaha iyo ujeedoonyinka Midowga Afrika;
- c) La hormariyo maabaadi'da xuquuqada aadanaha iyo dimuqaraadiya Afrika;
- d) La dhiirigeliyo dawlad wanaag, dhowrista sareynta sharciga, daah-furnaan iyo isla xisaabtan dawlada xubinta ka ah dhexdooda;
- e) La baro shacabka Afrika iyo qurba joogta ujeedooyinka iyo siyaasadaha lagu midaynaayo qaaradda Afrika iyadoo loo maraayo hannaanka Midowga Afrika;
- f) La hormariy nabad, amniga iyo degenaashaha;
- g) Ka qaab qaataa horumarka shacabka Afrika si sare loogu qaado isku-kalsoonida iyo dib u soo nooleynta dhaqaalaha;
- h) Fududeeyo iskaashiga iyo horumarka Afrika;
- i) Xoojiyo midnimadda qaaradda Afrika iyo in uu dhiso dareen aayo midaysan shacabka Afrika guud ahaan;
- j) Fududeeyo iskaashiga u dhexeeya Ururada Dhaqaalaha ee Gobolka iyo kulamada Baarlamaanka.
- k) La dhiirigeliyo Baarlamaanada Wadamada iyo Barlamaanada Goboleedyada si ay u ansixiyaan lana mideeyo heshiisyada ay ansixisay Midowga Afrika laguna daro nidaamka sharciga.
- l) Iskaashi lala yeesho Baarlamaanada dalalka iyo Gobolada iyo hayadaha kale ee gudaha Afrika iyo dibadda iyo sidoo kale ururada bulshada, jaaliyadaha oo ku saleysan ururo iyo ururada maxalliga ah.
- m) In la martiqaado laguna dhiirigeliyo qurbo joogta Afrikaanka ah ka qaybgalka buuxa madaama ay yihiin xubin muhiim ah ee shacabka Afrika si loo dhiso Midowga Afrika si waafaqsan qaababka uu ansixiyay Golaha.

Qodobka 4aad: Xubinnimada

1. Ilaa iyo inta si kale u go'aansanaayo Golaha, dawlad kasto oo qayb ka ah waxaa ku matalayaa Midowga Baarlamaanada Afrika xubno isla eg;
2. Xubin kastoo waxaa ku matalaayo Midowga Baarlamaanada Afrika 5 (shan) xubnood;
3. Ugu yaraan laba (2) ee ka tirsan xubnaha la soo doortay waa in ay ahaadaan haween. Ergada aan soo buuxinin shuruudan, xaq uma yeelanayaan matalaadooda Baarlamaanka.

Qodobka 5-aad: Doorashada

1.
 - a) Baarlamaanka dalalka ama Golayaasha Go'aan gaarista waxay shan (5) xubnood oo ka mid golayaashooda u soo dooranayan in ay ka mid noqdaan Midowga Baarlamaanka Afrika;

- b) Wakiilada ka imaanaya dalal walba waa in ay ka tarjumaan kala duwnaasho fikradaha siyaasadeed ee baarlamaanadooda ama Golayaasha Go'aan gaarista iyadoo maanka lagu hayo tirada xubin kastoo ka imaanayso axsaabta siyaasadeed ee ku matalo Baarlamaanadooda.
 - c) Doorashada xubnaha ka mid noqonaaya Midowga Baarlamaanada Afrika oo ay dooranayaan Baarlamaanada dalalka ama Golayaasha Go'aan gaarista waa in doorashadooda la qabtaa ilaa iyo inta suurtagalka ah bil isku mid ah dhammaan dawladdaha xubinta ka ah, waxaana go'aaminaya Golaha.
 - d) Doorashada Madaxweynaha Midowga Baarlamaanka Afrika waxaa shirguddominaya Guddomiyaha Golaha.
- 2.
- a) Shuruudaha doorashada ee Midowga Baarlamaanada Afrika wuxuu la mid yahay Baarlamaannada dalalka xubnaha ka ah ama Golayaasha Go'aan gaarista.
 - b) Iyadoo waxba loo dhimaynin Faqradda 2 (a) ee Qodobkan, Xubinta ka tirsan Midowga Baarlamaanada Afrika ma qaban karto hawlo fulineed ama garsooreed ee ay dalalka ay ka tirsan yihiin am xafiis joogta ah Midowga Afrika, Ururka Dhaqaalaha Afrika ama Urur caalami kale.
3. Ilaa iyo inta xeer doorasho laga soo saarayo, Midowga Baarlamaanada Afrika ee ku saleysan nidaamka doorashooyinka tooska ah, habraaca doorashooyinka Midowga Baarlamaanada Afrika waxaa la raacayaa Baarlamanada dalalka ama Golayaasha Go'aan gaarista ee dawladdaha xubinta ka ah.
- 4.
- a) Hay'addaha ka tirsan dalalka xubinta ka ah go'aan ka gaarista khilaafaada doorashooyiinka Golayaasha qaranka ama Golayaasha Go'aan gaarista ayaa mas'uul ka ah go'aan ka gaaridda su'aasha la xiriirta in qofka si dhab ah loogu soo doortay Midowga Baarlamaanada Afrika ama in ay jirto bannaanasho ergayga ku matalaayay Midowga Baarlamaanada Afrika dawladda xubinta ka ah;
 - b) Marka ay hay'addu ay go'aamiso in ay jirto bannanaasho, doorasho ayaa la qabanayaa si loo soo doorto qof kale ee buuxinayaa jagada bannaanaantay.
5. Guddomiyaha/Madaxweynaha Baarlamaanka qaranka ama Golayaasha Go'aan gaarista waxay ku soo wargelinayaa Madaxweynaha Midowga Baarlamaanada Afrika doorasho kasto oo ku dhacdo si waafaqsan Faqradda (1aad) ee Qodobkaan ama go'aan kastoo lagu gaaro Faqradda (4add) ee Qodobkan.
6. Si looga fogaado shaki, xubinta ka tirsan Baarlamaanka Qaranka ama Golayaasha Go'aan gaarista waxay xaq u leedahay in ay u tartanto Midowga Baarlamaanada Afrika. Hase ahaatee, haddii la doorto waa in ay iska casishaa xubinnimada Baarlamaanka Qaranka ama Golayaasha Go'aan gaarista

Qodobka 6aad:
Muddada Xil-haynta iyo Baannashaha

1. Muddada xil-haynta Midowga Baarlamaanka Afrika waa shan (5) sano. Xubinta waxay xaq u leedahay in hal mar kale la soo doorto.
2. Muddo xil-haynta Xubinta ka tirsan Midowga Baarlamaanka Afrika waxay bilaabanaysaa maalinta xubinta loo dhaariyo xafiiska waxayna ku egtahay maalinta ugu dambeysa ee baarlamaanka.
3. Kursiga xubinta ka tirsan Midowga Baarlamaanada Afrika waxay banaanaysaa marka xubinta ay:
 - a) Geeriyooto;
 - b) Uu buuxin waayso shuruudaha ka mid noqoshada Habmaamuskan (Protocol) ee xubin ka noqoshada Midowga Baarlamaanka Afrika;
 - c) Awoodi wayso in ay hawsheeda u gudato sababo jir ahaaneed ama awood la'aan maskaxeed;
 - d) Istaqaal qoraal ah ay u gudbiso Madaxweynaha;
 - e) Shaqo ka fariisi sababo anshax-xumo awgeed si waafaqsan Xeer-hoosaadka Midowga Baarlamaanka Afrika;
 - f) Inuu ka maqnaado kalfadhiyada Midowga Baarlamaanka Afrika muddo iyo xaalado lagu xusay Xeer-hoosaadka Midowga Baarlamaanka Afrika;
 - g) Ay maxkamad awood u leh ku riday xukun dembiyo la xiriir been abuur, khaa'innimo, hufnaan darro ayna ku xukuntay xabsi ka badan lix (6) bilood.
 - h) Ay laashay baarlamaankii ay xubinta ay ka tirsan tahay ama Golayaasha Go'aan gaarista;
 - i) Uu dhamaado muddo xilliyeedka.
4. Shaqo ka fariisi sababo ku xusan Faqradda 6 (c) ama 6 (d) ee kor ku xusan waxay ku imaan kartaa marka ay timaado soojeedin (motion) laguna go'aamiyo cod qarsoodi ah ayna taagyeeraan doodda kadib aqlabiyad seddax-meelood labo tirada guud ee xubnaha Midowga Baarlamaanka Afrika. Haddii shaqo ka fariiska ay ku timaado si waafaqsan 6 (c), soojeedinta waa in ay la socotaa warbixin xeeldheere dhakhtar si waafaqsan xeerarka ku qeexan Xeer Hoosaadka.
5. Marka ay timado bannaanaasho xubin ka tirsan xafiiska Midowga Baarlamaanka Afrika, waxaa la qabanayaa doorashooyin si loo buuxiyo xubinta bannanaatay si waafaqsan Qodobka 4 (3). xubinta la soo doortay wuxuu dhamaysanaa muddada harsan wuxuuna xaq u leeyahay in markale la soo doorto.

Qodobka 7aad:
Codeynta

Xubnaha Midowga Baarlamaanada Afrika waxay u codeynayaan si shaqsi ah oo madaxbannan aan ka ahayn marka xubinta ay maqan tahay hawl rasmi ah oo loogu codeyn karto si wakaalasho ah. Xubnaha ka tirsan Baarlamaanka uma codeyn karaan wax ka badan hal wakil markiiba.

Qodobka 8aad: Hawlaha iyo Awoodaha

1. Midowga Baarlamaanada Afrika waa hay'ad sharci-dejinta ee Midowga Afrika. Sidaa awgeed, wuxuu:
 - a) Golaha wuxuu go'aamin karaa mowduucyada/goobaha kasoo Midowga Baarlamaanada Afrika ay u soojeedin karaan in la qaabeeyo shuruucda;
 - b) Midowga Baarlamaanada Afrika wuxuu si gaar ah u soojeedin karaa mowduucyo/ goobo taasoo uu horgeyn karaa golaha ama ku talin karaa in la qoro shuruuc oo ay tahay in golahu ka baaraandego kadibna uu ansixiyo.
2. Midowga Baarlamaanada Afrika wuxuu kaloo:
 - a) qaban karaa kana baaraandegi karaa warbixinno hay'ado kale ee Midowga Africka hadii ay u soo gudbiyaan Golaha oo ay ku jiraan Hanti-dhowraha iyo warbixinno kale si ay uga bixiyaan talooyin;
 - b) In ay ka doodaan kana hadlaan miisaaniyadooda iyo miisaaniyadda midowga, talo ka bixiyaan hayadaha siyaasadeed ay khuseyso;
 - c) In la sameeyo guddi baarlamaani ah lana go'aamiyo hawlahiisa, waajibaadisa, qaab-dhismeedkiisa iyo muddo xilliyeedkiisa.
 - d) Ka hadlaan arrimaha khuseeya Midowga Afrika talana ka siiyaan golaha hadba sideey u arkaan lagama maarmaan.
 - e) In ay talooyin u soojeediyaan golaha qaab-dhismeedka xogheynta iyadoo la tixgelinaayo baahida jirta.
 - f) In laga codsado ka soo qaybgalka shirarka saraakiisha hayadaha kale ee Midowga Afrika si ay uga caawiyaan baarlamaanka si uu guto hawlahiisa;
 - g) In laga dardargeliyo barnaamijyada iyo ujeedooyinka Midowga Afrika dowladaha xubnaha ka ah.
 - h) Inuu qabto kana baaraandego kadibna u gubiyo talooyin si loo qoro shuruuc, heshiisyo caalami ah ama heshiyo kale taasoo uu u soo gudbiyay Golaha;
 - i) Xiriirinta Baarlamaanka dalalka ama Golayaasha Go'aan gaarista iyo Baarlamaanada Ururka Dhaqaalaha Afrika arrimaha la xiriira Midowga Afrika iyo is-dhexgelka gobolada Afrika.
 - j) Inuu guto wixii hawlo kale oo loo arko in ay tahay lagama maarmaan si loo gaaro ujeedooyinka ku xusun Qodobka 3aad ee Habmaamuskan (Protocol-kan).
3. Iyadoo waxba loo dhimaynin Faqrada oo aysan ka horimaanaynin waajibaadka hay'ad kasta ee Midowga Afrika, awoodooda iyo hawlaha baarlamaanka wuxuu fulin karaa:
 - a) Wafdi Xaqiiqa raadin ama baaritaan; iyo
 - b) Wafdi korjogtayn;
4.
 - a) Midowga Baarlamaanada Afrika wuxuu leeyahay awood si waafaqsan Xeerka Maaliyadda iyo Xeerka Midowga Afrika in uu ku hawlgalo deeq uruurin;
 - b) Midowga Baarlamaanada Afrika malahan awood uu deyn qaadasho.

5. Si looga fogaado shaki, Faqradda 2aad laguma dhaqi karo Golaha ama maxkamad.

Qodobka 9aad:

Xaq-siinta iyo Xasaanadda Xubnaha ka tirsan Midowga Baarlamaanka Afrika

1. Xubnaha ka tirsan Midowga Baarlamaandaa Afrika marka ay gudanayaan hawlhooda waxay ku naaloonaayaan xasaanadda iyo xaq-siin dal kastoo ka tirsan taasoo loo fidiyay ergada ay ku matalayaan dalalkooda si waafaqsan Heshiiska Guud ee xaq-siin iyo Xasaanadda ee UMA iyo Heshiiska Caalamiga ah ee Xiriirka Dibolmaasiyadda ee Vienna.
2. Xubnaha ka tirsan Midowga Baarlamaanada Afrika waxay ku naaloonaayaan xasaanadda baarlamaaniga ah ee dal kastoo ka tirsan. Si taas la mid ah, xubinta ka tirsan Midowga Baarlamaanada Afrika laguma qaadi karo fal madani ah ama mid ciqab ah, lama xiri karo, xabsi lama geyn karo ama waxyeelo uu sameeyo/sameyso gudaha ama bannaanka Midowga Baarlamaanada Afrika isagoo/iyadoo gudanaysa awoodeeda xubinnimada baarlamaanka.
3. Iyadoo waxba loo dhimaynin Faqradda (2aad) ee Qodobkaan, Midowga Baarlamaanada Afrika wuxuu xaq u leeyahay awoodda ah in laga qaado xasaanadda xubinta si waafaqsan Xeer-hoosaadka.

Qodobka 10aad:

Gunno

1. Xubnaha ka tirsan Midowga Baarlamaanada Afrika waxaa gunnadoo siinaya dalalka ay ka tirsan yihiin ee xubnaha ka ah Midowga Baarlamaanada Afrika.
2. Gunnada Madaxweynaha, Madaxweyne Ku-Xigeynada iyo saraakiisha kale ee guddiyada waxaa bixinaayaa dalalka ay ka tirsan yihiin.

Qodobka 11aad:

Xeer-Hoosaadka

1. Midowga Baarlamaanada Afrika wuxuu ansixiniyaa waxna ka bedelaa xeer-hoosaadkiisa oo ay ku jiraan habraacyo siinaya awoodahiisa sida ku xusan Qodobka 8aad ee Habmaamuskan (protocol) codbixin aqlabiyad seddax meelood labo tiro guud ee xubnahiisa.
2. Si uu u soo saaro Xeer-hoosaadkiisa, baarlamaanka waa inuu xaqiijaa in Xeer-hoosaadkaani uu ka horimaanaynin shuruudka iyo xeerarka Midowga Afrika.

Qodobka 12aad:
Xafiiska Madaxda Sare ee Midowga Baarlamaanada Afrika

1. Waxa jira xafiiska madaxda sare ee Midowga Baarlamaanada Afrika kuwaasoo si kaltan ah looga soo dooranayo shanta (5) Gobol oo ka tirsan Midowga Afrika;
2. Si waafaqsan Xeer-hoosaadka, Xubnaha Midowga Baarlamaanada Afrika ayaa kulunkooda ugu horeeya si qarsoodi ku dooranya Madaxweyne iyo afar (4) Madaxweyne ku-xegeyn kuwaas oo matalaaya shanta (5) Gobol ee Midowga Afrika ka koobanyahay. Doorashada mar kastaba waxay ahaanaysaa mid ku timaada cod aqlabiyad ah ee xubnaha markaa jooja ee codeynaya. Ugu yaraan laba xubnood oo ka mid ah Madaxda Xafiiska Sare waa in ay noqdaan Haween.
3. Madaxda Xafiiska Sare, si waafaqsan xeerarka iyo shuruuca Midowga Afrika, waxay masuul ka yihiin horumarinta siyaasadda maareynta iyo maamulka iyo hantida Midowga Baarlamaanada Afrika kasoo la horgeeynayo kulanka guud si uu u ansixiyo.
4. Hawlaha Madaxweynaha iyo Madaxweyne Ku-xigeenada waxaa lugu qeexayaa Xeer-hoosaadka;
5. Muddo xilliyeedka Madaxweynaha iyo Madaxweyne Ku-xigeenada waa labo sano iyo bar (2 ½), waxaana la cusboonaysiin kara hal mar oo keliya;
6. Madaxweynaha wuxuu shir-gudoominayaa kalfadhiyada Baarlamaanka aan ka ahayn kuwa guddiyada ay yeelanayaan. Marka uu maqan yahay ama ay maqan tahay, waxaa si kaltan ah u shirgudoominaya Madaxweyne Ku-xigeenada si waafaqsan Xeer-hoosaadka;
7. Madaxweyne ku-Xigeenadda waxay kala yeelanayaa darajooyinka Kowaad, Labaad, Seddaxaad iyo Afaraad oo ku salaysan natijada codadkooda. Marka uu maqan yahay Madaxweynaha waxaa si kaltan ah u qabanaya Madaxweyne Ku-xigeenada.
8. Xafiika Madaxweynaha iyo Madaxweyne Ku-xigenka wuxuu bannaanayaa marka uu:
 - a) Geeriyoodo;
 - b) Madaxda Xafiiska Sare u gubiyo Istiqalo qoraal ah ;
 - c) Awoodi wayso in ay hawsheeda u gudato sababo jir ahaaneed ama awood la'aan maskaxeed;
 - d) Shaqo ka fariisi sababo anshax-xumo awgeed;
 - e) Uu dhamaado muddo xilliyeed baarlamaanka dalk xubinta ka tirsan tahay ama Golayaasha Go'aan gaarista;
9. Shaqo ka fariisi sababo ku xusan Faqradda 8 (c) ama 8 (d) ee kor ku xusan waxay ku imaan kartaa marka ay timaado soojeedin (motion) laguna go'aamiyo cod qarsoodi ah ayna taagyeeraan dooda kadib aqlabiyad sedax-meelood labo tirada guud ee

xubnaha Midowga Baarlamaanka Afrika. Haddii shaqo ka fariiska ay ku timaado si waafaqsan 8 (c), soojeedinta waa in ay la socotaa warbixin takhtar.

10. Marka ay timado bannanasho Xafiiska Madaxda Sare, xubin ka tirsan Midowga Baarlamaanka Afrika ayaa loo dooranayaa jagadaasi isla markiiba si uu u dhamaystiro muddo xilleedka harsan;
11. Madaxweynaha marka uu ka helo ogolaasho Xafiiska Sare, wuxuu ku martiqaadi karaa qof kasto inuu ka soo qaybgalo kulanka Midowga Baarlamaanada Afrika haddii hawsha hortaal uu muhim u yahay.

Qodobka 13aad:

Xoghayaha Guud ee Midowga Baarlamaanka Afrika

1. Midowga Baarlamaanaka Afrika isagoo raacaya soo-jeedinta Xafiiska Sare wuxuu magacaabayaa Xoghayaha Guud iyo labo Ku-xigeenno Xoghayaha-Guud, si waafaqsan Xeer-hoosaadka Shaqaalaha Ururka Midowga Afrika iyo Xeerarka.
2. Xoghayaha Guud wuxuu magacaabayaa isagoo la tashanayaa Xafiiska Sare, shaqaalaha kale ee loo baahdo habsami u socodsiinta hawlaha Midowga Baarlamaanka Afrika, si waafaqsan Xeer-hoosaadka Shaqaalaha Ururka Midowga Afrika iyo Xeerarka.
3. Xoghayaha Guud iyo Ku-Xigeenka Xoghayaha Guud waxaa looga baahan yahay iney noqdaan shaqsiyaad waaya-aragnimo muuqata leh amase khibrad u leh hawlaha baarlamaannada, maareynta iyo maamulka maaliyadda iyo iney himad iyo fahmad u leeyihiin habraaca is-dhexgalka Afrika.
4. Xoghayaha Guud wuxuu madax ka noqonayaa Xoghayaha Guud, wuxuuna mas'uul ka yahay socodsiinta hawl-maalmeedka maamulka iyo hantida Midowga Baarlamaanka Afrika. Isaga/Iyada waxaa la xisaabtamaya Baarlamaanka iyadoo loo soo marayo Xafiiska Sare.
5. Xoghayaha Guud wuxuu noqonayaa sarkaalka xisaabaadka guud ee Baarlamaanka.
6. Xoghayaha Guud, inta suuragal ah, wuxuu u gudbinayaa Xoghayaha Guud ee Baarlamaannada dalalka xubinaha ka ah amase Golayaasha Go'aan gaarista nuqullada xogta dhammaan doodaha muhimka ee ka dhaca fadhiyada iyo dhageysiyad guddiyada Baarlamaanka Midowga Afrika.
7. Ku-xigeenka Xoghayaha Guud wuxuu gacan ka siinayaa Xoghayaha Guud gudasha waajibaadka shaqo.

8. Xoghayaha Guud wuxuu xaqiijinayaa in buugaagta xisaabaadka lagu qoro loo hayo Midowga Baarlamaanka Afrika; Xoghayaha Guud wuxuu sanad walba u gudbinayaa Midowga Baarlamaanka Afrika warbixin ku saabsan sida loo isticmaalay lacagaha u yaal Midowga Baarlamaanka Afrika, sida qoondeynta miisaaniyadda iyadoo loo marayo Xafiiska Sare, kaddibna loo gudbinayo Golaha, si waafaqsan Xeerarka Maaliyadeed ee UMA iyo Xeerarka.
9. Xoghayaha Guud iyo Ku-xigeenka Xoghayeyaasha Guud inta aysan qaban xilalka xafiisyadooda waxa lagu hor dhaarinayaa Midowga Baarlamaanka Afrika.

Qodobka 14aad:

Dhaarta Xafiiska

Xubnaha Baarlamaanka fadhigooda u horeeya waxay marayaan dhaar ama qirasho ka hor inta aysan gudagelin hawlhooda. Qoraalka ay Dhaartu u qoran tahay ama qirashadu waxaa lagu soo lifaaqayaa Xeer-hoosaadka.

Qodobka 15aad:

Fadhiyada iyo Quntanka

1. Fadhiga furitaanka ee Midowga Baarlamaanka Afrika waxaa isugu yeeraya Xoghayaha Guud;
2. Baarlamaanka Midowga Afrika wuxuu yeelanayaa fadhiyo caadi ah ugu yaraan labo jeer sanadkiiba, muddadasina waxaa lagu cayimayaa Xeer-hoosaadka. Fadhi kasta oo caadi ah wuxuu ku dhammaadaa muddo ilaa hal (1) bil ah.
3. Xafiiska Sare, Golaha, amase ugu yaraan saddex-meelood labo Xubnaha Baarlamaanka Midowga Afrika waxay Madaxweynaha gaarsiinayaan iyadoo qoraal ah codsi ay ku weydiisanayaan in la qabto shir aan caadi aheyn, sababaha soo socda awgood:
 - a) Codsiga wuxuu sababeynayaa faahfaahinayaa arrimaha looga doodayo shirka aan caadiga aheyn ee la soo jeediyay.
 - b) Madaxweynaha wuxuu isugu yeerayaa fadhigaas isagoo waafajinaya Xeer-hoosaadka.
 - c) Fadhiga wuxuu ka doodayaa arrimaha lagu qeexay codsiga oo qura.
 - d) Fadhiga wuxuu joogsanayaa marka la soo dhammeystiro ajeendaha.
 - e) Si kastaba ha ahaatee, inta uu soconayo fadhiga aan caadiga aheyn kama ay badan karto toban (10) maalmood.
4. Fadhiyada Baarlamaanka Midowga Afrika waxay u furan yihiin dadweynaha, haddii sidaa si ka duwan uusan Xafiiska Sare soo jeedin.
- 5.

- a) Guntanka fadhiga Baarlamaanka Midowga Afrika waxaa lagu go'aaminayaa Xeer-hoosaadka.
- b) Xeer-hoosaadka wuu kala saarayaa guntanka loogu baahan yahay socodsiinta hawlaha caadiga ah ee Baarlamaanka Midowga Afrika iyo guntanka loogu baahan yahay in go'aanno rasmi ah lagu gaaro.

Qodobka 16aad:
Miisaaniyadda Midowga Baarlamaanada Afrika

- 1. Miisaaniyadda sanadlaha ah ee Midowga Baarlamaanka Afrika waxay noqoneysaa qayb ka tirsan miisaaniyadda caadiga ah ee UMA
- 2. Miisaaniyadda uu keeno Midowga Baarlamaanka Afrika waxaana loo gudbinayaa hay'adaha siyaasadda ee khuseyso ee UMA si ay u ansixiyaan, si waafaqsan Xeerarka Maaliyadeed iyo Xeerarka UMA.
- 3. Sanadka maaliyadeed ee Midowga Baarlamaanka Afrika wuxuu noqonayaa mid la mid ah kan UMA.

Qodobka 17aad:
Xarunta Midowga Baarlamaanada Afrika

- 1. Midowga Baarlamaanada Afrika wuxuu fadhigiisa noqonayaa Jamhuuriyadda Koofur Afrika.
- 2. Midowga Baarlamaanka Afrika wuu ku shiri karaa meel kasta oo ka mid ah Dalalka Xubnaha ka ah oo uu ka helo casumaad.

Qodobka 18aad:
Afafka Rasmiga ee lagu Shaqeynayo

Afafka rasmiga ah ee looga shaqeynayo Midowga Baarlamaanka Afrika waxay noqonayaan kuwa looga shaqeeyo UMA.

Qodobka 19aad:
Xiriirka ka dhexeeya Midowga Baarlamaanka Afrika iyo Baarlamaannada Ururro-Goboleedyada Iskaashiga Dhaqaale iyo Baarlamaannada Qaramada ama Golayaasha Go'aan Gaarista

- 1. Midowga Baarlamaanka Afrika wuxuu iskaashi dhaw la yeelanaya Baarlamaannada Ururro-Goboleedyada Dhaqaale iyo Baarlamaannada Qaramada ama Golayaasha

Go'aan gaarista oo ay leeyihiin Dawladaha Xubnaha ka ah. Sidaas awgeed, Midowga Baarlamaanka Afrika, isagoo raacaya Xeer-hoosaadkiisa, wuxuu isugu yeeri karaa shir sanadle ah oo wada-tashiyeed, kaasoo ay ka soo qayb galayaan Baarlamaannada Ururro-Goboleedyada Dhaqaale iyo Baarlamaannada Qaramada ama Golayaasha Go'aan Gaarista si looga wada-xaajoodo danaha ka dhexeeya.

2. Midowga Baarlamaanka Afrika wuxuu warbin xilliyeed oo qoraal ah ee ku saabsan hawlahiisa u gudbinayaa baarlamaanda qaramada xubnaha ka ah ama Golayaasha Go'aan Gaarista si ay xog u helaan. Nuqul warbixinta waxaa la siinayaa wasiirka masuulka ka ah arrimaha dibadda, Midowga Afrika qaabilsan/ama arrimaha Midowga Iskaashi Goboleedka.

Qodobka 20aad:

Xiriirka u Dhexeeya Midowga Baarlamaanka Afrika iyo Hayadaha kale ee Midowga Afrika

1. Guddomiyaha Golaha wuxuu jeedinyaa khubad Golaha Guud ee Midowga Afrika kalfadhiga ugu horeeya ee xlligga cusub ee Midowga Baarlamaanada Afrika.
2. Guddomiyaha Guddiga, wuxuu ugu yaraan hal mar muddo xilleedka baarlamaanka uu warbixin-hawleedka guddiga horgeeynayaa Midowga Baarlamaanada Afrika.
3. Hayadaha kale ee Midowga Afrika marka laga reebo Golaha iyo maxkamadda waxay horgeynayaan warbixinta waxqabadka sanadlaha Midowga Baarlamaanka Afrika bisha sedaxaad sanad kasta.
4. Midowga Baarlamaanka Afrika wuxuu u gudbinayaa warbixin sanadeedka hayadaha kala duwan ee Midowga Afrika ugu dambeyn bisha sedaxeed ee sanad kasta.

Qododka 21aad:

Fasiraadda

Maxkamadda Caddaaladda ayaa u awood u leh dhammaan su'aalaha ku saabsan fasiraadda Habmaamuskan (Protokoolkan).

Qodobka 22aad:

Saxiixidda iyo Ansixinta

1. Habmaamuskan/Protokoolkan waxaa saxiixaya oo ansixinaaya Dawladaha Xubnaha ka ah si waafaqsan habraaca dastuuradooda;

2. Xeerarka lagu ansixinaya ama dib looga mid noqonayo waxaa la dhigayaa Xafiiska Xoghayaha Guddiga.

**Qodobka 23aad:
Dhaqangalka**

Habmaamuskan/Protokoolkan wuxuu dhaqangalyaa soddon (30) maalmood kaddib marka aqlabiyadda dalalka xubnaha ka ahi qaraaradooda ansixsan usoo gudbiyaan Guddomiyaha Guddiga si loo kaydiyo.

**Qodobka 24aad:
Ka-mid-noqoshada**

1. Dal xubin ka ah wuxuu ka mid noqon karaa Habmaamuskan/Protokoolkaani marka uu dhaqangalo isaga oo ku keydinayo Qaraarka ka kamid noqoshada Guddomiyaha Guddiga. Guddomiyaha marka uu helo qaraarka ka mid-noqoshada wuxuu ku wargelinayaa dalalka xubnaha ka ah
2. Dal kasta oo ka mid-noqda Protokoolkan wuxuu si rasmi ah Protokoolku uga dhaqangelayaa taariikhda uu keydiyay qararka ka mid-noqoshada.

**Qodobka 25aad:
Wax-ka-beddelid amase Dib-u-eegis**

1. Protokoolkan waxaa lagu beddeli karaa amase dib-u-eegis ku sameyn karaa marka la helo aqlabiyadda saddex-meelood labo ee Golaha
2. Dal kasta oo qayb ka ah Protokoolkan ama Midowga Baarlamaannada Afrika wuxuu si qoraal ah ku ugu soo jeedinayaa Guddomiyaha Guddiga wax-ka-beddelka ama dib-u-eegis kasta oo uu ubaahanyahay Protokoolkan.
3. Guddomiyaha Guud wuxuu gaarsinayaa soo-jeedintaas dhammaan Dawladaha Xubnaha ka ah ugu yaraan (30) maalmood ka hor shirka Golaha, kuwasoo eegaya soo-jeedinta.
4. Guddomiyaha Guddiga wuxuu weydiisanayaa Midowga Baarlamaannada Afrika soo-jeedinta la soo gudbiyay, ra'yigoodana wuxuu u gudbinayaa, haddii uu jiro, Golaha, si uu u meelmariyo isaga oo tixgelinayana ra'yiga Midowga Baarlamaannada Afrika.
5. Wax-ka-beddelka iyo dib-u-eegista waxay dhaqangalayaan (30) maalmood kadib marka Aqlabiyadda dawladaha xubnaha ka ahi usoo gudbiyaan Guddomiyaha Guddiga qaraarada ansixinta

Qodobka 26aad:
Dib-u-eegista Protokoolka

Shirweynaha dib u eegista loogu sameeynayo hawlaha iyo wax-ku-oolnimada Protokoolkan iyo awoodda xeer-dejinta ee nidaamka matalaadda ee Midowga Baarlamaanada Afrika, waxaa abaabulaaya dalalka xubinaha ah tobankii (10) sanaba mar ama waqti ka yar mudadaasi hadii Midowga Baarlamaanada Afrika ay sidaasi go'aamiso iyadoo laga duulayo hirgelinta hadafka iyo ujeeddooyinka Protokoolkan iyo sidoo kale himilada Protokoolkan tasoo ay tahay in ay ka jawaabto baahida taagan ee dalalka Afrika.

Qodobka 27aad:
Qodobka Kala Guurka

1. Habmaamuskan/Protokoolkan marka uu dhaqangalo wuxuu bedelayaa Habmaamuskii/Protokoolii lagu aasaasay Ururka Dhaqaalaha Afrika ee la Xiriiray Midowga Baarlamaanada Afrika;
2. Muddo xilliyeedka xubnaha ka tirsan baarlamaanka wuxuu dhamaanayaa muddo aan ka badneyn hal sano marka uu dhaqangalo Habmaamuskaan/Protokoolkan.

**WAXAA LA ANSIXIYAY KALFADHIGII 23AAD EE CAADIGA AHAA
EE GOLAHA LAGUNA QABTAY MALABO, EQUATORIAL GUINEA**

27dii JUUN 2014



**PROTOCOL TO THE CONSTITUTIVE ACT
OF THE AFRICAN UNION RELATING TO
THE PAN-AFRICAN PARLIAMENT**

PREAMBLE

The Member States of the African Union, States Parties to the Constitutive Act of the African Union:

Bearing in mind the Sirte Declaration adopted at the Fourth Extraordinary Session of the Assembly of Heads of State and Government held in Sirte, Libya on 9.9.99 establishing the African Union and calling for the speedy establishment of the institutions provided for in the Treaty Establishing the African Economic Community signed in Abuja, Nigeria, on 3 June 1991, and the establishment of the Pan-African Parliament by the year 2000;

Noting, in particular, the adoption by the Assembly of Heads of State and Government meeting at its 36th Ordinary Session in Lome, Togo, from 10 to 12 July 2000, of the Constitutive Act of the African Union, thereby giving concrete expression to the common vision of a united, integrated and strong Africa;

Considering the principles and objectives stated in the Constitutive Act of the African Union;

Further considering that Articles 5 and 17 of the Constitutive Act of the African Union provide for a Pan-African Parliament as an organ of the African Union, whose composition, functions, powers and organization are to be defined in a Protocol;

Further noting that the establishment of the Pan African Parliament is informed by a vision to provide a common platform for African peoples in the continent and the diaspora and their grassroots organizations to be more involved in discussions and decision-making on the problems and challenges facing the continent;

Conscious of the imperative and urgent need to further consolidate the aspiration of the African peoples for greater unity, solidarity and cohesion in a larger community transcending cultural, ideological, ethnic, religious and national differences;

Recalling the Cairo Agenda for Action which was endorsed by the Thirty-first Ordinary Session of the Assembly held in Addis Ababa, Ethiopia, from 26 to 28 June 1995 (AHG/Res. 236 (XXXI)), and which recommended the speeding up of the rationalization of the institutional framework in order to achieve economic integration at the regional level;

Further Recalling the Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World, which was



adopted by the Twenty-sixth Ordinary Session of the Assembly in Addis Ababa, Ethiopia, on 11 July 1990;

Considering that by the Algiers Declaration (AHG/Decl. 1 (XXXV) of 14 July 1999, the Assembly reaffirmed its faith in the African Economic Community;

Determined to promote democratic principles and popular participation, to consolidate democratic institutions and culture and to ensure good governance;

Further determined to promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments;

Conscious of the obligations and legal implications for Member States of the need to establish the Pan African Parliament;

Taking into account the decision of the Assembly adopted at its Twelfth Ordinary Session held in Addis Ababa, Ethiopia in February 2009 [Assembly/AU/Dec. 223 (XII)] requesting the Commission to initiate a review process of the Protocol in consultation with the Permanent Representatives Committee taking into account the views of the Pan African Parliament;

Noting that Articles 25 of the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament provided for a review of the operation and effectiveness of the Protocol and the system of representation in the Pan African Parliament after five years and also for further Conferences of the Members at intervals of ten (10) years or such shorter time as may be decided by the Pan-African Parliament;

Firmly convinced that the strengthening of the Pan-African Parliament will ensure effectively the full participation of the African peoples in the economic development and integration of the continent;

HEREBY AGREE AS FOLLOWS:

Article 1 Definitions

In this Protocol,

"AU" means the African Union;

"African Diaspora" means peoples of African origin living outside the Continent irrespective of their citizenship and nationality and who are willing to contribute to the development of the Continent and the building of the African Union;



“Assembly” means the Assembly of Heads of States and Government of the African Union;

“Bureau” means the Bureau of the Pan-African Parliament and it is composed by the President and Vice-Presidents of the Pan-African Parliament;

“Chairperson of the Commission” refers to the Chairperson of the African Union Commission;

“Secretary-General” means the Secretary-General of the Pan African Parliament;

“Commission” means the African Union Commission;

“Community” means the African Economic Community;

“Council” means the Executive Council of Ministers of the African Union;

“Court” means the African Court of Justice and Human and Peoples' Rights of the African Union;

“Deputy Secretary-General” means the Deputy Secretary-General of the Pan African Parliament;

“Inaugural Session” means the first meeting of the Pan African Parliament after the election of the Members;

“Member of Pan African Parliament” or **“Pan African Parliamentarian”** or **“Member”** means a person elected to the Pan African Parliament in accordance with Article 5 of this Protocol;

“Member State” means a Member State of the African Union;

“OAU” means the Organization of African Unity;

“Other deliberative body” means the institution in a Member State which performs the legislative functions of the State;

“Parliament” means the Pan African Parliament;

“Plenary” means a meeting of the whole or full Parliament;



“President” unless otherwise specified means the Member of the Pan African Parliament elected to preside over the business of Parliament in accordance with Article 13 of this Protocol;

“Protocol” means the Protocol to the Constitutive Act of the African Union relating to the Pan-African Parliament;

“Region of Africa” shall have the meaning assigned to it in the relevant decisions of the Assembly;

“State Party” means a Member State who has ratified or acceded to this Protocol.

“Treaty” means the Treaty Establishing the African Economic Community.

Article 2 **The Pan African Parliament**

1. The Pan African Parliament established by the Protocol to the Treaty establishing the African Economic Community Relating to the Establishment of the Pan African Parliament is hereby continued in existence and shall have the functions and powers provided for in the present Protocol.
2. The organs of the Pan African Parliament shall be the Plenary, the Bureau, the Secretariat, Committees and regional groups.
3. The Pan African Parliamentarians shall represent all the peoples of Africa and the interests of the African diaspora.

Article 3 **Objectives of the Pan African Parliament**

The objectives of the Pan African Parliament shall be to:

- a) give a voice to the African peoples and the Diaspora;
- b) facilitate the effective implementation of the policies and objectives of the AU;
- c) promote the principles of human and peoples' rights and democracy in Africa;
- d) encourage good governance, respect for the rule of law, transparency and accountability in Member States;



- e) familiarize the peoples of Africa and the African Diaspora with the objectives and policies aimed at integrating the African Continent within the framework of the African Union;
- f) promote peace, security and stability;
- g) contribute to a more prosperous future for the peoples of Africa by promoting collective self-reliance and economic recovery;
- h) facilitate cooperation and development in Africa;
- i) strengthen continental solidarity, co-operation and development and build a sense of common destiny;
- j) facilitate cooperation among Regional Economic Communities in Africa and their Parliamentary fora;
- k) to encourage National and Regional Parliaments to ratify and integrate treaties adopted by the AU into their legal systems';
- l) co-operate with National and Regional Parliaments and similar bodies within and outside Africa as well as civil societies, community based organizations and grassroots organizations;
- m) invite and encourage the full participation of African Diaspora as an important part of the African peoples in the building of the African Union in accordance with modalities approved by the Assembly.

Article 4 Membership

1. Until the Assembly decides otherwise, each State Party shall be represented in the Pan African Parliament by an equal number of parliamentarians.
2. The membership of the Pan African Parliament shall comprise five (5) members elected by each State Party.
3. At least two (2) of the elected members, shall be women. A Delegation which does not satisfy this requirement shall not have the right to be accredited for representation in the Parliament.

Article 5 Elections

1. (a) The National Parliament or other deliberative body shall elect from outside its membership, five (5) members of the Pan African Parliament.



- (b) The representation of each State Party must reflect the diversity of political opinions in each National Parliament or other deliberative body taking into account the number of members from each political party represented in the national Parliament.
 - (c) The elections of Members of the Pan African Parliament by the National Parliaments or other deliberative body shall be conducted as far as possible in the same month throughout the Member States as maybe decided by the Assembly.
 - (d) The election of the President of the Pan African Parliament shall be presided over by the Chairperson of the Assembly
- 2.
 - (a) Qualifications for election to the Pan African Parliament shall be the same as for a National Parliament or other deliberative body.
 - (b) Notwithstanding paragraph 2(a) of this Article, membership of the Pan African Parliament shall not be compatible with the exercise of executive or judicial functions in a State Party or a permanent office in the AU, a Regional Economic Community or other international organization.
- 3. Until a code is developed for election to the Pan African Parliament by direct universal suffrage, the procedure for election to the Pan African Parliament shall be determined by the National Parliament or other deliberative body of each Member State.
- 4.
 - (a) The institution of a Member State which determines disputes about elections to the National Assembly or other deliberative body shall be responsible for determining any question that may arise as to whether a person has been duly elected a Member of the Pan African Parliament or whether a vacancy has occurred in the representation at the Pan African Parliament of a Member State.
 - (b) Where the institution decides that a vacancy has occurred a bye-election shall be conducted to elect another person to fill the vacancy.
- 5. The Speaker/President of the National Parliament or other deliberative body shall notify the President of the Pan African Parliament of every election under paragraph one (1) of this Article and every determination under paragraph four (4) of this Article.



6. For the avoidance of doubt, a Member of a National Parliament or other deliberative body is eligible to contest an election to the Pan African Parliament. However, if elected, he or she shall resign from the National Parliament or other deliberative body.

Article 6

Tenure of Office of a Member and Vacancies

1. The term of a Member of the Pan African Parliament shall be five (5) years. He or she shall be eligible for re-election for one (1) further term only.
2. The term of a Member of the Pan African Parliament shall commence from the date on which he or she is sworn into office and shall end on the last day of the term of the Parliament.
3. The seat of a Member of the Pan African Parliament shall become vacant if the holder:
 - a) dies;
 - b) ceases to satisfy the eligibility criteria stipulated in this Protocol for Members of the Pan African Parliament;
 - c) is unable to perform his or her functions because of physical or mental incapacity;
 - d) resigns in writing to the President ;
 - e) is removed on grounds of misconduct by the Pan African Parliament in accordance with its Rules of Procedure;
 - f) is absent from the Pan African Parliament meetings for such period and in such circumstances as are prescribed by the Rules of Procedure of the Pan African Parliament;
 - g) is convicted by a court of competent jurisdiction of an offence involving fraud, dishonesty or moral integrity and sentenced to a term of imprisonment exceeding six (6) months
 - h) Represents a State Party which is suspended from participating in the activities of the AU;
 - i) When his or her term expires.
4. Removal on the grounds stipulated in paragraph 6(c) or 6 (e) above shall be by a resolution on a motion to be decided on by secret ballot and supported at the end of a debate by two-thirds majority of all the Members of the Pan African Parliament. In the case of a removal on the grounds stipulated in paragraph 6(c), the motion shall, in addition, be supported by



a medical report in accordance with rules provided for in the Rules of Procedure.

5. Where a vacancy occurs in the office of a member of the Pan African Parliament a bye-election shall be conducted to fill his or her place subject to Article 4(3). The person elected shall serve for the remainder of the term of the member and shall be eligible for re-election for a full term.

Article 7 **Voting in the Pan African Parliament**

The Pan African Parliamentarian shall vote in person and in his or her personal and independent capacity except when he or she is on an official mission of the Parliament in which case he or she may vote through a proxy. A Parliamentarian cannot act as a proxy for more than one (1) Member at a time.

Article 8 **Functions and Powers**

1. The Pan African Parliament shall be the legislative organ of the African Union. In this regard,
 - a) The Assembly shall determine the subjects/areas on which the Pan African Parliament may propose draft model laws;
 - b) The Pan African Parliament may on its own make proposals on the subjects/areas on which it may submit or recommend draft Model Laws to the Assembly for its consideration and approval.
2. The Pan African Parliament shall also:
 - a) Receive and consider reports of other organs of the African Union as may be referred to it by the Council or the Assembly, including audit and other reports and make recommendations thereon;
 - b) Debate and discuss its own budget and the budget of the Union and make recommendations thereon to the relevant policy organs;
 - c) Establish any Parliamentary Committee and determine its functions, mandate, composition and term of office;
 - d) Discuss any matter relevant to the African Union and make recommendations to the Council or the Assembly as it may deem appropriate;
 - e) Make proposals to the Council on the structure of the Secretariat of the Parliament taking into account its needs;



- f) Request the attendance of officials of the other organs of the African Union at its sessions to offer assistance to the Parliament in the discharge of its duties;
 - g) Promote the programmes and objectives of African Union in Member States;
 - h) Receive, consider and submit opinions on draft legal instruments, treaties and other international agreements as may be referred to it by the Council or Assembly;
 - i) Liaise with National Parliaments or other deliberative bodies and the Parliaments of the Regional Economic Communities on all matters relating to the African Union and regional integration in Africa;
 - j) Carry out such other activities as it deems appropriate to achieve the objectives set out in Article 3 of this Protocol.
3. Without prejudice to the preceding paragraphs and in so far as it is not in conflict with the mandate of any other organ of the AU, the powers and functions of the Parliament may also be exercised through:
- a) Fact-finding or inquiry missions;
 - b) Observer missions;
4. a) The Pan African Parliament shall have the power in accordance with the Financial Rules and Regulations of the African Union, to engage in fund raising activities.
- b) The Pan African Parliament shall not have the power to raise a loan.
5. For the avoidance of doubt, paragraph 2 shall not apply to the Assembly, Council or Court.

Article 9

Privileges and Immunities of the Pan-African Parliamentarians

1. The Pan African Parliamentarians, while exercising their functions, shall enjoy in the territory of each Member State the immunities and privileges extended to representatives of Member States under the General Convention on the Privileges and Immunities of the OAU and the Vienna Convention on Diplomatic Relations.
2. The Pan African Parliamentarians shall enjoy parliamentary immunity in each Member State. Accordingly, a member of the Pan African Parliament shall not be liable to civil or criminal proceedings, arrest, imprisonment or damages for what is said or done by him or her, within or outside the Pan



African Parliament in his or her capacity as a Pan African Parliamentarian in the discharge of his or her duties.

3. Without prejudice to paragraph 2 of this Article, the Pan African Parliament shall have the power to waive the immunity of a member in accordance with its Rules of Procedure.

Article 10 Allowances

1. The Pan-African Parliamentarians shall be paid allowances by their respective State Parties.
2. The allowances for the President, Vice Presidents and other officials of Committees shall be the responsibility of the respective States Parties.

Article 11 Rules of Procedure

1. The Parliament may adopt and amend its own Rules of Procedure including the procedures for giving effect to its mandate under Article 8 of this Protocol, by a two-thirds majority of all its members.
2. In developing its Rules of Procedure, the Parliament shall ensure consistency of these Rules with AU rules and regulations.

Article 12 The Bureau of the Pan African Parliament

1. There shall be a Bureau of the Pan African Parliament which shall be elected on a rotational basis among the five (5) regions of the AU.
2. The Pan African Parliament shall elect, at its first sitting, by secret ballot, from among its members and in accordance with its Rules of Procedure, a President and four (4) Vice-Presidents representing the five (5) regions of the AU. The election shall, in each case, be by simple majority of the members present and voting. At least two (2) of the Bureau Members shall be women.
3. The Bureau shall, in line with the relevant AU rules and regulations, be responsible for the development of policies for the management and administration of the affairs and property of the Pan African Parliament, which shall be submitted to the Plenary for approval.



4. The functions of the President and the Vice-Presidents shall be defined in the Rules of Procedure.
5. The term of office of the President and the Vice-Presidents of the Bureau shall be two (2) and a half years renewable once.
6. The President shall preside over all parliamentary proceedings except those held in committees and, in his or her absence, the Vice-Presidents shall act in rotation, in accordance with the Rules of Procedure.
7. The Vice-Presidents shall be ranked in the order of First, Second, Third and Fourth Vice-President, in accordance with the result of the vote. In the absence of the President, each Vice President shall stand in for the President in rotation.
8. The offices of the President and Vice-President shall become vacant if the holder:
 - a) dies;
 - b) resigns in writing to the Bureau;
 - c) is unable to perform his or her functions for reasons of physical or mental incapacity;
 - d) is removed on grounds of misconduct;
 - e) loses his/her membership of the Pan African Parliament or when his or her term of office expires.
9. Removal on the grounds stipulated in paragraph 8 (c) or 8 (d) above shall be by a resolution on a motion to be decided on by secret ballot and supported at the end of debate by two-thirds majority of all the Members of the Pan African Parliament. In the case of removal on the grounds stipulated in 8(c), the motion shall, in addition, be supported by a medical report.
10. In case of a vacancy in the Bureau, a Member of the Pan African Parliament shall be elected in his/her place to complete his/her term, through an election at the sitting of the Pan African Parliament immediately following its occurrence.
11. The President may, with the approval of the Bureau, invite any person to a session of the Pan African Parliament, if in the opinion of the Bureau the business to be transacted at that session renders the presence of that person desirable.



Article 13
The Secretary-General of the Pan African Parliament

1. The Pan African Parliament shall, on the recommendation of the Bureau, appoint a Secretary General and two Deputy Secretaries General in accordance with the AU Staff Rules and Regulations.
2. The Secretary General shall appoint, after consultation with the Bureau, such other staff as may be necessary for the proper functioning of the Pan African Parliament, in accordance with the AU Staff Rules and Regulations.
3. The Secretary General and a Deputy Secretary General shall be a person of proven experience or expertise in parliamentary practice, management and financial administration, and a demonstrated interest and understanding of the process of integration in Africa.
4. The Secretary General shall be the head of the Secretariat, and shall be responsible for the day to day management and administration of the affairs and property of the Pan African Parliament. He/ she shall be accountable to the Parliament through the Bureau.
5. The Secretary General shall be the Accounting Officer of the Parliament.
6. The Secretary General shall, as soon as practicable, cause to be transmitted to the Secretaries General/Clerks of the National Parliaments or other deliberative body and the Parliaments of the Regional Economic Communities copies of the records of all the relevant debates at the sessions and committee hearings of the Pan African Parliament for information.
7. The Deputy Secretaries General shall assist the Secretary General in the discharge of his/her duties.
8. The Secretary General shall ensure that proper books of account are kept for the Pan African Parliament; the Secretary General shall submit annually a report on the utilization of the funds available to the Pan African Parliament including its budgetary allocation through the Bureau to the Council in accordance with the AU Financial Rules and Regulations.
9. The Secretary General and the Deputy Secretaries General shall before assuming office take an Oath or make a Solemn Declaration before the Pan African Parliament.



Article 14
Oath of Office

At its sitting following the election and before transacting any other business, the Parliamentarians shall take an Oath or make a Solemn Declaration. The text of the Oath or Declaration shall be set out as an addendum to the Rules of Procedure.

Article 15
Sessions and Quorum

1. The inaugural session of the Pan African Parliament shall be convened by the Secretary General;
2. The Pan African Parliament shall meet in ordinary session at least twice a year, within a period to be determined in the Rules of Procedure. Each ordinary session may last up to one (1) month.
3. The Bureau, the Assembly, the Council or at least two-thirds of the Pan-African Parliamentarians may, by written notification addressed to the President, request an extraordinary session, subject to the following: -
 - a) The request shall provide the reasons for and details of the matters to be discussed at the proposed extraordinary session.
 - b) The President shall convene such a session within such time as provided for in the Rules of Procedure.
 - c) The session shall discuss only those matters stipulated in the request.
 - d) The session shall end upon exhaustion of the agenda.
 - e) In any case, the duration of an extraordinary session shall not exceed ten (10) days.
4. The proceedings of the Pan African Parliament shall be open to the public, unless otherwise directed by the Bureau.
5.
 - (a) The quorum for a meeting of the Pan African Parliament shall be determined by the Rules of Procedure.
 - (b) The Rules of Procedure may differentiate between the quorum necessary for the conducting ordinary business by the Pan African Parliament and the quorum needed for making valid decisions.



Article 16
Budget of the Pan African Parliament

1. The annual budget of the Pan African Parliament shall constitute an integral part of the regular budget of the AU.
2. The budget shall be drawn up by the Pan African Parliament and submitted to the relevant AU policy organs for approval, in accordance with the AU Financial Rules and Regulations.
3. The financial year of the Pan African Parliament shall be the same as that of the AU.

Article 17
Seat of the Pan-African Parliament

1. The seat of the Pan African Parliament shall be located in the Republic of South Africa.
2. The Pan African Parliament may convene in the territory of any Member State at the invitation of that Member State.

Article 18
Official and Working Languages

The official and working languages of the Pan African Parliament shall be those of the AU.

Article 19
Relations between the Pan African Parliament, the Parliaments of Regional Economic Communities and National Parliaments or other Deliberative Bodies

1. The Pan African Parliament shall work in close co-operation with the Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative body. To this effect, the Pan African Parliament may, in accordance with its Rules of Procedure, convene annual consultative fora with the Parliaments of the Regional Economic Communities and the National Parliaments or other deliberative body to discuss matters of common interest.



2. The Pan African Parliament shall periodically submit a report in writing on its work to the National Parliaments or other deliberative bodies for information. Copies of such reports shall also be submitted to the Ministers with responsibility for foreign affairs, African Union affairs and/ or regional integration.

Article 20
Relations between the Pan African Parliament and
other organs of the AU

1. The Chairperson of the Assembly shall deliver a speech on the state of the AU at each inaugural Session of a new term of the Pan African Parliament.
2. The Chairperson of the Commission shall, at least once during the term of each Parliament, present the Activity Report of the Commission to the Pan African Parliament.
3. The other organs of the AU, except the Assembly, the Council and the Court, shall forward their activity reports annually to the Pan African Parliament by the third month of each succeeding year.
4. The Pan African Parliament shall forward its annual Activity Report to the different organs of the AU, at the latest, by the third month of each succeeding year.

Article 21
Interpretation

The Court shall have jurisdiction on all questions of interpretation of this Protocol.

Article 22
Signature and Ratification

1. This Protocol shall be signed and ratified by Member States in accordance with their respective constitutional procedures.
2. The instruments of ratification or accession shall be deposited with the Chairperson of the Commission.

Article 23
Entry into Force

This Protocol shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairperson of the Commission by a simple majority of the Member States.



Article 24 **Accession**

1. A Member State shall accede to this Protocol, after its entry into force, by depositing its instrument of accession with the Chairperson of the Commission. The Chairperson of the Commission shall, upon receipt of such instrument of accession, notify all Member States.
2. For any Member State acceding to this Protocol, the Protocol shall come into force on the date of the deposit of its instrument of accession.

Article 25 **Amendment or Revision of the Protocol**

1. This Protocol may be amended or revised by a decision of a two-thirds majority of the Assembly.
2. A Member State party to this Protocol or the Pan African Parliament may propose, in writing to the Chairperson of the Commission any amendment or revision of the Protocol.
3. The Chairperson of the Commission shall notify the proposal to all Member States at least thirty (30) days before the meeting of the Assembly, which is to consider the proposal.
4. Save where the proposal originates from the Pan African Parliament, the Chairperson of the Commission shall request the opinion of the Pan African Parliament on the proposal and shall transmit the opinion, if any, to the Assembly, which may approve the proposal, taking into account the opinion of the Pan African Parliament.
5. The amendment or revision shall enter into force thirty (30) days after the deposit of the instruments of ratification with the Chairperson by a simple majority of Member States.

Article 26 **Review of the Protocol**

Conferences to review the operation and effectiveness of the Protocol, the legislative mandate and the system of representation to the Pan African Parliament, may be organized by the States Parties at intervals of ten (10) years, or within such shorter time as the Pan African Parliament may decide with a view to ensuring that the objectives and purposes of this Protocol, as well as the vision



underlying the Protocol, are being realized and that the Protocol meets with the evolving needs of African States.

Article 27
Transitional Provision

1. The present Protocol shall upon entry into force replace the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan African Parliament.
2. The term of office of Member of the Parliament shall terminate within a period not exceeding one year of the entry into force of this Protocol.

**ADOPTED BY THE TWENTY-THIRD ORDINARY SESSION OF
THE ASSEMBLY, HELD IN MALABO, EQUATORIAL GUINEA**

27TH JUNE 2014

