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INFLUENCE OF PAN-AFRICAN PARLIAMENT IN REGIONAL DECISION-MAKING ON CONFLICT PREVENTION AND RESOLUTION

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A research report submitted to the Faculty of Management, University of the Witwatersrand, in 50% fulfilment of the requirements for the degree of Master of Management (in the field of Governance and Management)

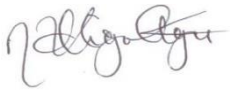
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ABSTRACT

The establishment of the Pan-African Parliament as an institution of the African Union was prompted by the high incidence of conflict on the continent, and it is expected to play a role in addressing conflict. However, questions about the PAP's effectiveness in influencing regional conflict-related decision-making have arisen. The study used a combination of interviews, desk research, and participation in PAP sessions as a methodology for this study to explore this issue. The findings reveal that the PAP has consistently engaged in activities to prevent and resolve conflicts, such as debates on conflict-related issues in committees and the Plenary, fact-finding missions, promoting AU treaties, and developing Model Laws. However, the study also identifies factors limiting the PAP's influence in AU decision-making processes, including its limited legislative and budgetary powers and lack of coordination with pertinent AU institutions. To enhance its influence, the PAP needs to strengthen its institutional capacity to carry out non-legislative functions, particularly its oversight and representative powers. It must also establish a conflict intervention strategy and collaborative frameworks to improve synergies with AU institutions.

DECLARATION

I affirm that the present report is solely my original work, without any external assistance or support. This submission partially fulfils the prerequisites for the Master of Management degree (with a specialisation in Governance and Management) at the University of the Witwatersrand, Johannesburg. I confirm that this report has not been previously submitted to any other institution to fulfil any degree or certification requirements.



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Ndidi Ugomma Abanno
31 March 2023

DEDICATION

To my supportive husband, Chibuzor Abanno, you make me believe I can move mountains. To my children, Oziomachukwu, Chibugom, Munachimso, and Chinemeze, you mean the world to me. To my parents, Louisa and Chukwuemeka Agu, words cannot express how precious you are to me.

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This dissertation marks the end of a long and fulfilling journey, and I am grateful to have had many supporters along the way. I am fortunate to have an IT-savvy graduate in my household, my son Oziomachukwu, who provided me with valuable tools to aid my work. My inspiration, Chibugom, always believed I was a superwoman, encouraging me to see myself through her eyes and act accordingly. To Munachimso and Chinemeze, I hope my perseverance through this degree will inspire you to achieve your academic goals. Although my work demands may have caused me not to be there for you sometimes, I promise to make it up to you. To my beloved husband, thank you for believing in me and taking pride in my achievements.

I am grateful to my parents, Louisa Anuli Agu and Cornelius Chukwuemeka Agu, for introducing me to academia and providing financial and emotional support. Lastly, I am thankful for my entire family, especially my siblings.

My dissertation aims to bring much-needed attention to the Pan-African Parliament, particularly within the academic community. I am grateful to Professor Kwandiwe Kondlo for granting me this opportunity and his continuous support throughout the research process.

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INTRODUCTION

1.0 Background

Conflict in Africa has been the greatest threat to the continent's integration and development. Hence, the gradual transformation of economic independence is prioritised and observed only after institutionalising collective peace and security mechanisms. To propel this agenda, the African Union (AU) developed institutions, frameworks, and policies for addressing conflict toward maintaining peace and security within its region. One significant institution established by the AU to support the agenda for preventing and resolving conflict was the Pan-African Parliament (PAP). PAP is the legislative organ of the AU, established to manage conflict through its Parliamentary Committees and Plenary sessions. This research project focuses on the capacity and effectiveness of the PAP to contribute to and influence decisions and outcomes on diverse forms of conflict.

Since the post-colonial era, Africa has been riddled with wars and violent conflicts with concomitant challenges. The disposition of Africa to wars was observed mainly between the 1990s and 2000s and has persisted in some African states (Annan, 2014). The civil wars and internal conflicts in Liberia, Sierra Leone, DRC, Sudan, Somalia, Rwanda, and Ethiopia, as well as the insurrections in Nigeria, Chad, Algeria and Mali by ethnic militia and Islamists (Tana Report 2019), are indications of the continent's past and ongoing challenges with maintaining peace and security.

Gaining more attention is the emergence of new conflicts, such as between the youth and law enforcement agencies, which have birthed movements like #EndSARs in Nigeria (Yusuf and Benisheikh, 2021), and climate change-induced conflict (Reuveny, 2007). This sustained conflict in the continent has contributed to the loss of human life, property and infrastructure, the collapse of states, the disintegration of society, the extension of border disputes, and the overall destabilisation of regions. Additionally, unintended rippling effects on neighbouring states account for substantial refugee flows, massive

migration, the proliferation of small arms and light weapons, and the exploitation of countries in conflict (Albert, 2008). Ultimately, the myriad of conflicts experienced within the continent has obstructed the vision of its founding fathers to attain economic integration and development (Francis, 2012; Tana Report, 2020).

Against this background, the AU created the PAP as one of the institutions to support the vision for an integrated, peaceful, and stable continent. The PAP was established in 2004 as a legislative arm of the Union to ensure the inclusion of African voices in deliberations affecting the continent and to legitimise regional decision-making (Dinokopila, 2013; Jancic, 2019; Mariano, Bressan & Luciano, 2017). Article 3 (5) of the Protocol to the Treaty Establishing the African Economic Community as relating to the PAP requires the Parliament to develop a mechanism for the involvement of Africans in the processes of integration, political and socio-economic advancement on the continent (African Union, 2001).

The same Protocol bestowed on the Parliament a consultative and advisory role to deliberate on any subject determined by itself or the Heads of State on a broad range of topics. These subjects include peace, security, human rights, democracy, and good governance, addressed through the eleven committees constituted by the Parliament (Dinokopila, 2013; Mngomezulu, 2018). The PAP is also responsible for considering regional conflict while promoting peace and security. This mandate falls within the purview of the Parliament's Cooperation, International Relations and Conflict Resolution Committee and is expressed in Rule 24 (4d) of the Parliament's Rules of Procedure.

Beyond establishing institutions, the AU developed policies prioritising conflict resolution on the continent (African Union Handbook, 2020). In keeping with this Pan-African vision of African leaders, the Agenda 2063 articulates, "An integrated, prosperous and peaceful Africa, driven by its citizens, representing a dynamic force in the international arena" (AU, 2015). To achieve this vision, African Heads of State and Government agreed to a roadmap focused on integration, social and economic development, democratic governance and

peace and security in defined aspirations. Specifically, Aspiration 4, “A peaceful and secure Africa”, seeks to promote a dialogue-oriented strategy for conflict prevention and resolution and create a culture and environment of peace and tolerance among African citizens (AU, 2015).

Bearing in mind the quest to achieve a conflict-free society and the mandate of the Parliament, the continental body has actively deliberated on conflict matters in Africa during its biannual sittings on issues of continental interest and adopted parliamentary texts. Two of those key texts are recommendations and resolutions that articulate the position and decision of the Plenary (Mpanyane, 2009). Some resolutions conclude that a fact-finding mission is needed to gain first-hand knowledge of a conflict situation to make an informed opinion and ultimate decision. The Parliament has taken similar actions in addressing conflict within the continent and attempts to influence African leaders to take appropriate action to improve peace and security within their borders.

Since its establishment, the Parliament has issued numerous communiqués, recommendations, and resolutions in response to peace and security concerns within the region, yet its impact continues to be questioned (Magliveras and Huliaras, 2016; Tsegaye, 2020). Documented efforts on addressing peace and security through the Parliament’s conflict prevention and resolution strategies remain largely unknown, as AU institutions share limited collaboration in policymaking.

The gap in collaboration is related to the overlapping mandates of institutions with roles in preventing and resolving conflict. In addition, there’s a silo approach to programme execution within the AU and the absence of an institutionalised framework that would support cooperation in conflict-related matters (Engel and Porto, 2014). Consequently, none of the policy proposals and recommendations have been referred to by policymakers during decision-making processes. The perceived non-acknowledgement of the role of Parliament and its impact on conflict management has sparked debates on the significance of creating a decision-making organ that bears limited consultative

and advisory powers and has no precise functions within AU institutional arrangements on peace and security.

Ongoing debates on the relevance of the PAP have elicited opinions and proposals for restructuring or empowerment of the Parliament (Louw-Vaudran, 2021; Mpanyane, 2009; Nzewi, 2014; Ogbonnaya & Ogujiuba, 2015). These discussions have gathered momentum as the AU commences implementing the Kagame Report as the vision for Agenda 2063 – the blueprint and master plan for transforming Africa into a future global powerhouse. The report covered six reform areas and gave 19 recommendations aimed at improving the efficiency and effectiveness of AU systems in delivering programmes and initiatives to achieve inclusive economic growth and development. At its core, the Kagame Report highlights the poor performance of AU institutions and organs, including the PAP (AU, 2017). Furthermore, it identifies ambiguous and overlapping mandates as impediments to the effectiveness of AU organs.

Consequently, in proposing pathways for AU reform, the report recommended a focused continental priority on political affairs, peace & security, economic integration, and reinforcing Africa's Global Voice. Implementing the proposition will require realignment and cooperation between the Union's institutions and increased engagement with African citizens, a vital mandate of the PAP.

This research examines the scope of the mandate of Africa's Parliament as it pertains to promoting conflict prevention and resolution within the region. It refers to provisions within the constitutive documents that confer the powers to intervene in conflict matters on the Parliament. The platforms, forums, and actual interventions of the Parliament to address regional conflict and its effectiveness are examined through a qualitative methodology. The study exposes if and how the recommendations feed into decisions of the AU policy organs in managing conflict in the region. It uses institutionalism theories to explore the Parliament's role and effectiveness in achieving its objectives.

Firstly, it considers the functionality, empowerment and institutional arrangement on peace and security matters within the AU. Secondly, it

ascertains PAP’s significance and the adequacy of its contribution to preventing and resolving conflict within the AU. The study is conducted using interviews and document analysis research methods. Thirdly, through a literature review and semi-structured interviews, the study seeks to explain the Parliament's legitimacy in implementing conflict interventions within the AU’s institutional arrangements on peace and security. Fourthly, it elaborates on how the legitimacy of the parliament affects the perception of African citizens, state, and non-state actors as a force in conflict situations.

Knowledge of the interaction within the AU institutional arrangement is imperative in understanding the effectiveness of the PAP, given the limited functions bestowed upon the legislative body on its creation and the stance of African Heads of State on the sovereignty of states in dealing with conflict interventions. Linked to that is the preference for an intergovernmental approach to regional decision-making by African leaders. This state limits the Continental Parliaments' role in developing developmental policies and programmes (Ogbonnaya & Ogujiuba, 2015). Finally, the study focuses on the relevance, empowerment, and effectiveness of the PAP as a conflict prevention and resolution organ within the AU’s peace and security architecture.

The capacity of the Parliament to effectively deliver on conflict management as one of the AU priorities will likely shape the outcome of the AU reform process. Since President Kagame's report highlights overlapping mandates and the need to realign institutions for greater efficiency (Turianskyi and Gruzd, 2019). AU organs with strengths in specific roles may be assigned to continue to deliver on those responsibilities. In contrast, institutions that fall short may be ascribed to other functions or empowered to achieve better. The research ascertains the Parliament's institutional, policy, political, information and administrative empowerment to influence discussions on conflict resolution and prevention in Africa within the boundaries of its powers. It further identifies the factors that enhance or limit the influence and effectiveness of the Parliament and measures to address identified challenges. The outcome will draw lessons for policymakers and guide the proposal of actions to support the

Parliament in contributing to the prevention and resolution of conflict within the region.

1.1 Research Problem

The persistent conflicts plaguing Africa have hindered the continent's attainment of peace and stability. Cooperation between the AU's institutions is necessary to prevent and facilitate peaceful resolution of conflicts. The PAP, given its functional powers, is strategically positioned to support the implementation of the AU's peace and security policies contained in Agenda 2063. Consequently, the AU Executive Council Decisions, EX.CL/Dec.886(XXVII) of June 2015 tasked the Parliament with supporting the AU's Agenda 2063 programmes (AU, 2015). One of these programs is the flagship project, "Silencing the Guns: Creating Conducive Conditions for Africa's Development by 2020," which acknowledges that the continent's progress depends on preventing and resolving ongoing conflicts. Despite increasing concern among scholars, African citizens, and the AU body regarding the role of the Parliament as an institution established to contribute to conflict management in a continent riddled with wars and conflict, there is a dearth of scholarly work on the Parliament's contribution and influence in managing and resolving conflict in Africa. Therefore, this study seeks to bridge this gap and provoke critical reflection within the Parliament, the African Union, and scholars as the Parliament approaches its 20th anniversary. The study aims to provide an in-depth analysis of the Parliament's objectives, actions, contributions, and influence in preventing and resolving conflict in Africa, thereby extending existing knowledge and literature.

1.2 Research Purpose and Objectives

This research aims to assess the influence and effectiveness of the PAP in contributing to the decision-making processes of the AU on issues surrounding preventing and resolving conflict.

The objectives of the research are to:

i. understand the role, contribution, and effectiveness of the PAP in conflict prevention and resolution in Africa.

ii. assess the position of the PAP in the decision-making process within the AU institutional arrangements and policy organs on conflict prevention and resolution.

iii. determine possible factors hindering the Parliament's ability to promote conflict prevention and resolution in the continent effectively.

iv. propose pathways to enhance the influence and effectiveness of the Parliament in promoting conflict prevention and resolution in the continent.

The study is expected to answer the question:

How do the current powers of the PAP enable or constrict its contributions to the decision-making processes on conflict prevention and resolution within the AU?

Sub-questions:

i. How has PAP discharged its mandate and responsibilities in promoting conflict prevention and resolution within the AU institutional structure?

ii. How empowered is the PAP in addressing regional conflict and influencing decision-making on conflict prevention and resolution in Africa?

iii. What conditions limit or enable the PAP to influence regional conflict matters? This study will assess the powers of the Parliament and investigate the institutional arrangements within and its correlation with other AU organs and peace and security mandates.

iv. What actions would improve the effectiveness and relevance of PAP in promoting peace and security in the continent?

As highlighted earlier, this study assumes at the outset that effective regionalism and regional cooperation require the political will of the actors and the establishment of appropriate institutions. In Africa, the creation of supporting institutions and structures was embarked on by the AU since its transformation from OAU to solve Africa's security challenges (Bereketab, 2019). These established institutions were empowered for effectiveness and influence to achieve the continent's regional peace and security agenda. Thus, this research is pursued with a view that the creation of peace and security institutions by the AU is to achieve functional outcomes in line with their mandate and motivations for establishment (Nzewi, 2009). Consequently, this study will analyse the PAP as one of the institutions established by the African Union to promote peace and security within the continent.

As the envisioned legislative organ of the AU, it is assumed that the PAP was created to provide the platform to involve African people in discussion and decision-making on challenges that face the continent, including conflict, an area of its function in promoting peace and security. Legislative organs have law-making and, in the case of the PAP, model law-making responsibilities. Other powers, such as representative and oversight roles, are also implied in the Parliament's adopted rules of procedure (AU, 2001). Given these implied and explicit powers on paper, one is bound to question the root causes of the Parliament's perceived ineffectiveness in securing conflict resolution in Africa.

CHAPTER 2: LITERATURE REVIEW

2.0 Introduction

The literature overview analyses the existing literature's findings on the need and approach to conflict intervention. Recognising the high incidence of conflict in the continent led to transforming the Organisation of Africa Unity (OAU) into the AU and establishing new frameworks within AU. The literature review uses existing literature to explore the impact of these transformations within the AU and its various mechanisms, including the Regional Economic Communities (RECs) and African Governance Architecture (AGA), in bringing about conflict management. The review also analyses the approaches deployed by the AU in promoting peace and security in the continent.

This chapter also reviews the purpose of the institutionalisation of regional assemblies and their role and broader objectives in connection to the policymaking process of their supranational bodies in maintaining peace and security. It critically analyses the powers of parliaments and their effect on the legitimacy of these bodies to embark on conflict interventions. The literature ties the powers, legitimacy of parliaments, and Parliaments' ability to influence regional agendas and ultimately impact the lives of citizens.

2.1 Regional Interest in Conflict Intervention

In Africa, growing and emerging regional interests in addressing conflict required establishing institutions to adopt additional mandates to their original purpose for establishment. Van Nieuwkerk (2011) noted that several regional organisations established for economic gains through regional cooperation have enlarged their remits to deal with collective peace and security issues (Jaiyebo and Adetula, 2020). Cuadrado (2019) noted this institutional change in some regional organisations where regional actors prioritise promoting global peace and security, especially in resolving African conflicts. He points out that regional organisations are interested in establishing and preserving

peace and security due to the region's geopolitical and logistical proximity. Given their critical awareness of the causes, effects, and solutions to conflict, regional organisations are better suited to take a diplomatic initiative in conflict prevention and resolution (Onditi, Ben-Nun, Were, and Nyadera, 2021). Aside from that, they are familiar with the background and root reasons of conflict (Cuadrado, 2019).

The nexus between regionalism and political and economic stability has been articulated in some studies (Jaiyebo and Adetula, 2020). The focus on regionalism was in response to the adverse impact on the regional agenda of civil wars. This perception can be deduced further from the statement of President Frederick Chiluba of Zambia, in which he implied that failure to achieve consistent development and economic integration was imminent amid insecurity and war in Africa (Daily Mail and Guardian Online, 2000 In Lee, 2002).

To achieve continental integration, Africa established the AU and, within it, the RECs. RECs aim to facilitate economic integration between individual regions and the broader African Economic Community. Still, they are also increasingly involved as regional mechanisms in coordinating the interests of AU Member States in more general areas such as peace and security. It was considered one of the continent’s strategies to manage collective peace and security (Ogunniki, 2018). Article 16 of the 2002 Protocol of the Peace and Security Council (PSC), which incorporates the sub-regional bodies in the overall security architecture of the AU, as well as a 2008 Memorandum of Understanding on Cooperation in Peace and Security between the African Union, RECs, and the Coordinating Mechanisms toward Conflict Prevention, Management, and Resolution, support the relationship between the existing RECs and Regional Mechanisms (RMs) and the AU in conflict prevention, management, and resolution (Engel and Porto, 2014).

2.2 Conflict Intervention: African Union's Approach

The AU is a continental organisation that comprises 55 member states, which emerged from the Organisation of African Unity (OAU). African leaders founded the OAU to promote economic integration, cooperation, state sovereignty, national integrity, and non-interference (Fawcett & Gandois, 2010). Despite being established to address state insecurity and manage state failure, the OAU's efficacy in resolving conflicts in Africa has been limited (Desmidt, 2019; Dinshak, 2012). The Mechanism of Conflict Prevention, Management, and Resolution (MCPMR), established by the OAU, aimed to facilitate coordinating efforts to anticipate and prevent conflicts and support peacebuilding. However, it failed to materialise due to the organisation's approach to peace and security, which was restricted to arbitration, mediation, and reconciliation and reliant on political interventions.

The literature highlights several factors contributing to the OAU's inefficacy in resolving African conflicts. Firstly, the OAU's principle of non-intervention, which was intended to promote state sovereignty and non-interference, has been criticised for perpetuating civil wars, enabling human rights violations, and shifting the responsibility for intervention to the international community (Farmer, 2012). Secondly, the delegation of peace and security responsibilities to sub-regional organisations, which were already established before the creation of the AU, has been cited as another factor for the OAU's limited effectiveness (Desmidt and Hauck, 2017). These failures prompted discussions at the Sirte Declaration 1999 on the need to establish the AU, with its first assembly in 2002. The creation of the AU was based on recognising the interdependence of African states in securing collective peace, security, and development, informed by the principles of Pan-Africanism and non-indifference. Therefore, establishing the AU was a response to the observed shortcomings of the OAU to achieve greater stability and cooperation in Africa.

The transformation from the OAU to the AU involved a shift towards more proactive conflict intervention and adopting democratic principles, good

governance, and respect for human rights (Brosig, 2011). This shift was made possible by excluding the non-intervention clause, empowering the AU to mediate human rights violations, war crimes, and genocide (AU, 2000). The AU has effectively leveraged its supporting institutions and structures to address Africa's peace and security challenges. These institutions, known as organs, include the PSC, the PAP, and the African Court of Justice and Human Rights. Since its establishment, the AU has deployed peacekeeping missions to several conflict zones, including Burundi in 2003, Somalia in 2007, and South Sudan in 2013 (Ogunniki, 2018). More recently, the PSC, the decision-making body responsible for conflict prevention and response, has supported missions aimed at resolving situations in the Democratic Republic of Congo, the Central African Republic, The Gambia, Somalia, South Sudan, and Libya, in line with AU decisions to intervene in these instances. Overall, the reinvention and revamping of the OAU to the AU facilitated a more active approach to peace and security on the continent and the development of institutions and structures to support conflict resolution efforts.

Therefore, the AU's transformation from the OAU required a different and more effective approach to addressing regional conflicts. The AU Constitutive Act included Article 4(h) to address regional conflicts and prevent human rights violations, genocide, and conflicts in Uganda, Rwanda and Sierra Leone (Desmidt, 2019). The inclusion of Article 4(h) enabled the AU to address regional conflict (Ani and Akinola, 2015). However, the sovereignty of AU Member States during conflicts remained enshrined in the African Union Constitutive Act, which states that the Union has the right to intervene in a member state only under grave circumstances such as war crimes, genocide and crimes against humanity, as decided by the Assembly (AU, 2000). The AU further expanded the right of intervention to include situations with a severe threat to a legitimate order that would restore peace and stability in a member state upon the recommendation of the PSC (AU, 2003).

The AU approach to intervention in conflicts is shaped by its adherence to non-intervention in national sovereignty and the principle of subsidiarity, which gives local actors—in the AU's instance, the RECs—priority over actors who

are located beyond the conflict's geographic domain (Djilo and Handy, 2021). The AU's respect for sovereignty is demonstrated in its mandate, as stated in Article 3b of the AU Constitutive Act, to "defend the sovereignty, territorial integrity and independence of its Member States." The right of the Union to intervene in a member state in grave circumstances is also enshrined in Article 4(h). It implies that the PSC can play a role in the Union's conflict agenda. However, the decision-making power of the AU Assembly of Heads of State and Government can hinder intervention efforts, as some member states may be unwilling to accept intervention despite the agreed right to do so (Desmidt, 2019; Ebaye, 2010).

Additionally, subsidiarity is a guiding factor in the AU's intervention approach, emphasising that conflict responses should be formulated with the closest proximity (Desmidt, 2019). This principle recognises the RECs as building blocks of the African Peace and Security Architecture (APSA), a network of organisations with responsibilities ranging from pre-emptive diplomacy to post-conflict reconstruction, and requires interaction between the AU and the RECs on peace and security issues (Williams, 2014). According to Ogunniki (2018), subsidiarity also guides the allocation and application of political and legal authority in multilevel governance arrangements where some competencies are shared between politico-legal decision-making levels.

The concept of subsidiarity, which asserts that regional organisations should lead interventions within African states, has raised concerns that it may impede the AU's intervention efforts. However, Ogunniki's (2018) study of the interactions between the AU and RECs suggests that this concern may be unwarranted, as there appears to be a high level of synergy in executing the APSA. Nevertheless, the PSC protocol's regulating structure for the relationship between the AU and RECs may be associated with different interpretations of this principle (ECCAS-CMI, 2016). Although the Protocol may assign the AUC Chairperson and the PSC the responsibility of harmonisation and coordination, the 2008 Memorandum of Understanding on Cooperation in Peace and Security between the AU and the RECs may be ambiguous. Desmidt (2019) notes that the Memorandum emphasises the principle of subsidiarity,

complementarity, and comparative advantage but overlooks the modalities for implementation.

The relationship between the AU and RECs has been noted to be asymmetric. This imbalance has caused confusion about the focus of RECs, which could be conflict management, conflict prevention or peace promotion. The confusion has led to limitations in AU's conflict management strategies under the APSA. Similarly, Dajahar (2012) has described RECs' differing peace and security mandates and political orientations as limiting factors inhibiting organisation interaction and cooperation within the APSA framework. Therefore, the ambiguity surrounding the role of RECs has the potential to hamper effective collaboration and communication between the AU and RECs.

The AU Constitutive Act's Article 4(h), which departs from the OAU's non-interference principle, has been viewed by some scholars as a limiting clause that restrains the Union's response towards conflict prevention and resolution in Africa, mainly when states do not consent to interventions. This ambiguity is highlighted by Ebaye (2010), who observes that while the constitutive act aims to protect national sovereignty, it also grants the Union the right to intervene in the internal affairs of other nations. Khadiagala (2008) further characterises the AU Constitutive Act as a conciliation between continentalism and sub-regionalism, indicating the complexities inherent in reconciling divergent interests within the Union. Conversely, other scholars have interpreted Article 4(h) as a constraint on the AU's approach to conflict prevention and resolution in Africa.

The African Union's involvement in a crisis varies depending on the stage of the conflict, often involving diplomatic interventions, mediation, intermediation, or peace support activities (Desmidt, 2019). Peacebuilding is a complex process involving a range of efforts to prevent violent conflict and promote the security of human rights during the reconstruction and development of society. Although different terms have been used to describe peacebuilding, they all share a common goal. For Karbo (2008), peacebuilding refers to the collective efforts to prevent violent conflict and improve the security of human rights. The United Nations' definition, as noted by Jaiyebo and Adetula (2020),

emphasises the strengthening and consolidation of peace through various activities and organisations to prevent a slide into conflict. Peacebuilding encompasses a range of activities, including post-war reconstruction, humanitarian assistance, negotiation, mediation, peace-making, emergency management, conflict prevention, and management. As such, a comprehensive understanding of peacebuilding requires a nuanced appreciation of its diverse components and approaches.

Conflict prevention as a crucial aspect of peacebuilding, which involves taking proactive measures during crises to prevent violent situations from escalating into armed conflicts and containing the spread of security threats. Hoffman (2014) defines conflict prevention as taking action before the onset of a violent conflict to prevent it from turning into a war. This approach addresses the underlying causes of the conflict to deescalate the situation into peaceful social and political reform processes. Kofi Annan, the former secretary-general of the UN, emphasised the importance of a "culture of prevention" over a "culture of response" in his report on the prevention of armed conflict in June 2001, advocating for the growth of the former as a strategy for conflict management. This approach advocates for a more proactive rather than reactive response to conflict issues (Cuadrado, 2019). Thus, conflict prevention remains a key strategy in addressing violent conflicts and promoting peaceful resolution.

Various conflict prevention methods have been employed in Africa. One such approach is preventive diplomacy, which involves the intervention of a neutral party before hostilities break out to promote and facilitate peace. The Panel of the Wise (PoW) is an example of this strategy, established by Article 11 (1) of the PSC Protocol, comprising five distinguished statesmen who represent the continent's regions and have made significant contributions to Africa's peace, security, and development (Cuadrado, 2019). The AU has also employed diplomacy to address RECs responses to terrorist assaults by Jihadist groups (Van Nieuwkerk, 2011). The result was achieved through disapproving statements following the attacks in Tunisia and Egypt. Furthermore, the AU has attempted to prevent conflict through diplomatic interventions such as pre-

election assessments, political missions, and election observation missions before and during Member States' elections to ensure a free and impartial election (Bøås & Jennings, 2007). These conflict prevention strategies demonstrate the importance of diplomatic efforts in promoting peace and security in Africa.

Conflict resolution is noted as a reactive approach to peacebuilding. It involves addressing the root causes of conflict to eliminate violence and establish new and permanent connections between conflicting parties. The processes of conflict resolution are geared towards conflict containment, termination, reconciliation, and entrenchment of peace and coexistence (Goumenos, 2018). Third-party intervention is often necessary in conflict resolution when tensions between the conflicting parties become unmanageable. This external intervention enables the introduction of other abilities, resources, and viewpoints into the process to successfully resolve the conflict. Potential external actors in conflict resolution could include five regions or international, intergovernmental organisations, local and international civil societies, private military/transnational enterprises, multilateral institutions, and eminent non-governmental individuals and agencies.

In Africa, conflicts are handled using various techniques that vary depending on the nature of the disagreement. Mediation and negotiation efforts were applied through consultative meetings during the Egyptian uprising and Arab spring between the African Union, Egyptian Government, and some Civil Society Organisations (Desmidt, 2019). Negotiations with armed groups and the use of peace support operations were employed to manage the crisis in the West African Country of Mali in 2013 due to the violent nature of the situation (Yahaya, 2019).

2.3 Decision-Making in AU on Conflict Matters

The issue under discussion concerns the African continent's decision-making processes concerning addressing conflicts. To tackle the various conflicts plaguing the region, the AU established the APSA in 2002 (Jaiyebo and

Adetula, 2020). This framework was created after previous attempts by the African Heads of State and Government to resolve conflicts in the area proved unsuccessful. It was grounded in theory and marked a departure from previous peacebuilding efforts by the Union. The strategy's institutional pillars included the Peace and Security Council, Panel of the Wise, Continental Early Warning System (CEWS), African Standby Force, and the Peace Fund (Van Nieuwkerk, 2011). Through these pillars, the various institutions can collaborate and jointly address Africa's peace and security issues.

This section highlights the role of the PSC as a political decision-making body in achieving peace and security in Africa. It is a central component of the APSA and is tasked with coordinating the efforts of the various other pillars of the architecture, with the primary aim of preventing conflicts. During conflict, the PSC is mandated to take measures towards resolution with minimal violence and human suffering (Ogunnoiki, 2018). According to Article 4 (j) of the PSC's establishing Protocol, conflict situations warrant the Council's intervention in instances of crimes against humanity, war crimes, genocide, and unconstitutional change of government in a member state.

The AU adopts a request-based approach for intervening in conflicts and restoring peace in member states, with the PSC responsible for proactive conflict interventions (Van Nieuwkerk, 2011). The PSC collaborates with other pillars of the APSA, such as the Continental Early Warning System (CEWS), which evaluates conflict indicators and provides early warning. The Political Affairs, Peace, and Security Department of the AU Commission is responsible for implementing PSC decisions, with operational support from the Head of the Secretariat, the AU Commission Chairperson, and the AU Commissioner for Peace and Security. The AU Commission also reports on implementing PSC decisions and initiatives to ensure accountability. Although other organs and structures within the AU also promote peace and security, African Heads of State and governments decide on conflict interventions in member states (Ogunnoiki, 2018).

2.4 Institutionalisation of Regional and Continental Parliaments

In certain instances, Regional Assemblies were created to mainstream citizens' voices in the decision-making of regional bodies. The transfer of sovereignty of states to supranational bodies to achieve integration came with concerns of executive decision- making and democratic deficiency, where legitimacy and democratic accountability of regional organisations were probed (Abdullah & Fage, 2019; Jancic, 2019; Vesnić Alujević & Nacarino, 2012; Zalewska & Gstrein, 2013).

The establishment of parliamentary assemblies was motivated by the desire to promote pluralism and democratic decision-making processes in formulating policies that affect citizens (Cooper & Smith, 2017; Lenz, Burilkov & Viola, 2019; Malamud & Sousa, 2007). Scholarly literature has explained the creation of different parliamentary assemblies to enhance decision-making effectiveness and strengthen intergovernmental collaboration to address shared issues and reinforce the legitimacy of specific regional organisations (Navarro, 2010). This rationale has been analysed through the lenses of normative intergovernmentalism and rational choice institutionalism. However, the parliamentarization of regional organisations has been associated with the erosion of state sovereignty and, at times, has led to the marginalisation of parliamentary assemblies. Jancic (2019) noted that some parliaments had been rendered ineffective due to the Executive's dominance over regional agendas and the retention of Heads of State as the only decision-makers.

Supranational assemblies, established to support the objectives of their regional organisations, play a critical role in promoting economic, social, and security priorities within their mandate and powers. Establishing the European Parliament (EP) through supranationalism and direct elections by the Treaty of Rome in 1957 illustrates this point (Coelho and Monteiro, 2015). Other supranational legislatures, such as the Mercosur Parliament (PARLASUR) and the Central American Parliament (PARLACEN) in Latin America, were created with varying powers and sometimes without a supranational body foundation (Jancic, 2019; Mariano et al., 2017). Malamud and Sousa (2007) outlined the rationale for creating various regional parliaments. For example, the Latin

American Parliament (PARLATINO), established in 1964 without the authority to make decisions, is one such deliberative body that operates to safeguard democracy in some Latin American and Caribbean republics and to promote regional integration.

Comparatively, the PARLACEN is the deliberative body of the Central American Integration System (SICA), established to advance peace and democracy among the region's seven member states (Malamud and Sousa, 2007). Their level of authority reflects their ability to reach regional objectives.

Africa has established a few regional assemblies as organs of regional bodies (Navarro, 2010). Such as the East Africa Legislative Assembly (EALA) and, as an independent association of Parliamentarians, the Southern African Development Community Parliamentary Forum (SADC PF). Jancic (2019) identified the East Africa Legislative Assembly as an exception when analysing Africa's regional assembly. The East African Community (EAC) established the Assembly with a binding legislative function, representative, and control over the budget but limited independence in decision-making, which is reserved for EAC Heads of State. In contrast, SADC PF lacks legislative authority because it has not undergone the legal transformation to become a regional parliament with no oversight over SADC and the regional Member States' executive branches (Terlinden, 2004). However, the Forum can still examine and make recommendations on the Community's budget. The Economic Community of West African States (ECOWAS) Parliament was established in 1994 as a non-legislative parliament with an advisory role and goal of advancing regional integration and advisory duties in several areas (Jancic, 2019). According to Ogbonnaya and Ogujiuba (2015), the steady acquisition of a limited financial consultation ability to evaluate the Regional Community budget and an obligatory referral power has made the ECOWAS Parliament increasingly influential within the organisation's institutional framework.

In 2004, the AU established the PAP as a continental parliament. The creation of the PAP followed the implementation of the 1999 Sirte Declaration, which

called for the creation of proposed institutions agreed in the 1991 Abuja Treaty. The vision behind its establishment was to create a platform for African peoples' representation (Dinokopila, 2013; Mpanyane, 2009). The expectation was that the PAP, with consultative and advisory powers, would contribute to decision-making relating to integration, governance, peace, and security by mainstreaming African citizens' voices in continental discussions. The study of these assemblies and legislatures exposes their strengths and limitations, which may affect their effectiveness in contributing to their regional agenda.

2.5 Legitimacy and Mandate of Regional Assemblies

A literature review reveals a connection between an organisation's authority and mandate and its capacity to achieve its goals. Parliaments of supranational unions have been established with fundamental objectives to promote regional integration, good governance, security, and peace and stability (Demeke, 2004; Ogbonnaya & Ogujiuba, 2015). Malamud and Sousa (2007) highlighted that parliaments are critical for their co-legislative, legislative, decision-making, oversight, consultative, budgetary, representative, or bureaucratic powers. Therefore, the legal authority of their decisions is seen as enhancing their roles and impact as legislative bodies, strengthening their position as parliaments (Myanyane, 2009). Furthermore, such attribution of rights enables the representation of the people in decision-making processes, scrutiny of decisions, policies, and programmes, allows for citizen engagement, and ensures accountability.

Legitimacy is a precondition for the effectiveness of political institutions. Nzewi (2014) described legitimacy as the degree of societal acceptance of political and social norms. Lenz, Burilkov and Viola (2019) further defined it as the acknowledgement of the right of an institution to rule founded on its normative relevance. The mandate determines the legitimacy of parliaments to influence policies of supranational bodies or legal authority derived from constitutive acts, treaties, and protocols (Dinokopila, 2013; Mngomezulu, 2018; Shackleton, 2017). Others view the legitimacy and power of a representative

body, particularly parliament, as dependent on the constitutional membership process. When comparing the process of composition of African country parliaments, which has been through election or appointment, most regional parliamentary assemblies, except for EALA, are constituted through indirect elections or appointment by national parliaments (Ogbonnaya & Ogujiuba, 2015). Analysis of various regional parliaments confirmed their limitation with input legitimacy where elections involved citizen participation and accountability, which are essential factors in determining democratic legitimacy (Terlinden, 2004). While indirect elections may have been used in constituting the European Parliament, their legitimacy has been enhanced since 1979, when it commenced direct elections by universal suffrage (Hogenauer & Abel, 2017).

A comparison of the dimensions of the legitimacy of regional parliaments revealed four elements of influence, including a representative function of parliament in the decision-making process, policymaking in consideration of the citizens and oversight of the executive (Malamud and Sousa, 2007; Nzewi, 2014). The last is the formal legitimacy ascribed by legal instruments governing the parliament's activities. Arnesen (2017) argues that although policies involving citizen participation are perceived as more democratically legitimate, the decision-making outcome is more critical. He described output legitimacy as delivering fair policies and laws consistent with citizens' preferences. Lastly, control legitimacy was established and demonstrated by parliaments with oversight and monitoring powers over the government or executive.

2.6 Parliaments as Actors in Fostering Peace and Security

Increasing threats and recurring breaches to regional stability have caused a focus of continental unions on conflict prevention, peacebuilding, and post-conflict recovery (Ani & Ojakorotu, 2017; Mpyisi, 2009). Conflicts are matters of security between the government of a state and other parties, and they can result from disagreements over politics, society, economy, and the environment, as well as incompatibilities between their interests and ideals

(Stefanova, 2006). Duffield (2003) characterised political disputes as the result of parties contending for valued items, including political standing, identity, geographic locations, and financial or economic resources.

Parliamentary organs of continental unions have played roles in peace and security debates (Jancic, 2019). Through law-making, budgeting and oversight processes, parliaments raise awareness, address conflict situations, and represent the interest of citizens and vulnerable communities. Parliaments' oversight responsibilities are used to monitor executive compliance with international laws and obligations and hold them accountable to such standards. Over the years, regional parliaments have also exercised their mandate in conflict prevention and resolution through parliamentary diplomacy (Malamud & Stavridis, 2011).

Such delegation of powers to representative bodies of regional or international organisations has been identified as an opportunity for parliamentary institutions to engage in crucial international affairs amongst foreign policy influence. Jancic (2019) cited avenues through which regional parliaments have promoted peace and security. Parliaments participate in fact-finding missions to conflict areas through specific committees, organise public hearings with stakeholders and adopt legislative instruments. The definition of such roles is seen in the 2005 constitutive protocol instituting the PARLASUR parliamentary body, which envisaged a competent and stable institutional structure responsible for developing standards toward achieving security and stability (Dri, 2009). In addition, ECOWAS Parliament was involved in conflict prevention and post-conflict recovery efforts in Sierra Leone and Liberia (Jancic, 2019). Parliaments have used various processes and methods to bring about a peaceful solution to conflict and reprisal to achieve conflict resolution.

As a continental union, the European Union (EU) has contended with conflict situations and has been involved in peace and security matters. Through reforms of the EU institutional and defence frameworks and policies, the region has made efforts to induce peace and security within and outside the region

(Juncos & Blockmans, 2018; Van Langenhove & Maes, 2012). Stefanova (2006) highlighted the benefits of forming the EU beyond political and economic effects as it enabled the sustainability of the post-World War II order and regional conflict resolution across interdependent countries. The involvement of EP in Europe's peace and security strategy was made possible by Article 36 of the Treaty of the EU, which provides for the consultation and update of the EP. This power allows for the scrutiny and recommendations by the EP to the executive on the Common Foreign and Security Policy (CFSP) to safeguard Europe's security, stop conflict and support international security. Although the EU legal framework does not explicitly confer EP formal powers to influence foreign-policy decision-making (Hogenauer & Abels, 2017), the Parliament of Europe used formal and informal roles to contribute to Europe's security policies. This approach implies that Parliaments can create and utilise informal powers to influence security policies and decisions without substantial formal rights (Mello & Peters, 2018).

2.10 Supranational Legislatures role in Decision-Making on Conflict

Examining the literature reveals the mechanisms via which supranational legislatures have influenced decision-making. It explains the causes of some institutions' failure to achieve this degree of power. Regional organisations have played an increasing role in peacebuilding as a medium for conflict resolution. The coalition of states inspires and collectively addresses security issues and adherence to international and regional governance standards (Nathan, 2010). However, few regional parliaments have been identified to influence the decision-making structure of their supranational bodies and rationalised by Mello and Peters (2018) as quick decisions and secrecy required in dealing with security matters, which prevents routine parliamentary procedures and public debates.

Supranational legislative bodies have evolved to play increasingly significant roles in regional security decision-making. The EP, for example, has undergone a transformation from a consultative role to being a central component in the structure of the EU, with powers equivalent to the EU Council

of Ministers (Malamud & Sousa, 2007). This empowerment has been achieved through several amendments to the EU Treaty, culminating in the 2009 Lisbon Treaty's establishment of a co-decision legislative and unified budgetary procedure of the EP (Juncos & Blockmans, 2018; Napel & Widgrén, 2006; Shackleton, 2017). The transformation of the EP's role aligns with the view that an institution's decision-making capacity and defined competencies must be formally enshrined and recognised in a constitutional document. The EP's amplified influence on Europe's foreign and security policy is demonstrated through its oversight of democratic governance, contributing to peace, security, and stability within Europe and beyond its borders (Demeke, 2004).

Numerous studies have examined the role of regional parliaments in decision-making and achieving their institutional objectives. These studies have assessed the fundamental functions of parliaments, such as oversight, representation, and law-making powers (Borońska-Hryniewiecka, 2017; Hogenauer & Abels, 2017; Ogbonnaya & Ogujiuba, 2015; Van Langenhove & Maes, 2012). Some scholars, such as Mpanyane (2009), have identified three types of powers of regional parliaments to influence decision-making: decisional powers, participatory powers, and political means of influence not associated with a treaty or Protocol. Other scholars have examined the significance of parliamentary participation in security policies and the conditions that enable or hinder such an impact (Rosén and Raube, 2018). Adopting the concept of influence proposed by Russell and Cowley (2016) cited in Rosén and Raube (2018), they established the causal relationship between the preferences of an actor regarding an outcome and the outcome itself, with particular emphasis on objects of influence-policy and procedure on the phases of the policymaking. To assess the influence of the PAP, scholars have proposed evaluating the Parliament's expected role and achievements since its inception according to the parameters of associated continental and governance agendas or its contribution to the APSA (Mpanyane, 2009).

Consequently, the literature interrogates the nature of conflicts that Africa’s Parliament have addressed since its inception. The extent of its deliberative decision-making processes and deployment of conflict intervention measures.

The literature queries the information available to the AU organ and how elaborate the information is to enable effective decision-making. To be interrogated is if the PAP is perceived as an outcome of the Union's transformation into a more proactive body in reacting to conflict in the continent. The extent to which the Parliament has been empowered to deliver on its mandate of preventing and resolving conflict. The Parliament's position within the APSA and AU Institutional arrangements, given the roles of regional economic communities and their parliamentary bodies in the AU's architecture. Further, it sheds light on the nature of the relationship with other players in the APSA to ensure information exchange, policy coherence, and inclusion of the people's voices through parliamentary representation. The literature additionally highlights the forms of legitimacy that the Parliament has and how they could affect its contribution and impact in preventing and resolving conflict in Africa.

2.11 Conceptual Framework

This literature review's conceptual framework analyses the PAP purpose and transformation by employing various institutionalism approaches. The study explores the role of institutionalism in accounting for PAP's origin, perception, and cooperation with policy organs. It further examines how the powers vested in the Parliament impact its ability to achieve its objectives. The review also considers the relationship between the institutional arrangements of the Parliament, inter-institutional cooperation, and its effectiveness in resolving conflicts on the continent. Lastly, the framework uses institutionalism to understand the function, legitimacy, and transformation of the PAP as an institution that can influence decision-making within the AU institutional arrangements on conflict matters.

According to studies on institutionalism, institutions emerge because of their functions (Peters, 2019). Therefore, institutions are a collection of norms, rules, understandings, and routines that determine appropriate actions concerning relations between roles and situations. The characteristics of institutions align with those of the AU Parliament, which serves as the

legislative organ of the African Union. The Parliament's formal structure and interaction pattern promote stability, as evidenced by the biannual plenary and committee sessions. These interactions influence the behaviour of parliamentarians, who regularly attend meetings and are guided by shared values outlined in the objectives for creating the Parliament.

The study examines the actions of the PAP using institutional theory. Institutionalism has been used to explain the origin and formation of organisations, their function, operation, and transformation. New institutionalism describes the structural characteristics of systems and their influence on the policies and conduct of institutions (March and Olsen, 1984). Therefore, this study is interested in the new institutionalism concerned with the symbolic role of formal structures such as Parliament. It treats organisations as established by the environment in which they are entrenched.

The study uses the forms of institutionalism, normative, rational, historical, and empirical to deliberate on the origin and purpose for the creation of the PAP, co-existing with the PSC, also tasked with promoting peace and security in the continent. Navarro (2010) accounted for establishing and empowering the European Parliament through the lens of rational choice and historical institutionalism. He opined that the creation of EP was based on the need to improve the EU's decision-making process, credibility, and legitimacy. In a separate study, Mühlböck and Rittberger (2015) explained the inter-institutional relationship between legislative institutions such as the Council and European Parliament and decision-making laws laid down by institutions' rules of procedure and treaties using rational choice institutionalism.

However, Selck's (2004) opinion differs in his assessment of the state of procedural models of the European Parliament using rational institutionalism. He argues that contrary to the assumptions held, in analysing the creation of EU decision-making, one should not conceptualise the structure as being influenced by Treaties establishing the European community and the Union. Instead, it should be explained through discussions aimed at redesigning the institutional setting and processes that led to the revision of its treaties. The

approach to institutionalism posits that institutions are created and designed to solve collective problems, often associated with strategic and self-motivated intentions. The preference of certain institutions is usually made on the basis that one institution offers more value than the other and can only persist, provided it continues to provide benefits. As an outcome, actors will change institutions when the value of a particular institutional setting changes. As the PAP finds itself among institutions with similar mandates to promote peace and security in the continent, the research will determine if it remains relevant in achieving and making an impact. Furthermore, institutionalism is used in analysing the initial policy choices made at the creation of the PAP since it determines subsequent decisions to be taken regarding the development of the Parliament.

Emphasis is on the crucial significance of comprehending institutions' structure and policies, as it informs decision-making processes and shapes relationships among various actors within their environment. Political pressure is necessary to divert institutions from established paths and encourage evolution. The existing body of research acknowledges the dynamic relationship between institutions and policies, with the latter playing a pivotal role in defining institutional mechanisms and shaping interactions with other institutions. Peters (2016) highlights the significance of understanding the structure of institutions in making informed choices and processing policies. In addition, this study explores the role played by the norms and values of Parliament in its institutional arrangements and relationships with other AU institutions. The concept of institutionalism is also employed to explain the influence of formal rules on Parliament's actions and behaviour when dealing with conflicts.

CHAPTER 3: RESEARCH METHODOLOGY AND DATA COLLECTION

The choice of methodology and methods for the research on the Parliament's actions, influence and effectiveness in preventing and resolving conflict is explained. Accordingly, the study draws from secondary data and publications and an in-depth analysis of primary sources. Therefore, this section presents the methodology employed in this study and the rationale behind the approaches utilised. Additionally, data sources, collection methods and data analysis are addressed and ethical considerations of the research.

3.1 Research Approach

The study is undertaken through qualitative research. A qualitative design using explorative and explanatory approaches is deemed appropriate as the analysis requires an in-depth investigation of the influence of the PAP in regional decision-making on conflict prevention and resolution. The choice is made to provide a critical assessment of the Parliament's actions and procedures in conflict management and intervention and ensure that collected evidence answers the research questions, allowing for the emergence of empirically competing explanations. The study does not take a comparative approach, but it does take into account the pertinent experiences of the other regional parliamentary organisations.

The study of the PAP is undertaken to understand perspectives on its functions, influence, and effectiveness in contributing to the decision-making process of the AU on conflict matters. To understand and examine the implementation and influence on conflict prevention in the region by the PAP, Members of Parliament (MPs), staff and stakeholders within and outside the AU body activities were interviewed. The interviews aimed to garner their perceptions and experiences using various qualitative tools and methods, such as semi-structured interviews and document analysis. Information obtained from a desk review and interviews is used to explain and evaluate the actions, dimensions and level of empowerment bestowed on the Parliament to prevent and resolve regional conflict effectively.

The study garners a comprehensive understanding of PAP within the complex content of the AU. Given that the research is action-oriented, its outcome will help identify the PAP's limitations in fulfilling its responsibilities. Recommendations are proposed for addressing the challenges the Parliament encounters as the AU legislative organ in its conflict intervention approaches within the region.

3.2 Research Methods

The research uses a combination of semi-structured interviews and document analyses to gather information and crystalise the data obtained. Semi-structured interviews allow flexibility in questioning participants so that the interviewer may obtain rich descriptive primary data. The choice of a semi-structured interview approach rather than an open-ended interview of interviewees purposefully selected allows for divergence, as opposed to a structured interview with closed questions that may be limiting and too guiding (Wisker, 2019). Furthermore, extensive desk research also provides secondary data available in documents from the PAP secretariat. The documents reviewed include peace and security-related decisions, recommendations and resolutions, reports and policy documents sourced from the AU online database, the PAP Library, and archives. Other online databases provided relevant information to draw on specific extrapolations that emerge from assessing the influence of similar parliamentary institutions in the AU decision-making processes on conflict prevention and resolution.

3.3 Sampling

Non-probability purposive is applied in gathering information from those knowledgeable on the topic under study. Sampling is essential to qualitative research because it allows the researcher to collect enough data to address the study topic while representing the general view fully. The PAP is relatively new with limited visibility, so knowledge about its conflict intervention resides in a selected poll (Mpanyane, 2009). Consequently, the purposive selection of

participating institutions was undertaken during the research development based on the participant's knowledge of the topic and the institution represented to expand the scope of data obtained and to reveal the diverse views of the respondents. Through literature, interviews, and referrals from interviewees, respondents were identified based on their roles within AU institutions and interactions with them. The target group identified for interviews represents the prevalent opinions and knowledge. It comprises the PAP's parliamentarians, PSC representatives, the AUC, the Department of Political Affairs, and Peace and Security. Others include AU Organs and Structures, Management of the PAP, Academia, Civil Society Organisations, and Think Thanks. Data collection is done through semi-structured interviews of about 45 minutes conducted using an interview guide for diverse perspectives to emerge from the detailed narration of participants and effectively address the research questions.

3.4. Data Presentation and Analysis

Data collected from recorded and verbatim transcribed interviews were processed through thematic analysis to identify relations and trends of information recorded. Exhaustive categories and codes were developed from the data to answer the research questions and link between categories. For instance, in describing the inter-institutional cooperation between the PAP and AU peace and security mechanisms, participants used words such as vague, suggestive, and non-binding in describing the statutes and agreement of the PAP and its relationship with other organs. These words were interpreted as non-institutionalised functions of Parliament. This form of analysis facilitated the linkage between responses to the research questions and triangulation with data obtained from the review of online and library documents for validation. The consultation of multiple sources enabled the corroboration and validation of data obtained with relevant documents on PAP decisions, recommendations, resolutions, activity reports, mission reports, speeches, press releases, communiqués, AU executive council and Assembly Decisions, and other documents appropriate for the study as well as previous studies.

3.5 Limitations, Feasibility, and Positionality

Access to data was a challenge with the range of people to be interviewed in various countries and the restrictions on travel posed by the COVID-19 pandemic. Some members of the Parliament and representatives of the PSC, AU Departments, and CSOs were residents outside South Africa. The current movement restriction prevented face-to-face interviews resulting in the consultations being conducted via WhatsApp and virtual platforms, including Google Meet, Microsoft Teams and Zoom. Additionally, the relevant forms were forwarded electronically and signed by the respondents. The relaxation of COVID-19 restrictions did not make much difference because participants still opted for virtual interviews, and most of the interviews were completed by April 2022.

3.6 Credibility, Confirmability, and Dependability

The construct is synonymous with the qualitative research paradigm, conveying trust that the methods and conclusions generated originate from accurate and meaningful accounts of the issues under study (Rudestam and Newton, 2015). The study's trustworthiness is ensured by using methods and techniques relevant to obtaining the data required to answer the questions posed in the research. The author thoroughly reviewed the scholarly literature and examined a sizable number of original sources. Documents produced by the PAP and AU Organs were included in the collection. The pertinent documents were activity and performance reports, committee mission reports, session motions, resolutions, recommendations, and observations and speeches regarding the PAP. Protocols, treaties, Executive Council and Assembly decisions, reports, and addresses were among the analysed AU materials.

Data from analysing multiple sources of relevant documents and targeted interviews of enough knowledgeable persons provided the saturation and triangulation to address the study's academic needs. The interviews, which were semi-structured and customized to the respondents' particular roles and

institutional affiliations, are included in Appendices 1 through 4. This methodology acquired empirical data from a broad spectrum of stakeholders, including PAP personnel and parliamentarians, AU staff, representatives of civil society, academics, and researchers.

Based on the crystallised data gathered, the final research findings ensure the study's confirmability or a high measure of confidence in reporting devoid of biases. While the researcher did not influence the outcome interview, she applied her institutional knowledge in crafting the interview approach to obtain results and interpret the research finding. The researcher applied their expertise in identifying the relevant institutions and personalities to interview and structure unbiased questions that generate accurate findings.

The research's credibility, in terms of the accuracy and correctness of the findings, and dependability, regarding the reliability of results and research documentation procedures, were both guaranteed by systematically coding emerging information from transcribed interviews and document analyses. The transcribed interviews were reviewed to determine the correctness of the categories that emerged. The conceptualisation of the presentation process was documented with justification to give the research dependability. Field notes were preserved, and the interviews were audio-recorded with consent from participants and stored for future reference. Names of participants were coded, and information was saved in a password-protected laptop to hold for record for ten years.

3.7 Conclusion

This study evaluated the PAP's effectiveness in the AU's decision-making process on conflict prevention and resolution through qualitative research methodology. To comprehend the Parliament's objectives, actions, contributions and powers in resolving conflict, secondary information, desk research, and a thorough review of primary sources are used. Interviews with MPs, staff members, and stakeholders are conducted as part of the research, using qualitative techniques like document analysis and semi-structured

interviews. The broad data collection is made possible by non-probability purposive sampling, which revealed diverse perspectives of the respondents on the position and relevance of the PAP within the AU peace and security institutional arrangements, factors hindering the effectiveness of Parliaments and measures to address them. Using thematic analysis, connections and trends are made in the data generated. At the same time, using numerous sources ensured the validation and confirmation of findings, producing a study with reliable reporting and credibility.

CHAPTER 4: PRESENTATION OF RESEARCH FINDINGS AND ANALYSIS OF RESEARCH

4.1 PAP Actions and Approaches to Conflict Prevention and Resolution

The institutional functions and role of the Parliament are avenues for assessing influence and effectiveness (Nzewi, 2013). The study indicates that Parliament has established structures and engaged in activities that contribute to preventing and resolving conflict to deliver on a parliament's typical law-making, oversight and representation functions. However, the Parliament lacks the necessary frameworks to disseminate its decisions and recommendations to implementing institutions. Further to that is the limited powers that impede its ability to compel relevant bodies to implement and monitor the implementation of its recommendations.

4.1.1 Establishment of Relevant Parliamentary Committees

This section focuses on the establishment of Parliamentary Committees and their role in dealing with conflict-related matters in Parliament. Parliamentary Committees are created to provide an opportunity for in-depth analysis of subject areas. The Parliament established the Committee on Cooperation, International Relations, and Conflict Resolution (CCIRCR) to achieve some semblance of oversight and people's representation on conflict matters. Rule 22 (1) of the Parliament's Rules of Procedure provides for creating Parliamentary Committees. At the same time, Rule 22 (4d) stipulates explicitly that its committee’s functions are to assist the Parliament in its conflict prevention and resolution efforts. The mandate, therefore, provides for the Parliament's engagement and debate on conflict. Parliament's engagement and ensuing conversations in its committees trigger the intervention of the PAP, decision or intervention approach. The PAP committees of about thirty members from across African national assemblies in the continent serve as an entry point for institutions and civil society organisations to bring conflict-related matters to the Parliament. The importance of establishing these

committees to achieve peace and security is highlighted by a scholar and representative of a regional economic community,

> “Providing platforms for interaction and integration of people on the continent. So, it (PAP) is a vital institution. Regarding peace and security in the continent, I feel that the Parliament has a critical role, especially the Standing Committee on International, Cooperation and Conflict resolution. It plays a vital role in my view” (Respondent 9, interview, January 28, 2022).

Part of the conflict considerations includes deliberations on conflict-related subjects, undertaking enquiry missions in troubled spots, and organising advocacy programmes to promote instruments of the Union and the international community. In that regard, the Committee on Cooperation has organised workshops and discussions on “Silencing the Guns: Creating Conducive Conditions for Africa’s Development” (AU, 2020) in March 2020 in support of the AU flagship project to bring an end to wars, civil conflicts, human rights violation, humanitarian disasters, violent conflicts, and genocide in Africa. In his opening remarks at the workshop on the AU theme for 2020, which was held in March 2020 at the PAP, H.E. Hon Bouras Djamel, the Vice President of the Parliament, stated,

> “The Parliament still maintains that silencing the guns is at the nexus of peace and development. It is not only guns but also what drives people to resort to guns. It, therefore, has a responsibility and an obligation to make the world a better place to live in.” (Djamel, 2020)

The workshop recommended that lawmakers take the initiative in calling for the regulation of firearms and use their powers as representatives of African citizens to advance peace. The PAP and AU must continuously intervene in the security situation, particularly in nations with ongoing conflict, and lobby for the ratification and domestication of all AU Legal Instruments that are important for upholding and promoting peace and preventing conflict on the continent. The need for implementing good governance principles within their

respective jurisdictions as a crucial component of ending gun violence should be brought up by Heads of State and Governments. Finally, it was advised that the PAP collaborate with the AU Peace and Security Organ to guarantee the implementation of the strategy for silencing guns in Africa.

Other committees of the PAP are identified as relevant in the conflict discussion. One such committee is the Committee on Human Rights, which is equally pertinent in that it has a mandate, according to Rule 22 (4), to support the harmonisation and coordination of laws and to develop the principles of freedom, justice, human and people's rights and fundamental rights with the African Union. The relevance of these committees relates to the Union's vision for the consolidation of democratic institutions and the promotion of good governance and the rule of law. The Committee on Human Rights may not expressly have the mandate to address conflict but does so indirectly, given that conflicts in many African countries generally result from failing democratisation and human rights violation (Respondent 10 interview, November 19, 2021). Consequently, promoting peace can be achieved through building democratic institutions, promoting democracy which, when entrenched, would prevent conflict.

4.1.2 Debate and Sensitization on Conflict Situations in Africa

The PAP serves as a platform for dialogue, the exchange of views and perspectives, awareness creation and debate on matters and proffering solutions to challenges affecting African citizens. The gathering of PAP Parliamentarians in plenaries or committees allows for discussion on countries in and emerging from conflict. The utilisation of the PAP as a platform to discuss matters affecting Africa is expressed by a representative of the AU Department of Political Affairs, Peace and Security,

> "The very first mistake was that full legislative was not given to the PAP. Therefore, that made it to be more of a consultative body. The good thing is that they can speak up their mind as independent

> parliamentarians in many of the issues" (Respondent 2, interview, January 26, 2022)

The existence of this platform is fundamental to understanding the genesis of the conflict, critical actors in the resolution of the conflict, and resolution strategy. Deliberation on topics aimed at preventing conflict, promoting democracy and peacebuilding forms a crucial role provided for in its constitutive document. Much of the debates emanate from the Parliament's consciousness of various sources of conflict, including resource-based disputes, the impact of climate change and those connected with natural resource extraction on what is seen as evolving debates both in the Great Lakes, the Horn of Lake Chad Basin and the Sahel expressed in Recommendation PAP.4/PL/Recom.02(I) of the First Ordinary Session of the Fourth Parliament in October 2015.

In the same year, the Parliament spoke out against terrorism in Kenya and the peace agreement and national reconciliation in Mali, signed on 15 May 2015 in Bamako, resulting in Recommendation PAP.4/PL/Recom.03(I) of the First Ordinary Session of the PAP in October 2015. Recently, the PAP Session Report of the First Ordinary Session of the Sixth Parliament held in November 2022 highlights Parliament's focus on unconstitutional changes in government and political transitions in Africa during a high-level dialogue to address one of the primary sources of conflict in Africa. By doing so, the PAP sensitises citizens to the AU stance on such matters and proposes measures to prevent conflict.

The importance of the discussions by the PAP Committees or Plenary aimed at creating awareness of conflict situations and possible solutions is expressed by a PAP official,

> "I would say the PAP has deployed several activities to promote peace, security and stability. Some of those activities include examination and debates on conflict situations in Africa. A sensitization of the various stakeholders in those countries, and as I said in some of those missions

> that were undertaken, the Committee on cooperation was able to meet and sensitise some key stakeholders in the conflict situation. Call on them to do the right thing, desist, or stop committing specific violations. PAP has also organised workshops and workshops to mobilise members of parliament and civil society around specific peace and security subjects, such as *silencing the guns.* If you educate someone, you empower someone. The assumption is that people can utilise the knowledge or empowerment they have benefited from to impact it in their countries. I understand the members of parliament and Members of Civil Society from conflict countries could gain knowledge and probably use it to advance the cause in their countries" (Respondent 10, interview, November 19, 2021).

Conflict matters are brought to Parliament's attention through diverse channels. By tabling conflict-related motions, PAP Plenary considers such issues in line with the Rules of Procedure. According to the Committees Manual of 2013, Parliament defines a motion as a proposal for Plenary discussion or decision. Other means of obtaining relevant data that will inform the debates in Parliament are decisions of the AU made by the Executive Council and the Assembly in every summit held biannually. The AU summit decisions also encapsulate significant substance on the agenda and discussion of the Union on issues that affect the continent. These decisions become the guiding light for all other institutions on the nature and approach to intervene in conflict situations.

Additionally, the PAP has received early warning system alerts from the African Union Commission about conflict situations. Added to that are the press releases which communicate the direction and stance of the union (Respondent 8, interview, January 27, 2022). These are made available through the mailing system to AU institutions. The platform enables information sharing and alignment of PAP's discussions with decisions within the AU system. An official in the PAP Legislative Business describes the sources of information which inform discussion on conflict by stating,

> “The only effective action is that we are part of this early warning system. So, we receive the alerts, but beyond that, there is nothing. I do not quite recall a case in which we have been called specifically to support a mission or some mediation programme or dialogue or prevent conflict in Africa. But the PAP, at its initiative, is taking action, but these actions are not very coordinated. So, generally, we communicate with those other platforms or organs and get a response that is generally well structured by the PAP delegate mission. Still, coordination is not well done around this governance architecture.” (Respondent 3, interview, November 25, 2021).

The content of the debate by Parliament is enriched through its engagement with relevant institutions, including the AU Department PAPS. Following the reform, Political Affairs and Peace and Security Departments recently merged to form PAPS, indicating the relationship between governance and conflict. The relevant AU institution or stakeholder usually presents before the committees, which generates a report and recommendations on issues raised. Committee-generated recommendations form part of the Report presented to, discussed, and adopted by the Plenary. In turn, the resolutions and recommendations comprise the PAP's annual report to the African Union's organs at the summit of the AU.

Interviews with PAP officials revealed an absence of a structured or formalised process for bringing conflict issues within AU communities to the attention of Parliament. Added to that are the inconsistencies in receiving information from the AU. According to a PAP Staff, the communication of early warning alerts to Parliament has been seized, limiting its access to crucial information that could impact the quality of output generated through decisions, reports and recommendations.

Beyond generating recommendations, from parliamentary debates that the AU Assembly may consider, these debates serve as an avenue to monitor and evaluate the implementation and impact of AU programmes and decisions. A respondent remark,

> “In line with the implied oversight function over the AU Member States and organs, the PAP can oversee the extent of conflict prevention and the degree to which meaningful and long-lasting solutions to ongoing conflict within the Union progress” (Respondent 9, interview November 19, 2021)

It implies that Parliament can monitor the circumstances in affected nations and other AU bodies participating in discussions and negotiations in conflict-affected regions. It also means that the PAP has the authority and mandate to inquire about the AU's strategy for guaranteeing the viability of conflict resolution proposals. As a result, Parliament can discuss the effectiveness or failure of AU policies in resolving conflicts on the continent.

4.1.3 Fact-Finding Missions to Conflict Regions

The incidence of conflict in Africa often necessitates the deployment of Parliamentarians to observe and report to the Parliament on the situation in the concerned region and state. As part of its oversight function and to make an informed decision on conflict matters, the Parliament undertakes fact-finding missions to conflict areas and places with human rights and humanitarian challenges (Amadi, 2014). The decision to carry out a fact-finding mission is made through a Plenary Resolution tabled by a committee or by the plenary directly addressed to the committee.

A fact-finding mission is, therefore, a mechanism deployed by the PAP in which designated representatives of Parliament go into the field to collect, analyse information, and understand the problem within a conflict setting (Jancic, 2019). The process involves designated representatives of the Parliament engaging with citizens and relevant stakeholders to obtain information and dialogue with the conflicting parties concerned. Depending on the thematic concern of Parliament, any Parliamentary Committee can proceed on a fact-finding mission. These mediation missions have been undertaken in many countries and were perceived to have resulted in better understanding of conflict and creating awareness of the situation for Parliament's informed decision-making. A PAP official expresses the intention behind such process,

> “The situation in Western Sahara, where the PAP even deployed a fact-finding mission to go and assess the sustainability…the effectiveness of the measures being taken by either local authorities or national authorities or Continental bodies” (Respondent 9, interview November 19, 2021).

Between 2006 and 2019, the Parliament has carried out fact-finding missions on the conflict in the areas of the Great Lakes, the Democratic Republic of Congo (DRC), Darfur in Sudan, the Central African Republic, Chad, Saharawi Arab Democratic Republic, Mali, Libya, South Sudan, Burundi, and Niger (Respondent 5, interview January 20, 2022; Report of CCIRCR, 16 May 2011).

During these missions, Parliament also measures indicators in evaluating the consequences of conflict on gender, children, health, and the socio-sanitary condition of the population affected (Respondent 11 interview, November 19, 2021). The dispatch of Parliamentarians on the ground has been done in conflict situations in Burundi and Sudan as reported by a respondent,

> “The conflict intervention by Parliament in Sudan around 2007 before the emergence of South Sudan offered a solution. However, the current dimension of the problem faced by South Sudan differed from what the Parliament addressed.” (Respondent 5 interview, January 20, 2022).

Notwithstanding, the Parliament has continued to advocate for Sudan by engaging with the US Congress in 2017, which led to the removal of sanctions placed on a country whose citizens have felt the adverse impact of conflict (Jancic, 2019).

In Tunisia, with the overthrow of former President Ben Ali, the Parliament reported on the peace and democratic institutions set up in the country, enabling transition and stability. The fact-finding mission to Tunisia was undertaken in 2011 following the revolution. In Libya, it assessed the peace and security situation after the unrest that spread from eastern Libya to other parts of the country (Jancic, 2019; Report of CCIRCR, 16 May 2011). In the same year, Parliament went on the ground in Ivory Coast to assess the political situation and to Saharawi Arab Democratic Republic after the decolonisation

of Western Sahara. In 2010, the Parliament also undertook a fact-finding mission to Sierra Leone to gather information on the operations of the Special Tribunal. The Tribunal was set up jointly by the Sierra Leone Government and the United Nations to try cases of violations of international humanitarian law and Sierra Leonean law committed in the country from 30 November 1996 (PAP/2P/P/RES.09/(II)).

Similarly, the CCIRCR undertook a fact-finding mission to Niger in 2019 to understand the impact of climate change on security in the Sahel region, especially with the rise in terrorism in the area. The continental parliament perceives these interventions as a means of conflict intervention and resolution within the African States.

The Parliament may not always record success in resolving the crisis in States, but it has been described as a beacon of hope to the people. Narrating his experience during the fact-finding mission to Libya, a Member of Parliament expressed that,

> "The presence of the PAP brings optimism in the face of conflict, a feeling of the continent's consideration of the people's plight." (Respondent 5, interview, January 20, 2022).

Feedback from states and parties visited is that the PAP presence and broad consultation within their countries gave them a sense of inclusion in the continent (Respondent 11, interview, November 19, 2021). The Parliament is considered a continental organisation that attempts to solve the citizens' problems and interfaces with various factions in their country. Interacting with the conflicting parties brought about better attitudes toward the conflict. The PAP delegation represents different political actors within the nation-state converging in a commonly shared platform capable of listening to various sides and making decisions, especially in election-related conflicts in which they are knowledgeable, having emerged through similar processes. To gather information about the crisis and present it to Parliament, the PAP visit various stakeholders, including the ruling government, different rebel movements, academic institutions, CSOs, the media, unions, and leadership. A member of

parliament comments, “They were motivated to concentrate on finding a solution rather than escalating the conflict by the awareness that brothers from all over Africa were concerned and interested, which gave them a positive outlook and fortitude” (Respondent 5, interview, January 20, 2022).

The interaction during-finding missions culminates in reporting and recommending the way forward to the Plenary for adoption and dissemination to relevant stakeholders. After analysing the situation in troubled spots, reports of the findings are presented and debated in Plenary, with the recommendation or resolutions that the highest decision-making organ of the Parliament should adopt. Ideally, these reports and recommendations should be sent to the concerned countries and the AU Policy Organs to achieve the intended results. This situation has been the case for missions undertaken in Rwanda, Niger, and Cote d’Ivoire, where the reports were officially sent to these countries (Respondent 3, interview, November 25, 2021).

The fact-finding missions are tools, not an end in and of themselves. To inform envisaged changes in concerned member states, the PAP should invite and interrogate State representatives when mission reports are presented to the plenary for consideration. After hearing various viewpoints, Parliament can approve resolutions or recommendations urging the appropriate authorities to take particular actions. Regrettably, other political obstacles arise in the way of the implementation of Parliament’s solutions, as highlighted by a staff of Parliament,

> “Issues of follow up on recommendations of Parliament to Members states and effectiveness of this approach has been a challenge considering that some parliaments are dissolved at the peak of conflict.” (Respondent 11, interview, November 19, 2021).

Furthermore, while the Plenary may recommend a fact-finding mission to a State, the concerned country may decide not to accept Parliament undertaking the mission on its soil. The Parliament has to respect such decisions due to the sovereignty of AU Member States. The challenge of gaining access to

investigate is added to the absence of an enforcement mechanism if Member States refuse a fact-finding mission to crisis areas because the PAP recommendation is non-binding on countries, so states are not obliged to adopt or implement the Parliament's decision.

4.1.4 Election Observation in Member States

The PAP has an election-observing capacity which has been described as a tool for preventing conflict and promoting good governance. The involvement of the PAP in observing elections in Member States is in recognition of political instability resulting from non-respect of the constitutional provision and contestation of outcomes of electoral processes (Respondent 3, interview, November 25, 2021). Elections-related violence has been identified as one of the leading causes of conflict in the continent (Respondent 1, interview, January 21, 2022). In relation to that are challenges associated with political transitions that can threaten stability in African settings. By engaging in the process, the Parliament seeks measures to strengthen and influence positive democratic outcomes to avoid conflict (Respondent 10, interview, November 19, 2021).

In 2023, according to the Electoral Institute of Sustainable Development in Africa (EISA), twenty-nine African countries will hold some form of election, with an uncertainty of possible violence. The competitive nature of elections around the continent has resulted in conflicts which have claimed the lives of millions and contributed to the loss of homes and destruction of property. The situation makes prevention of violence a priority to the PAP, achievable through effective election observation remarked by a representative of PAPS:

> "The link between governance and peace and security is from the reform of the AU, which merged the departments of Political Affairs with Peace and Security and saw to the inclusion of Parliament in the joint AU Election Observation Mission (AUEOM)." (Respondent 12, interview, January 29, 2022).

Therefore, the synergy in election monitoring is an acknowledgement by the AU of the connection between election and peace and stability and the role of Parliament as democratically elected officials in promoting peace and stability. The participation of the PAP in election observation can be traced back to 2006 when it embarked on independent election observations to Ghana, aimed at eliminating some of the sources of conflict in Africa. The Parliament continued observing elections independently in Zimbabwe and Algeria in 2008 and 2009 in Malawi (PAP, 2022). However, following an Executive Council decision of 1 February 2010, EX.Cl/Dec.534 (XVI), the process became a joint observation with the AUC through the Political Affairs, Peace and Security department. Although the decision may have restricted the independence of the PAP in reporting on elections, the decision afforded the PAP a 40% composition of the AU observers.

The Parliament has used the opportunity to promote democracy, human rights, peace and stability. In 2022, the Parliament observed general and parliamentary elections in Kenya, Angola, Lesotho, Equatorial Guinea and Tunisia (PAP, 2022b), ensuring representation in the delegation involved in the election monitoring. As required by the establishing protocol, the institutional composition of the Parliament stipulates that each delegation designated by the National Assembly, or deliberative body, must include members of the opposition, ruling parties, and women. Including Parliamentarians with diverse political opinions and inclinations is an innovation that may confer on the Parliament some confidence in reporting on outcomes of election observation as expressed by a representative of the Civil Society Organisation.

> “But you will note that because it’s the only organ of union that’s bipartisan or multi-partisan, it does not only reflect the views of ruling parties or governing parties but also the view of alternative parties or oppositional parties. Its function and role in the early days of election monitoring contributed significantly to electoral integrity. You will appreciate that many conflicts have arisen over the years from mishandling of elections.” (Respondent 6, interview, January 13, 2022).

During the election observation process, the PAP joins the AUC delegation in information gathering to make and issue an informed assessment of the process. The mandate that provides for election monitoring permits the observation of the electoral process gives it the authority to intervene if state electoral laws are broken and supports the validity of the process. According to the report on election observation missions of 2022, the PAP delegation was reduced to 6 parliamentarians participating due to budget constraints (PAP, 2022).

Since 2006, there has been a reduction in the PAP delegation in the combined AU electoral missions in African states. PAP involvement has been characterized as ad hoc, which means that the Parliamentarians' AUC interactions are inconsistent within the context of AU observation missions. The situation, coupled with Parliamentarians' concern over their little influence and non-formalised role in representation and reporting, is highlighted as some of the factors that impede the Parliaments' influence (PAP, 2022b). Further to that, beyond simply monitoring the results of elections in Member Governments, the PAP should take part in post-conflict peacebuilding and aid in the democratic transition to ensure that nations develop into peaceful and conflict-free post-election states.

4.1.5 Popularisation of AU Legal Instruments and Programmes

Parliament has continuously promoted applicable normative and monitoring frameworks in addressing excesses capable of leading to conflict. Therefore, the PAP platform allows the AU engagement with Parliament to lobby for ratifying and domesticating conflict-related protocols or decisions in Member States and promoting AU programmes and policies as provided in Article 11(7) (AU, 2001).

The representative function of the PAP in conflict prevention and resolution is in the Parliament’s sensitisation programmes of associated legal instruments, AU decisions and AU programmes (AU, 2001). The role is expected of the Parliament, judging by the statement of the PSC Chairperson Report to

Plenary in May 2015 on the negative effect of the Ebola epidemic post-conflict reconstruction and the correction efforts in Guinea, Liberia, and Sierra Leone. Cognisant of the threat of the pandemic to peace and security and in recognition of the role of the PAP in achieving the implementation of decisions in the continent, the PSC solicited Parliamentarians' support in promoting AU and international instruments.

Some relevant instruments were the African Charter on Human and Peoples' Rights, the African Charter on the Rights and Wellbeing of children, and Resolution 1325 of the United Nations Security Council on Women, Peace and Security. The PAP creates awareness when engaging stakeholders in conflict situations, encouraging them to desist from committing specific violations. The same has been achieved by organising workshops and mobilising members of parliament and civil society organisation around particular peace and security subjects. The workshop identified a few conventions that required ratification and domestication, including the 2004 Protocol to the OAU Convention on the Prevention and Combatting Terrorism and the 2005 AU Non-Aggression and Common Defence Pact (PAP, 2020). Through various information-sharing sessions, the PAP provided the platform to create awareness and ensure that Africa prioritises creating a conducive environment for conflict prevention and resolution, socio-economic development, and addressing the underlying causes of conflict.

In acknowledging conflict resulting from displacement in Africa, the Parliament extensively promoted the AU theme for 2019 through sensitisation meetings. The discussion was entitled *"*The Year of Refugees, Returnees and Internally Displaced Persons: PAP's Contribution Towards Finding Durable Solutions to Forced Displacement in Africa". By engaging in the deliberations, the Parliament supported the AU Assembly 32nd Ordinary Session commitment to take political leadership in resolving conflicts through policies and strategies that strengthen national systems and structures that prevent conflicts and displacement on the continent. Consequently, in its Recommendations of May 2019, PAP.5/PLN/RECOM/03/MAY.19, the Parliament encouraged Members of Parliament to deploy their law-making and oversight role for ratifying the

1969 OAU Refugee Convention and the Kampala Convention without reservations that would take away the humanitarian substance of these legal instruments.

In March 2018, Parliament co-hosted a Regional Seminar on “Connecting the dots: Supporting 2030 Agenda, ATT and UNPoA implementation through increased parliamentary engagement and action in international processes”. The seminar was organised in recognition that the uncontrolled proliferation and use of small arms and light weapons threaten security and sustainable development in Africa. As a result, African parliamentarians were sensitised and committed to action using available tools to influence and achieve allied sustainable goals and AU aspirations in African countries.

Furthermore, the Parliament has gone across the five regions seeking ratifications of those instruments that deepen democracy on the continent through Regional Conferences and Consultations. The African Charter on Democracy, Election and Governance (ACDEG) is one of the critical frameworks and valuable tools in conflict management that the Parliament has extensively popularised. According to the Report of the celebration of the 10th Anniversary of the PAP, Rt Hon. Bethel Amadi, President of the PAP, remarked,

> “The PAP initiated a campaign dubbed ‘11 before 2011’ to raise awareness on the need for (signing and) ratification of the African Charter on Democracy, Elections and Governance by the end of 2011. These results were achieved through campaigns (undertaken) in three regional consultative meetings (held) in Chad, Zimbabwe, and Uganda. Within nine months, the PAP had obtained the required 11 (signatures and) ratifications (by the Member States). This resulted in the adoption of the ACDEG by AU Heads of States in 2012.” (Amadi, 2014).

Parliament has a non-tolerance stance against undemocratic governments that result from military coups and other forms of unconstitutional changes in

government and has enabled drawing attention to this source of conflict in Africa. Consequently, the Parliament prioritised sensitising, creating awareness, and promoting the spirit of the continent that wants only democratic governments in the AU. Hence, its advocacy pushes for the ratification and domestication of ACDEG. The Parliament has utilised the Charter to discourage an emerging phenomenon where elected authoritarians capture electoral processes, criminalise protests as anti-democratic, or where incumbents subvert the constitution to stay longer in office. The PAP supports AU charters that are important for conflict prevention by using the numerous platforms at its disposal, including consultative meetings in all African regions. Additionally, the PAP employs its presence in nations, particularly in those in conflict, to sensitize locals and other parties that could be interested in the conflict. As a result, the PAP targets different groups directly or indirectly involved in the war while using its members for peacebuilding goals.

On the other hand, the PAP has come out quite strongly on continental issues and on the need to abide by the decisions made by Africans and the rights that Africans have been granted under the constitutive act and various other legal instruments of the OAU and AU, which should be honoured. The role of the Parliament in this regard was emphasized by the African Union Commission thus,

> “The Parliament is perceived as an essential voice in preventing and resolving conflict by organising such debates, discussions, and consultations. To some extent, these important pronouncements have made national governments bend towards conformity rather than disregard constitutional provisions. One such issue is the election and ratification of related legal instruments, which seek to reduce conflict in the Member States. In addition, the Parliament initiated and strongly advocated specific issues such as the two-term limit and attention on the unconstitutional government changes. The Parliament also attributed the break in the military coup to their efforts in advocacy to popularise and educate Parliaments and various stakeholders on instruments and mechanisms that discourage unconstitutional

governments and conflicts.” (Respondent 4, interview, January 27, 2022).

4.1.6 Formulation of Soft Laws

The Parliament contributes to preventing conflict by formulating model laws capable of avoiding conflict. The nature of parliamentary institutions is to have legislative competencies and power. However, given the limited powers given to the PAP, it has sort to strengthen its political and institutional influence through the harmonisation and coordination of Member States' laws. PAP Staff highlights the importance of the model laws,

> “Some of the recommendations having been made to ensure that those countries adopt legislations which removes the existing discriminations and drivers of conflict” (Respondent 10, interview, November 19, 2021).

Backed by Article 11(3) of the PAP Protocol, the quasi-legislative function empowers the PAP to coordinate or harmonise legislative texts of states toward achieving the integration of legal and policy frameworks of the continent (Jancic, 2019). Thus, the PAP model laws support harmonising policies and regulations across Africa, enhancing certainty and stability.

The powers to develop model laws avail it the ability to guide and influence the laws of Member States to incorporate into their national laws provision to prevent conflict by raising the consciousness of the sources of conflict and ways of addressing them. The non-binding model laws for adoption or adaptation by the national or regional parliaments can be initiated by the AU Assembly, or PAP, on its motion for consideration and possible adoption by the Assembly. The process was applied in conceptualising and formulating the Model Police Law for Africa, created to provide a model to guide the administration and structuring of policing in Africa to complement existing police reform initiatives (Nwebo and Fombad, 2022).

The normative framework of Model Police Law for Africa is based on a rights-based approach to law enforcement at the African regional level and factoring in international legal standards. It seeks to prevent conflict, as seen in the #EndSARs movement in Nigeria that resulted in the clash between the youth and law enforcement agencies (Yusuf and Benisheikh, 2021). The Model Police Law developed by the PAP is to promote legislative reform and review existing legislation that governs the mandate, organizational structure, and performance of law enforcement agencies across AU member states.

The PAP Rules of Procedure on the Function of the Committees grant the CCIRCR the authority to review and submit comments on AU instruments, including treaties, under Rule 26 (4c). Thus, it is envisioned that the PAP would contribute to the AU's policy-making process. The PAP has a chance to represent the genuine voice of Africans, and advance shared values as envisioned by the AU's founding fathers and Agenda 2063 by combining its authority with the effective execution of its quasi-legislative mandate.

4.1.7 Adoption of Resolutions and Recommendations

Parliamentary decisions, stances and actions are represented in such texts as motions, resolutions, recommendations, and statements. A resolution is a decision relating to any matter considered by the PAP on the AU, its organs, RECs or the Member States whose implementation lies within the power of the PAP or its organs or structures. In contrast, a recommendation is a decision whose performance lies within an entity other than the PAP. These parliamentary documents address subjects affecting the continent, particularly conflict following debates on Peace and Security in its agenda (Masanja, 2020). Parliamentary texts arise from discussions and a quest to address the continent's challenges and have been described as the Parliament’s indication to take up a more influential than ceremonial role (Cillers and Mashele, 2004). The impact of resolutions has been used to examine the effectiveness of AU institutions, including the African Commission on Human and Peoples’ Rights (Biegon, 2016). The study by Biegon on the impact of thematic and country-specific resolutions by the African Commission on Human and Peoples' Rights

show that while non-state actors use these resolutions as advocacy tools, state actors use them to inform the creation of domestic laws. In this case, the resolutions and recommendations of the PAP is examined to determine if they have influenced actions in Member States or been referenced by stakeholders in implementing their activities in conflict situations.

Since the recommendations made by Parliament result from the discussions and actions undertaken to prevent and resolve conflict, their evaluation is of great significance. The PAP has entrenched the adoption of resolutions and recommendations at the end of its ordinary sessions (Amadi, 2016; Masanja, 2020). Again, resolutions of Parliament often relate to decisions by the Plenary to send missions to conflict areas to gather information or adopt outcomes and recommendations of fact-finding missions. Recommendations are used to encourage African countries to adopt legislation to eliminate the drivers of conflict.

For instance, during the 5th Ordinary Session of the Fourth Parliament, the PAP Plenary adopted a recommendation, PAP.4/PLN/RECOMS/02/OCT.17, on the fact-finding mission embarked on in South Sudan in the civil war by the Committee on Cooperation. The decision was to initiate an on-ground investigation in South Sudan following concerns over the security, humanitarian, and economic challenges and the implementation delays of the Agreement on the Resolution of the Conflict. The recommendations and implementation targeted warring factions, directing the cessation of hostility and inclusive intervention by relevant stakeholders. Additionally, the content specified the roles of its REC, IGAD, AU and international communities to provide financial, technical, and humanitarian support to the structures in place to achieve successful negotiations and conflict resolution. The Parliamentary texts are thus avenues for Parliament to send across its decision for implementation by both internal and external stakeholders.

Previously, at the 1st Ordinary Session of the Third Parliament, in its recommendations of October 2012 (PAP/PL/Recom.01-05(I)), the PAP expressed concern about the security situation in the Great Lake Region,

specifically the Democratic Republic of Congo (DRC). Accordingly, it recommended that the Congolese government engage with armed groups, including M23, to disarm the combatants and control the border between Rwanda and the DRC to prevent cross-border recruitment and transport of weapons. Subsequently, following up on the progress made in the DRC in 2013 and alarmed at the new cycle of violence by the M23 rebellion in the eastern DRC, the Parliament encouraged the support of the international community by remaining and assisting the Democratic Republic of Congo by Security Sector Reform (SSR) and Demobilisation Disarmament and Reintegration (DDR). Adopting resolutions and recommendations has become an institutionalised mechanism for Parliament in addressing and expressing itself on matters of conflict on the continent.

In 2013, the Parliament noted that terrorism was hindering the establishment of peace in Somalia and all the sub-regions. Following debates in the Plenary, the Parliament adopted a recommendation, PAP.3/PL/Recoms.05 (III) for the Somali Federal Government (SFG) to consider establishing a platform for dialogue with the leadership of the Al-Shabaab members. The negotiation was to denounce terrorism and extremism and make concessions to end terrorist operations in the country. Further, to develop a peace process and for African countries to mobilise support for Somalia by sending military troops.

Similarly noting the degradation of the political situation in Guinea by Parliament, the AU in PAP.3/PL/Recoms.03 (III) was advised to pressure the government to set a date for the legislative elections and for the political actors in Guinea to create a favourable environment for elections. Likewise, Mali's security and humanitarian situation was addressed in the fact-finding mission report to Mali in June 2012. According to its Resolution adopted during the 6th Ordinary session of the 2nd parliament in May 2012, the Parliament recommended the organisation of an inclusive national dialogue between all Malian socio-political strata based on a valid policy of reconciliation and the constitution and respect for a government of national unity. Subsequently, in 2013, the Parliament following up on the situation in Mali noted the Northern Mali occupation by the rebel forces of the National Movement for the Liberation

of the Azawad (*Mouvement national pour la libération de l'Azawad*) (MNLA) and the armed groups professing religious extremism. Therefore, it recommended inclusive consultation with broader stakeholders in the peace negotiations and dialogue.

At the same time, in 2013, the Parliament condemned the civil wars and coups d'état, which have plunged the Central African Republic (CAR) into a crisis and the associated political, security and socio-economic challenges. The Coup d'Etat of 24 March 2013 against President François Bozizé's regime was seen as an unconstitutional change of Government. Its recommendations of May 2013 PAP.3/PL/Recom.11(II) was for the CAR transitional government to redefine the new bases to reconstruct the state and the involvement of the AU in all the phases of the electoral process to guarantee their credibility and transparency.

Other PAP organs, such as the Women Caucus, in its recommendation PAP.5/PLN/RECOM/05/OCT.19 following the Conference on Women's Rights on the AU theme for 2019, noted with concern that women and children are the most affected by conflicts and displacement due to limited consultation in decision-making processes. Consequently, the outcome document recommended the AU Member States strengthen comprehensive mediation, peacebuilding, and conflict resolution mechanisms. It also advised including the full participation of women in all peacebuilding activities and processes. The women's group recommended that States pursue national reconciliation through the African Peace and Security Architecture and strengthen Africa's peacekeeping and enforcement capabilities and collaboration with the United Nations system.

In drafting this parliamentary text, the voices of the people and relevant institutions are incorporated in the output documents, which gives the resolutions procedural legitimacy. Through consultations and information sessions with the Committees, different stakeholders' perspectives are heard and included in the decision-making process of the Parliament in the formulation of the parliamentary text. A staff of parliament affirms this,

> “We even go far away to meet every stakeholder, so the truth of the matter or the problem may come out. When you go on-site, you meet affected people and know everybody's position. So, our reports try to cover all those positions and come up with a good resolution or suitable resolution to solve the problem with a positive impact on those countries to prevent conflict. So, a common position that can help everyone.” (Respondent 11, interview, November 19, 2021).

Next, the agreed opinion is captured in a plenary report with the relevant recommendations or resolutions for adoption by the highest decision-making organ of Parliament. The recommendations and resolutions of the Parliament on conflict matters are also tabled, through an activity report, before the Assembly of Heads of State and Government. In most cases, the Assembly and Executive Council take note of the Recommendation of Conflict in the continent by the PAP. However, there has been no evidence of Parliament influencing the decision-making or policymaking process within the AU.

Questioning the relevance of the parliamentary texts of the PAP, some respondents described the recommendations of the Parliament as non-compelling. In contrast, others rationalised the documents for their lack of impact on their nature. According to a PAP official,

> “Recommendations are not decisions and, according to the PAP Rules and compared to Acts of Parliament, are non-binding to targeted institutions.” (Respondent 8 interview, January 27, 2022).

The non-binding nature of resolutions and recommendations by the PAP is likened to the output of the PSC, which does not issue authoritative decisions, but declarations presented by the AU Chairperson for adherence by States. Furthermore, the wording of these parliamentary texts has been described as vague as they are not explicitly addressed to anyone (Respondent 3, interview, November 25, 2021). In attempting to refute the assertion that low relevance was related to the content of the documents, attention was drawn to many vital legal instruments or the legal backing of African institutions that have remained

unimplemented. A professor of law and former consultant of the AU on AGA states,

> “The problem on this continent has never been the absence of strong legal instruments or strong legal backing from anyone of our institutions or any of the reports that we issue. Such references to the content of the resolutions were to serve as excuses for avoiding core issues addressed by recommendations.” (Respondent 7 interview, December 7, 2022).

It is critical that the Parliament draft relevant and strongly worded recommendations capable of persuading countries and institutions to adopt and implement their provisions even though they are not obliged. Without a doubt, they should be compelling enough to be embraced by stakeholders. However, beyond drafting best-worded and constructed resolutions or recommendations, the Parliament should be more strategic in delivering on its objectives of preventing and resolving conflict by improving the extent to which states take those recommendations on board.

Although not institutionalised, PAP Parliamentarians who are also members of the National Parliaments are expected to table the recommendations of the Parliament on the floor of their National Parliaments. The tabling of the Recommendations at the National Parliaments is expected to trigger the application of the oversight powers of the Parliaments over the Executives and prompt them to respond and take action on the issues outlined in the PAP's recommendations. Additionally, through diplomacy, PAP can advocate for implementing PAP’s recommendations and create awareness of the decisions taken by the continental body. This approach also offers the opportunity for the PAP delegation to engage with the governments of Member States on the content of its recommendations, asking that they take actions highlighted by the Parliament’s decision. Moreover, the PAP is a vital link to various AU institutions and departments responsible for conflict prevention and resolution. Consequently, the Parliament should be equipped to support governments when implementing the recommendations, drawing upon the technical and

political skills that can be acquired through collaborative efforts like the AGA-APSA Platform.

Specific reports have also been disseminated to the concerned Member State to ensure implementation of the Parliament's recommendations, as in the case of conflicts in Darfur, Chad, and DRC through their parliaments. Unfortunately, national parliaments and deliberative bodies are usually the first institutions dissolved when conflict occurs in a state (Respondent 11, interview November 19, 2021). The dissolution of parliament renders the state without an apparatus to ensure accountability. On the other hand, the PAP is left without oversight institutions to take ownership and follow up on implementing the recommendations directed to the government.

One of the observed institutional weaknesses is the absence of a follow-up mechanism for implementation once the PAP issues the recommendation and resolution (Respondent 10, interview, November 19, 2021). The section tracks the outcome of reports on conflict generated by the Parliament, as it seems the plenary adoption stage of recommendations is a dead end to further consideration on the subject under discussion. The importance of follow-up of recommendations is linked to influence as a respondent comments,

> "For the PAP to remain relevant, it should continue to engage with the conflict matter and undertake follow-up programmes that allow it to monitor what states and AU institutions have done about the subject." (Respondent 4 interview, January 27, 2022).

PAP has the power to request representatives of the OAU/AEC to attend its meetings, provide documentation, or offer assistance in carrying out its duties, as stated in Article 11 (5) of the PAP protocol. Additionally, Article 18 requires the PAP to promote close cooperation with the National Parliaments or other deliberative bodies of Member States as well as the Parliaments of the Regional Economic Communities to engage in debates on common interests. Therefore, tracking the status of events can be achieved through the Plenary or the relevant PAP Committee with powers to invite the various stakeholders

for an update on actions taken following the recommendations of the Parliament or an update on the peace and security situation of the country.

Additionally, one of the challenges for the PAP encounters has been a lack of a mechanism to ensure that the recommendations of the body filter into the AU decision-making process. A few times in the past, Parliament has adopted recommendations and presented them as part of the Activity Reports to the AU Assembly. But there has been no operational, institutional mechanism capable of taking those recommendations forward to ensure a rigorous consideration at the AU Headquarters in Addis Ababa. This gap was exposed through a question posed by an official of the AU Department of Political Affairs, Peace and Security:

> "It (PAP) can have the legitimacy to address conflict, but does it have the institutional framework that would allow it to follow through on its engagement on conflict in Africa?" (Respondent 4 interview, January 27, 2022).

This missing institutional link makes PAP unable to address its recommendations on conflict matters and, therefore, limits its influence in the decision-making processes on AU policy. The Annual Assembly reporting approach used by the Parliament over time has been described as ineffective because the Assembly refer to AU institutions with specific mandates, according to their instruments, for advice. The AU Assembly expects the PSC, with an explicit decision-making mandate on Peace and Security, to provide direction on conflict, not the PAP, invariably making other institutions become a subsidiary on conflict matters. (AU, 2002; Respondent 4, interview, January 27, 2022).

In essence, PAP cannot give an advisory opinion on matters of conflict. The absence of the required institutional linkage is connected to the content of the Parliament's Protocol that limits the powers of the Parliament. In as much as the Parliament submits yearly reports to the Assembly, which contains

recommendations on conflict, no provision requires the Heads of State and Government to decide or implement the recommendations of the Parliament.

An alternative suggestion and channel through which the recommendations by PAP on conflict matters may be captured for decision-making is through its inclusion in the PSC report. Likewise, if the Parliament needs to formulate a policy, it should be within already constitutionally mandated bodies or structures. Such collaboration and coherence would ensure the buy-in of those mandated institutions to implement such policies or activate the implementation mechanism. In this case, cooperation with the PSC will to some extent, enable the inclusion of Parliament's voice in the decision-making process of the Union on conflict matters.

4.1.8 Conclusion

The actions, contributions and legitimacy of the PAP in conflict prevention and resolution in Africa can be analysed through the lens of institutionalism. Normative institutionalism highlights the role of norms, values, and legitimacy in shaping institutions and their conduct. The PAP's legitimacy is deeply rooted in the AU's commitment to democratic governance and peace and security. As a parliament with representative functions, the PAP actively voices and addresses the African people's concerns and contributes to democratizing decision-making within the AU. The debates on conflict matter in countries in its Committees and the Plenary and the investigations it undertakes indicates how the PAP prioritises the need of the African people.

The establishment of Parliament is in response to the need for inclusive mechanisms to prevent and resolve conflicts aimed at boosting the PAP's legitimacy among member states and citizens. Engaging in programs promoting peaceful resolution mechanisms, developing Model Laws and proposing policies to eliminate the root causes of conflicts, the PAP influences AU decisions, consolidating its value in addressing conflict. Interpreting the actions related to managing conflict using sociological institutionalism reveals

how the PAP's social context impacts its activities. Given that the PAP is a platform for cooperation and knowledge and skill sharing, the PAP advances a culture of conflict prevention in Africa. Public opinions, values, and support ~~from~~ civil organizations and African people reinforce its authority and Interactions . Through interactions with critical stakeholders enable the PAP to raise awareness and support towards contributing to practical conflict resolution efforts.

4.2 Empowerment of PAP towards Preventing and Resolving Conflict in Africa

This section presents findings on how empowered the PAP is in influencing AU decisions on conflict prevention and resolution. The powers of Parliament have been an issue which remains a hindrance to achieving the ambitious vision of the “Africa We Want”. It becomes very challenging when the AU has established institutions with similar mandates to enable it to address conflict on the continent. Consequently, the study examines the statutes of the AU, PAP and other organs involved in preventing and resolving conflict. Assessment of these documents, coupled with the interrogation of the view of respondents, will ascertain the purpose for the establishment of the PAP, its mandate, objectives, and functions of the PAP which provides an insight into the authority and capacity of Parliament to engage in actions could enable it to influence conflict-related decision within the African Union. It uses document analysis, interviews and participation in the activities of Parliament to explore whether the institutional framework of the PAP, its internal procedures, and external relations with the AU favour the prevention and resolution of conflict.

4.2.1 Provision in AU Statutes

Understanding the purpose for the creation of the PAP, as contained in the statutes of the AU and PAP, enables the determination if it has delivered on the objectives for establishment. The creation of the PAP is linked to the Abuja Treaty, which established the African Economic Community. The treaty was

adopted in Abuja in June 1991 but came into force in May 1994. The Abuja Treaty recognised the nexus between peace, security and stability, the continent's economic development, and the need to promote and protect human rights, often a source of conflict. The founding fathers anticipated that the Parliament would strengthen the continent's integration and unification to support Africans' goals for greater solidarity, cohesiveness, and unity that would transcend cultural, ideological, ethnic, religious, and national divisions (AU, 2003).

Another treaty, the Sirte Declaration adopted in 1999, also established a Parliamentary Assembly and the third organ of the Union. The process commenced following a call to fast-track the creation of the requisite institutions allowed for in the Abuja Treaty (Ebaye, 2010). Approval was then given for the establishment of the continental parliament as provided for in the draft Constitutive Act of the African Union in Lomé, Togo, on 11 July 2000 and the adoption of the PAP Protocol on 2 March 2001, enabling its entry into force on 14 December 2003 (AU, 2001). Thus, the PAP became one of the 11 organs of the AU provided for under Article 5 of the AU Constitutive Act and Article 2 of the Protocol to the Treaty Establishing the African Economic Community (AEC) as relating to the PAP. The rationale behind creating the PAP is outlined in the preamble of the Protocol to the AEC Treaty establishing the PAP and the AU Constitutive Act.

According to the founding charter, the Parliament was created to give Africans and their grassroots organisations a platform to participate more actively in the decision-making processes to address Africa's problems and difficulties (AU, 2003; Ogbonnaya & Ogujiuba, 2015). As a researcher described it,

> "The PAP primary mandate is representative of African citizens in AU decision-making processes. In that regard, as you are aware, the protocol gives PAP its mandate and the constitutive act that recognises PAP as one of the organs with a unique role in ensuring or resorts to suspending Member States to compel states implementation of decisions." (Respondent 2, interview, January 26, 2022).

A similar perspective is shared by an official of the AU Early Warning Division on the reason for ascribing consultative and advisory powers rather than legislative powers to Parliament as a euphemism.

> "It appears to be an institution that is only used whenever the need calls for it, without an expectation of taking proactive actions and acting at its discretion." (Respondent 4, interview, January 27, 2022).

The impression is that the PAP is not a body able to make binding or mandatory recommendations or policies. The situation is unlike other AU bodies expected to address the Assembly and whose performance and activity reports must be deliberated by and decided on by the Heads of State and Government. For PAP, reporting to the Assembly has been described as a requirement to justify the budget expended on the Parliament. Although a value is attached to PAP reporting to the Assembly, the AU is not obligated to decide on it. Article 3 of the Protocol establishes the PAP, highlighting its objectives towards achieving the mandate of facilitating the continent's integration. These objectives also provide the basis for dealing with African conflict in Article 3(5). The Parliament aims to popularize and ease the implementation of AU objectives, policies and programs aimed at continental integration within establishing the AU. Other goals of the PAP are to encourage good governance, transparency, and accountability in Member States, facilitate cooperation among RECs and their parliamentary fora and promote collaboration to develop Africa (AU, 2002).

Therefore, as part of its awareness creation on promoting shared values within the AU, the Parliament is responsible for educating Africans on the AU's policies, charters, programmes, and vision to achieve a peaceful, secure, and integrated Africa. By promoting the principles of human rights and democracy, peace, security and stability, the Parliament engages in activities that would prevent the emergence of conflict, given that infringement on the rights of people is one of the sources of conflict in Africa. According to Parlevliet (2002), human rights abuses can contribute to and result from violent conflict, making

it crucial to maintain and advance these rights for the long-term stability and growth of societies in conflict. The African Union's founders had different goals when they created the Parliament. Still, the treaty establishing it sets out those goals without giving the PAP any legislative authority to achieve them.

As stated in the establishing statute, ultimately, the Parliament is to advance into one with full legislative powers (AU, 2001). The evolution of the Parliament is similarly provided for in Article 25, which stipulates the conditions for revising the PAP Protocol. The review process is anticipated after five years of the Protocol's entry into force and subsequently at a ten-year interval or less to determine its effectiveness in achieving the intended objectives and vision for establishing the Parliament. The Protocol's evaluation also ensures that it meets the evolving needs of the continent. Given the approbatory conditions inserted to ensure the efficiency of the PAP, the reluctance to confer on the Parliament full legislative and oversight powers over other AU organs and institutions remains questionable.

Undoubtedly, empowering the PAP would ensure a more effective address of Africa-related problems. Africa faces many challenges, including instability, inter-communal violence, governance deficiency, climate change, transnational crime, and transborder issues such as cybersecurity or cyber terrorism. Specifically, terrorism and radicalisation were alluded to by the AUC Director for Peace and Security, in his report to PAP Plenary in 2019, as a significant threat to the continent, especially in the Sahel, Lake Chad and the Horn of Africa. Unfortunately, some emerging threats have no corresponding legislation to regulate or address them. Without legislative powers, the PAP can only advise on complex issues plaguing the continent.

4.2.2 Institutional Frameworks of AU Organs

The study examines evidence that gives Parliament legitimacy to ascertain whether the PAP should involve itself in conflict matters. Understanding the legitimacy of the PAP will give insight into the extent of empowerment of the Parliament to involve itself in preventing and resolving conflict.

The legal framework for the PAP's efforts to prevent and end conflict in Africa is provided for in the PAP Protocol (Respondent 10, interview, November 19, 2021). The provisions and content of the statutes enable the Parliament to address conflicts on the continent. The relevant mission of the Parliament, which guarantees that the concerns, interests, and viewpoints of African citizens are considered in the AU's policymaking processes, makes these opportunities possible (Nzewi, 2013). Thus, the core functions of the PAP are captured in Article 11 of its establishing Protocol, while the objectives in Article 3 include promoting AU Policies and programmes. Also provided is Parliament's role in encouraging good governance, transparency, and accountability in Member States, promoting human rights and democracy in Africa, and promoting peace, security, and stability. These goals express an intention behind the creation of the Parliament. The purpose is connected to the expected role of addressing the root causes and sources of conflict.

Conflict in Africa can be traced to the contestations of citizens over human rights violations by the government or law enforcement agents. Unconstitutional changes in government, election rigging, accusations of marginalisation, and political exclusion of ethnic groups are also identified as causes of conflict within member states. Unequal distribution of resources and opportunities, and outright corruption, signs of governance shortcomings are linked to conflict (Annan, 2014). Studies have also shown that some states' stability, peace, and security are threatened by many factors (Caleb and Danjuma, 2018). These challenges can be addressed by applying the powers and functions bestowed on the Parliament.

Despite being considered the AU's legislative body, the PAP was only given consultative and advisory roles. However, compared to the AEC Treaty and the AU Constitutive Act, the PAP protocol broadens the powers of the Parliament. The Protocol allows the PAP to investigate, discuss, or express an opinion on any matter and make any recommendations it may deem appropriate, in addition to giving the Parliament the responsibility of ensuring that African citizens are included in the economic development and integration of the continent (Navarro, 2010). The PAP can discuss or offer advice on any

topic on its initiative or at the request of the Assembly or other policy organs. It is also empowered to make recommendations concerning upholding human rights, enhancing democratic institutions and cultures, and advancing good governance and the rule of law in Africa (AU, 2001). The promotion of these shared values prevents conflict.

Consequently, the PAP creates awareness amongst African citizens on the objectives and policies of the Union to equip themselves with tools to hold their leaders accountable for peaceful conflict resolution. The means to support parliamentary work can be found within the Union and stakeholders. Therefore, the Parliament can request the OAU/AEC officials to attend its sessions and present reports that will assist Parliament in discharging its duties. This provision expressed in Article 11(5) of the Protocol allows the Parliament to discuss and put forward its recommendation on conflict interventions and resolutions. One can also connect this provision with the vision to include African voices in dialogue and decision-making around various subjects. So, to make an informed decision and recommendation, the Parliament, through the relevant committees, is empowered, according to the Protocol, to call on the AU organs to furnish it with information to support its work.

The relevance of the Parliament's recommendations is another source of the PAP's institutional legitimacy. Recommendations of PAP are the result of discussions intended to raise awareness of and give solutions to problems facing the African people. According to the PAP Committees Manual 2013, recommendations are resolutions adopted by parliament whose content is directed at another authority. Article 11(4) of the PAP Protocol allows the Parliament to formulate recommendations. This form of parliamentary text may not be binding to the authority it is directed to but can act as a set of guidelines for Member States and institutions for managing conflicts. The recommendations of Parliament become significant in conflict intervention on the continent even though they are not legally enforceable if the substance is disseminated, accepted, and implemented by the pertinent stakeholders and decision-makers.

As a political institution, the PAP positions itself more as a player in conflict issues when compared with most AU Organs (Respondent 7 interview, December 6, 2021). While most organs and actors of the Union appear to tackle conflict problems from a technical dimension, the PAP provides political strategies such as diplomacy and fact-finding missions, given that the root causes of most conflict are political. This assertion is supported by studies conducted by the Institute of Security Studies, governance institutions, and the African Peer Review Mechanism (APRM), which notes that the structural drivers of conflict are significantly political (ISS Report, March 3, 2023; Respondent 7 interview, December 6, 2021).

To manoeuvre this dynamic, Parliament strategically positions itself as a constellation of political actors with various ideologies. Specifically, Article 4 of the PAP Protocol provides that five members from the national assemblies from each AU Member State are designated to the PAP with gender representation, reflecting the diversity of political opinions in the designating Assembly. These representatives comprise the established parliamentary committees with the authority to address continental concerns, the bulk of which fall under the ambit of conflict, properly equips the Parliament. The PAP has been identified as a player towards attaining two of the seven continental aspirations outlined by the AU Agenda 2063, Good governance, democracy, respect for human rights, and peace and security. These aspirations connect the Union's vision with the PAP's objectives. They are the key drivers that influence PAP to work at the foundational level to achieve the expectations of African citizens.

Additionally, regarding the political and socio-economic imperatives of sustainable development, which are also aligned with peace, security and development, Parliament should deliver on the expectations of the continental policy (Respondent 7 interview, December 6, 2021). It, therefore, suggests that the PAP, through its mandate and institutional framework, has a specific role in providing advisory and consultation with actors of other platforms, such as the AGA and APSA, to ensure that they effectively address conflict issues.

Finally, the role of the PAP in conflict management is further recognized in the constitutive instruments of other AU organs and institutions. The relationship between the PSC and PAP is captured in the Protocol Relating to the Establishment of the PSC (AU, 2002). The Council is required to report to Parliament on peace and security matters when called upon through the Chairperson of the African Union Commission. Precisely, Article 18 mandates the Peace and Security decision-making body to relate with the Parliament in furtherance of peace, security, and stability in the continent. Reporting to the Parliament is also expected by the African Peer Review Mechanism and African Commission on Human and Peoples' Rights.

Equally reflected in Rule 75 of the Rules of Procedure of the Parliament is the directive for submitting Annual Reports of AU organs to the Parliament for deliberation and contribution towards achieving the abovementioned objectives. The Parliament can initiate actions following reporting by the AU institutions and refer the organ's submission to the appropriate Parliamentary Committee for debate and recommendations to the Plenary, which then passes resolutions on the Committee Reports for consideration by the AU Executive Council. Notably, the Executive Council comprises foreign ministers of Member States who coordinate and monitor the implementation of AU Assembly policies (AU, 2000). The passing of parliamentary resolutions to the Executive Council offers an opportunity for influencing decision-making because the latter is responsible for agenda-setting and drafting decisions for consideration by the Assembly (AU, 2000). Consideration of Parliament's texts by the Executive Council will ensure the perspectives of the Parliament are brought before the supreme decision-making body of the Union.

4.2.3 Conclusion

The role of the PAP in preventing and resolving conflict has its basis in the legal statutes of the Union, its Protocol and the protocol of other AU organs.

The foundation, objectives, and functions of the PAP in preventing and resolving conflict in Africa can be explained using historical institutionalism and rational choice institutionalism context. Historical Institutionalism underscores the position of historical factors and path dependency in shaping institutions. In the case of the PAP, its origin can be traced back to the establishment and evolution of the OAU into the AU in 2001. The OAU was primarily focused on decolonization and independence struggles, but its objectives expanded to include conflict prevention and resolution over time. The PAP emerged as a response to the changing dynamics in Africa that called for specialized institutions to address conflict and promote regional integration. The PAP's establishment resulted from incremental changes within the AU's institutional framework, driven by the recognition that effective conflict prevention and resolution require a dedicated parliamentary body to complement the AU's decision-making process. The prime objective of the PAP is to enhance democratic governance and promote peace and stability in Africa. It seeks to offer a platform for dialogue and collaboration among member states, facilitating the peaceful resolution of conflicts and promoting regional integration.

Additionally, the PAP aims to strengthen the involvement of African citizens in decision-making processes, thereby enhancing the legitimacy of conflict prevention and resolution efforts. The PAP plays a crucial role in conflict prevention and resolution by promoting AU programmes and instruments, dialogue, and peacebuilding initiatives. Through its legislative and oversight functions, the PAP advocates for policies and measures that address the root causes of conflicts in Member States. Furthermore, the PAP collaborates with other AU organs, regional organizations, and international partners to enhance its effectiveness in preventing and resolving conflicts.

Rational choice institutionalism focuses on the strategic performance of actors within institutions. In the framework of the PAP, this theory is applied to identify the motivations and interests of member states in establishing and contributing to the AU parliamentary body. There is a possibility that AU Member states may have recognized the effectiveness of the collective addressing of conflict

through a continental parliamentary institution rather than individual efforts. Consequently, member states can have a collective voice in conflict prevention and resolution by participating in the PAP, allowing them to leverage regional cooperation and resources. Member states' participation in the PAP aligns with their national interests in maintaining peace and security within their borders and the wider region. It provides a platform to advocate for their interests, forge alliances, and strengthen regional solidarity in addressing shared conflict and security challenges. The PAP's functions align with member states' rational interests in enhancing regional peace, security, stability and development. Their involvement in the PAP's decision-making processes through their representatives in the National Parliaments, member states can influence conflict prevention strategies, ensure that their concerns are addressed, and shape regional policies that support their continental objectives. Interpretation of the PAP's role in conflict prevention and resolution using historical institutionalism and rational choice institutionalism reveals how it's historical development and strategic behaviour of AU States enhance its significance in managing conflict in Africa.

4.3 Position and Relevance of PAP within African Union decision making structures on Peace and Security

4.3.1 Relationship with AU Peace and Security Council

The Parliament's access to the information necessary to make informed decisions in Parliament will depend on its connection with the AU Peace and Security organizations. The collaboration status with AU institutions with mandates for addressing conflict or its sources will determine the likelihood that Parliament will impact decision-making processes on conflict-related issues.

The PSC and PAP are members of the AGA, a coalition of AU organs and agencies with a mandate to promote democratic principles and good governance as specified in the Constitutive Act of the African Union (Wachira,

2014). Given Africa's peace and stability challenges, the AU created the APSA in 2002, comprised of PSC with its intervention wing as an African standby force and a mediation wing in the Panel of the Wise (Desmidt, 2019). The prevention wing is in the form of the Continental Early Warning System of the AUC.

Although distinct in their role, given that the PAP is a Parliament with a consultative role and advisory function in promoting peace and security, the PSC is the decision-making AU body with the powers for the prevention, management and resolution of conflict in the continent. Given the similarity in the mandate of both the PAP and PSC, one would expect a level of cooperation between these institutions to achieve the collective goal of preventing and resolving conflict. In support of fostering synergies, the institutionalisation and regularisation of an annual joint collective consultative meeting with AU Organs was underscored at the PSC 666th meeting held in March 2017. The notion of a collaborative approach between institutions with respective mandates on promoting peace and security was also supported by Engel and Porto (2014).

Emphasis was drawn to PSC and the PAP relations to ensure more effective discharge of their respective mandates within the APSA. However, most respondents noted a disconnect between the PSC and PAP regarding an absence of engagement with the PAP (Respondent 11 interview, November 19, 2021). The PSC seldom briefs the PAP on conflicts in the regions, and the PSC has not referred to the Parliament's views and recommendations on conflict matters (Respondent 1 interview, January 21, 2022). Moreover, no evidence has shown the Assembly consulting the Parliament in line with the mandate of the PAP on conflict matters. Instead, the Assembly relies on decisions and recommendations made by the PSC on conflict issues. Besides the PSC, the AU values advice from the Commission's different departments, the Panel of the Wise or APRM, which gets popularised and utilised in Regional Decision Making.

The working relationship between PAP and PSC is not as optimal, given the PSC's reluctance to strengthen its collaboration with the Parliament through the PAP Committee on Cooperation, International Relations and Conflict Resolution. Even though both institutions have related objectives, the proposal to embark on similar projects, such as the fact-finding missions, has been met with resistance, as highlighted by a staff of Parliament:

> "We decided to work with the PSC because we all work for the same objective of the African Union. Since the mandates are overlapping and we hold our fact-finding mission. The PSC also undertook its fact-finding mission. The Committee decided to collaborate with the PSC and be included in their delegation because we were also facing financial challenges and working toward the same objective of the Union. They (PAP Committee on Cooperation) decided to meet with the PSC and discuss with them, to work together. But we had the mission to Addis because they (PAP Committee on Cooperation) called for them to come but never came to the meetings. Then they decided to undertake a mission with the support of the Institute of Security Studies (ISS). We (PAP parliamentarians) went with the expert of ISS to meet with the PSC, but I cannot say what happened that day… They did not want to undertake the mission with PAP or to work with them… I do not think they were ready to work closely with the PAP. Since then, we tried again to create that relationship, but it has not worked and stopped there." (Respondent 11, interview, November 19, 2021).

The PSC displayed a lack of enthusiasm, even though a collaboration would address the AU's financial challenges and prevent waste by both AU institutions embarking on fact-finding programmes in the same conflict sites at different instances.

The challenges in building lasting relationships could be connected to the frequent change in the leadership of the PSC every month, among others. Such turnover may limit both institutions from creating a level of cooperation between the institutions. Additionally, the silo mentality approach described by

Engel and Porto (2014) in handling issues within the framework of AU political organs has also been implicated in fluid relations between institutions where some AU bodies with relevant expertise and mandates are excluded from AU conflict management processes.

The perceived relational issues in which the state of the relationship appears dependent on the occupant of leadership position in the PSC, PAP, and Committee on Cooperation are whether they were willing to cooperate at the time. The same was observed where the relationship between the PAP and some AU Organisations differed depending on the institution. It was further noted that in the AU, such interaction depends on individuals, their preferences, and the dynamics between individuals (Respondent 1, interview, January 21, 2022). In comparison, the APRM has been observed to have a closer working relationship with the PAP, evident in the frequent presentation of its report to the PAP Committee on Justice and Human Rights, unlike the PSC. The challenge is exacerbated by the high turnover of parliamentarians that allows changes in the leadership of the PAP with the elections in Member States' national assemblies. An MP is designated to the PAP until the State recalls the MP or holds parliamentary polls. If he wins the next election and returns to the PAP, he can retain his committee in the PAP.

4.3.2 Relationship with other Peace and Security-Related AU Organisations and Agencies

The PAP works on shared values under AGA with institutions such as the APRM, African Court on Human and Peoples' Rights and African Commission on Human and Peoples' Rights in recognising the need for timely prevention of conflict associated with governance deficits in African States. (Desmidt, 2019). The establishment of the AGA led to the development of the African Charter on Democracy, Elections and Governance (ACDEG), which emphasizes principles such as the rejection of unconstitutional changes in government (Kariseb and Okoloise, 2020).

Through this platform, the PAP seeks to implement the African shared values, which include human rights and the rule of law, constitutionalism, democratic governance, development, popular participation, democratic elections, and durable solutions to humanitarian crises (Adula, 2022). Consequently, the PAP works with AU institutions as the APRM, which fosters the adoption of policies, standards and practices that lead to political stability and development. The organ is responsible for assessing political, economic, corporate, and socio-economic policies in Member States. In monitoring, evaluating, and reviewing countries' governance standards, the AU organ provides data that serves as an early warning of a potential crisis within the Member States (Ferdinand Katendeko, November 9, 2022).

Democracy and political governance form one of the five reviewed areas closely linked to the causes of instability in the country. APRM documents mandate it to present the Country Assessment Reports to the Heads of State and Government within six months of its release. The same reports should be formally and publicly tabled to the PAP and other organs of the Union. Although the Country Review Reports are not tabled within the specified time frame, the PAP, in most of its sessions, due to an established close working relationship between institutions, has received representatives of the APRM and deliberated on the contents of these review reports. Over the years, review reports in some countries have been tabled before the PAP Plenary with the intention of Parliamentarians' input for an improved review process, follow-up with their Member States and creating awareness on the content of the reports in countries whose members are represented at the PAP. Added to that is the aim to support implementing the National Programme of Action in APRM Member States and influencing government decisions and policies through legislation.

An essential part of the APSA is the RECs, which play a significant role in African Peace and Security (Jaiyebo and Adetula, 2020). According to the PAP Protocol, the Parliament should facilitate cooperation with the RECs and their Parliamentary fora. Although the Parliament has involved the REC's Parliamentary bodies in its programmes on an ad-hoc basis, the Parliament

lacks the mechanism to implement such a decision as expressed by a representative of the PAPS,

> “We have a tendency as bureaucrats within these organisations to draft documents that meet all drafting criteria or international conventions and standards but are not implementable. When you talk about the PAP and regional decision-making, yes, you're right that they can only exercise influence, but how do they contact these regional organisations? Through which mechanisms? Is it through the Clerk of the PAP? Is it through the head of the Subcommittee on Cooperation and International Relations? How exactly is this mechanism meant to contact and have an input in regional decision-making? Yet the regional decision-making organs or organisations are not permeable to the external influence even of PAP. They are more permeable to regional arrangements like their regional Parliaments.” (Respondent 4, interview, January 27, 2022).

The lack of an institutionalized conduit for working with these peace and security structures under the PAP Protocol gives the impression that the Parliament's mandate is nebulous and somewhat vague and cannot exert the significant influence required to address conflict in the continent.

4.3.3 Consultation of PAP and Role in Regional Conflict Prevention and Resolution

The Parliament has a consultative and advisory role. However, there was consensus amongst respondents that PAP has not explicitly been consulted on matters related to conflict. Neither has the continental parliament been called upon to brief decision-makers on their view or recommendations on conflict matters. This opinion was expressed by a Senior Researcher with the Institute of Security Studies:

> “Even if they were briefings, they have very seldom referenced (the PAP), so we do not see in any statement or communication the PSC

> referencing deliberations at the level of the PAP. Also, at the Summit level, there is a presentation by the Commissioner of Peace and Security at every summit. Still, the PAP is seldom referenced, and the Speaker of the Parliament is seldom invited to address the Summit of Heads of State, which one would have thought is how the founders of the AU conceptualised it. There should have been more interaction between the PAP and the AU." (Respondent 1 interview, January 21, 2022).

There is also no evidence that the PSC regularly briefs the PAP to get their opinions on matters involving conflicts on the continent. The proposals for Summit decisions provided by the PSC about resolving issues of conflict in Africa do not include PAP recommendations either. The PAP has not been invited to make a statement at the Summit of Heads of State and Government regarding peace, security, and potential solutions to the African conflict. Furthermore, there is no proof that the leaders of African nations have endorsed any enforcement measures or acted on PAP recommendations or decisions.

4.3.4 Conclusion

Institutionalism perspectives are applied in explaining the position, perspective and relationship of the PAP with other AU organs, institutions and stakeholders. Rational choice and historical institutionalism illuminate the perceptions of the AU member states regarding the PAP's role in preventing and resolving conflicts in Africa, as well as the recognition of the need for cooperation with other AU institutions involved in peace and security efforts. Member states' evaluation of the PAP's effectiveness and adaptability, alongside their rational assessment of its conflict resolution role, significantly influence their engagement with the institution. Historical developments within the AU's institutional landscape underscore the imperative of inter-institutional cooperation to address complex peace and security challenges effectively.

Rational choice institutionalism accentuates the deliberate behaviour of actors within institutions, wherein member states' perceptions of the PAP are shaped by rational assessments of its conflict prevention and resolution effectiveness. Elements such as the PAP's history in addressing conflicts, capacity in include African citizens in decision-making, and alignment with national interests contribute to member states' perspectives. A credible platform which promotes conflict prevention and resolution garners support for continued engagement by Member States and the African people. Rational choice institutionalism also highlights the importance of cooperation among institutions to address conflict issues, driving member states to recognize the value of collaborating with various AU organs with complementary mandates.

Historical institutionalism focuses on past events and path dependency shaping institutions and their interactions. The evolution of the AU's institutional framework may influence member states' perceptions of the PAP. As the AU adapted to changing regional dynamics, the role and functions of the PAP may be perceived to have evolved, shaping member states' views on its effectiveness in dealing with emerging conflicts. Moreover, historical institutionalism emphasizes the interconnectedness of institutions within a broader landscape, motivating member states to value cooperation among AU organs like the PSC, APRM, ACHPR, and the PAP and stakeholders involved in managing conflict. Collaborative efforts leverage distinct skills and capacities for a comprehensive approach to conflict prevention and resolution, fostering shared responsibility and ownership of peace and security issues among AU member states.

4.4 Factors Limiting the Influence of PAP in Promoting Conflict Prevention and Resolution in the Continent

This section provides an overview of the factors that constrain the capacity and ability of the PAP to influence policy and decision-making on conflict-related issues. The discussion begins by highlighting foundational issues inherent in the Parliament's establishing protocol, which gives rise to the perception of a

non-representative PAP due to the designation approach adopted. The section questions the Parliament's capacity to influence decision-making, considering the high turnover of Parliamentarians and the limited time allocated to consider conflict matters. Additionally, the ambiguity of the statutes that do not formalize the role of the PAP leads to an overlap in mandates with other institutions within the AU. The institutional arrangements within the PAP and AU are also examined to evaluate their effect on the Parliament's capacity to deliver on its responsibilities. Finally, the section identifies the constraints of financial and human resources that hinder the PAP's ability to fulfil its mandate.

4.4.1 Restrictions of the PAP Protocol

Article 5 (1) of the PAP Protocol provides that the Pan-African Parliamentarians shall be chosen or appointed from among the members of the relevant National Parliaments or other deliberative bodies of the Member States. However, due to how parliamentarians are appointed to the PAP, the Member States do not consider the PAP a representative body (Respondent 2, interview, January 26, 2022). According to Ogbonnya & Ogujiuba (2015), for a parliament to be seen as representing the people, it must be directly elected. The PAP, therefore, comprises parliamentarians designated by National Assemblies, unlike the European parliamentarians elected by universal suffrage with a focus on pushing for the interest of the European Union (Demeke, 2004). As enshrined in the Protocol establishing the PAP, this mode of designation can only change with the amendment of the current Protocol. In 2014, AU Heads of State and Government adopted the revised Protocol was adopted in Malabo (Mngomezulu, 2018). Article 5(a) of the revised protocol provides for the election of Members of PAP from outside the membership of the National Parliament or deliberative body (AU, 2014). However, the protocol has yet to come into force since it has secured only 14 out of the 28 requisite ratifications by member states.

Consequently, it is opined that direct elections for PAP members may enhance the democratic legitimacy of the institution where African citizens perceive the Parliament as the voice of the people. However, achieving democratic

legitimacy may have unintended political consequences at the country level (Respondent 4, interview, January 27, 2022). The potential effects may raise concerns about lessened influence by national parliaments over the process and the financial and political implications of conducting such elections across member states.

Additionally, PAP Parliamentarians are non-residents at the seat of Parliament in Midrand, South Africa, but meet twice a year for up to two weeks during ordinary sessions (Cilliers and Mashele, 2004). The Plenary, the decision-making organ of Parliament, has a few sittings yearly. Therefore, it does not allow time for extensive deliberation and continuous exercise of influence in a conflict situation for an entire year. Additionally, the end of the ordinary sessions in Midrand takes parliamentarians who are representatives from national parliaments back to their constituencies to tackle national duties leaving the Secretariat in Midrand to push forward the decisions, recommendations and reports generated from their sessions. According to the staff of the Department of PAPS specializing in conflict management, there are questions about the adequacy of time spent by the PAP on matters of conflict.

> “Out of two meetings in a year, can you expect them to actually exercise influence continuously in a conflict situation for an entire year? And usually, when they leave Midrand, that is the end of the PAP. They all go back to their national parliaments. Suppose you look at the amount of time they spend discussing the issue of conflict prevention and resolution vis a vis the PAP issues of budget and politics. How much time do they actually spend on it?” (Respondent 4 interview, January 27, 2022).

Additionally, the high turnover of Parliamentarians and the short time available to the Parliament to consider conflict matters affects continuity and follow-up on discussions and implementation of recommendations (Respondent 10 interview, November 19, 2021). Given that the terms of PAP-designated MPs are linked to those of national legislatures, it follows that when an MP's Member State holds elections, the PAP member no longer qualifies as an MP of the continental body. The tenure of PAP Members is governed by the

National Parliament or other designated deliberative organ as specified in Article 12(3) of the PAP Protocol. Loss of a seat by a Member of Parliament may happen within weeks, months, or even years after new leadership of Parliament has been installed, depending on the electoral cycle of the designating Member State. Consequently, due to high turnover, the knowledge gathered over time in committees dealing with conflict and the activities embarked on by parliamentarians is not followed through, thereby leaving a huge gap due to the loss of institutional memory.

4.4.2 PAP - a reflection of the authority of National Parliaments and the African Union

The little influence exerted by Africa's Parliament reflects the weaknesses seen in the electoral systems in the national parliaments, where they struggle to play the oversight role in the face of dominance by the ruling parties and authoritarian regimes. Deficiencies in the democratic legitimacy of parliamentary institutions are documented as one of the constraints of African regional parliamentarization (Jancic, 2019). Due to the principle of sovereignty, States seem reluctant to cede their powers to the parliament. So parliaments appear to protect the sovereignty of states rather than ensure citizen representation.

Article 4 (3) of the PAP Protocol provides that national parliaments designate ruling party members and other minority parties from the National Assembly. However, a respondent claims that there is a perception of weariness by the AU leadership that the PAP brings together both the ruling and opposition parties (Respondent 4 interview, January 27, 2022). While the PAP may give a voice to the opposition, such a platform could be disturbing for the ruling executives. Rendering the PAP is as powerful as the Member States' national parliaments.

The PAP is a political body composed of parliamentarians designated by national parliaments, so complications arise if they cannot manage their interest due to allegiance to national and regional interests. According to

Respondent 12 (Interview, February 4, 2022), most of the Members of Parliament may have been elected through processes that privilege ruling elites in Member States who are defensive over regional, sovereign, and political rights with immense authority. Consequently, challenging their independence when ruling elites essentially oversee other ruling elites may cause a measure of hesitancy when sensitive debates happen on the floor of Parliament. For the PAP to play an influential role in conflicts, it would imply passing judgement over one group or the other. The political backlash that would potentially come from such action may cause a measure of hesitation by parliamentarians under the existing structure.

Respondent 12 (Interview, February 4, 2022) proposed that PAP parliamentarians should have a higher level of autonomy, be full-time, assert their authority over conflict matters, and deal with independent questions objectively. The AU is an intergovernmental organisation, unlike the supranational body of the European Union, which can make laws binding on its member countries. According to Desmidt (2019), the AU possesses no sovereignty ceded by its constituent African Member States. To date, these states have maintained complete autonomy over their territories and all associated decision-making processes, exhibiting a notable reluctance to relinquish any element of this authority in support of the collective interests of the continent (Ebaye, 2010). The AU remains a non-legislative entity, which the PAP should note if it wishes to have such authority. Likewise, Member States are not obliged to follow AU rulings. The AU's power is restricted to suspending a Member State, and it depends on its members to voluntarily uphold its ideals. Accordingly, Respondent 1 (Interview, January 21, 2022), asserts that the PAP, as an instrument of a decentralized entity, may still find it challenging to carry out its decision-making mission, unlike a centralised European Union.

4.4.3 Non-Institutionalisation of the Formal Role of the PAP

The Parliament has the legitimacy to address conflict but lacks the institutional framework to follow up on its engagement in conflict in Africa. The AU included provisions in the statutes of some AU organs and agencies to report to the PAP on matters of peace, security, governance, and human rights. Article 18 of the Protocol Relating to the Establishment of the PSC of the AU highlights the expected relation between the PSC and the PAP to be a close working relationship in furtherance of peace, security and stability in Africa (AU, 2002).

At the request of the PAP, the PSC submit, through the Chairperson of the Commission, reports to the PAP to facilitate the discharge of the PAP's responsibilities relating to maintaining peace, security and stability in Africa. Additionally, the Chairperson of the Commission shall present an annual status of Peace and Security Report on Africa to the PAP and facilitate the exercise by the PAP powers to promote peace, security and stability in Africa in line with Article 3 (5) of the PAP Protocol. The PAP Protocol in Article 11(5) empowers the Parliament to invite AU officials to its sessions, request information or documents for its function, and seek assistance in fulfilling its duties.

Although the statutes of the PSC and PAP spell out the expected relationship and objectives in terms of furthering the continental agenda in managing conflict, the responsibilities and role in the work of their institutions appear to be vague and suggestive in the absence of institutionalised focus on the formal role of the PAP (Nzewi, 2013). In practice, the reporting and consultation processes are expected but not institutionalised, and provisions of the statutes are not binding on AU institutions. Unlike in the EU, where the request for the EP to engage with a specific department or institution of the EU is obligatory, the same does not apply in the AU (Demeke, 2004). In the case of the PAP, an official may decide not to respond to the PAP Committees, or Plenary summons for no apparent reasons with no consequence.

The impact of institutional mechanisms has been observed in the UN-AU Joint Task Force on Peace and Security (Jaiyebo and Adetula, 2020). The influence

of the PAP cannot be realised if the PAP does not input in the PSC's decision-making process, which in turn cannot be achieved without consultation by the organs responsible for ensuring peace and stability in the continent (Respondent 4 interview, January 27, 2022). The necessary involvement of the PAP in the PSC process is not supported by any legislation or resolution contrary to what exists between the UN Security Council.

Respondent 12 (Interview, February 4, 2022) suggests that such statutory consultations and interactions should be developed and backed by formal decisions and binding agreements that will be implemented independently of the state of the relationship between the current political heads of both institutions. Additionally, the framework for engagement with the relevant institution would be applied in the case of unforeseen and emerging conflict issues whenever needed. Through this platform, the contribution of the PAP can be fully integrated into the AU processes on conflict. Therefore, having a consultative approach with the PSC and related policy organs will achieve a holistic decision by related institutions on a common position of the AU.

4.4.4 Overlapping Mandates of AU Institutions

The PAP is not usually referred to on matters of conflict primarily due to the similarity in the mandate of organs of the AU created even before the Parliament as expressed by staff of Parliament:

> "From my own point of view, I don't think other AU organs have fully accepted the PAP because their mandates are overlapping. Since PAP is one of those organs that come after the others that has overlapped mandates, it isn't easy now to get the full mandate from other organs dealing with it. So, it becomes an internal problem of the Union which has not yet been solved. Maybe if the Parliament become a legislative body, it will fully get all its mandates back from those other organs because they were playing the role of the parliament before it was created." (Respondent 11, interview, November 19, 2021)

> “The PAP cannot do that (oversight) because, as a structure, it is yet to play its parliamentary role independently. Other organs of the African Union play its role. For instance, the PRC permanent representative.” (Respondent 8, interview, January 27, 2022)

PAP was established in 2004 after most organs of the Union were founded, so it becomes difficult for existing AU institutions to relinquish powers exercised over time. In addition, the Executive Council and PRC were established, with roles also expected of the continental parliament, giving an impression of the PAP as an afterthought. The PRC is the advisory board of the AU Executive Council. Rule 4 of the PRC Rules of Procedure allows the Committee to recommend areas of common interest to the Member States, particularly on issues on the Executive Council agenda. Items include considering and monitoring the implementation of the AU’s programme, budget and matters relating to Africa's socio-economic development and integration. Additionally, when assessing the mandate of these other organs, including the African Commission on Human Rights, one may assume that the Commission's role, to some extent, encroaches on the legislative responsibilities of the Parliament.

In most cases, these organs with similar mandates as the PAP have been technically and financially capacitated to deliver on their objectives. For example, the PRC and PSC are supported daily by the African Union Commission, providing them with technical support (Respondent 4, interview, January 27, 2022). Other supporting institutions, such as the Panel of the Wise and Early Warning System, are near Addis Ababa, furnishing these institutions with data required to make informed and swift decisions in response to conflict issues. On the other hand, PAP is less capacitated, so it makes logical sense for the AU to defer those matters to institutions that are more capacitated to respond to them.

Although the organs of the AU have similar mandates to the PAP, their roles are complementary rather than overlapping due to the Parliament’s politically strategic position, which is necessary to give the AU a democratic symbolism.

Nevertheless, there have been calls for synergy of programmes of AU institutions, especially between the AGA platform members, considering the observed similarity of their mandates for greater effectiveness within the AU. The statement of a PAP staff reenforced the need for collaboration:

> “Now, the issue is just to realign and define the mechanism we will work with the other organs because we can't do it alone. It (Conflict interventions) is not an activity that PAP have the capacity or even the mandate to do alone. So, the matter is to develop that mechanism or guidelines to enable work in this sector with the other Organs of the AU.” (Respondent 3 interview, November 25, 2021).

According to Respondent 7 (Interview December 6, 2021), the synergies of programmes become vital since many AU organs undertake part of the work implemented by the PAP. For example, the ECOSOCC includes the voices of African citizens in the continental discussion, and the African Union Department of Political Affairs, Peace and Security is involved in election observation. In terms of policymaking, drafting laws or model laws and advocacy for AU legal instruments, these roles are also played by AU Specialised Technical Committees (STCs), AU Commission, Office of the Legal Counsel, and the African Union Commission on International Law (AUCIL). Then it questions to what extent PAP can play that significant role as the continental parliament whose functions were bestowed upon it by the African Union Constitutive Act.

Additionally, the consultative and advisory role of PAP on arbitration between Member States or certain internal cases has been impinged partly by the African Court (Respondent 10 interview, November 19, 2021). At the national level, it is known that laws do not come into effect without consideration and passing by Parliament. How the AU can continue without a Parliament with a legislative function overseeing the executive remains unclear.

The perception of overlapping mandates leads to compartmentalization observed in AU institutions, also described as an institutional turf among

departments and organs of the Union in executing AU programmes. Silo mentality has thus reduced efficiency, leading to less impact on programmes and financial waste (Engel and Porto, 2014). That phenomenon was explained by Respondent 15 (Interview, February 13, 2022) using cases where the PSC needs to address the evolving situation in a country, requests the Panel of the Wise to intervene but excludes or may not conceive the idea of including representatives of PAP in the mission notwithstanding the Parliament's mandate.

Such action fails to understand and acknowledge that various structures on the same mission play a unique role. Silo mentality within the AU institutions hinders the understanding of the complementarity of mandates in achieving the same goals. Such opportunities are not leveraged to bring the parliamentarians, democratically elected representatives of the people, into the mix. Not only will the PAP's absence take way the diplomacy involved in negotiations, but the exclusion of PAP representatives on the ground may limit the extent of their success. Also, the opportunity to tap into their capacity to ensure that the AU intervention mission feeds into national legislatures and use their parliamentary oversight to ensure that the executive implements the decisions or recommendations reached will be missed. The unique role of a Parliament within the AU institutional arrangements should therefore be recognised and leveraged despite organs having similar mandates.

4.4.5 Unaligned Programmes with the African Union

The PAP programs and activities calendar is not aligned with the AU calendar. There will be a more significant impact of the Parliament on critical issues if extensive discussions feed into considerations of the AU. Therefore, synchronizing the calendars of both institutions will enable the Parliament to discuss issues ahead of deliberations in the Union, thus bringing pertinent matters to the Assembly's attention that may sway the direction of the Union in the decision-making process. Respondent 3 (Interview, November 25, 2021) claims that the Parliament is a year late in bringing their opinion and recommendations to the Assembly making their input redundant. At the

beginning of the year, the Assembly usually considers and announces the AU's direction on continental issues in January or February. For instance, the Assembly declaration of Silencing the Guns by 2030 in 2020 was the theme for the year, adopting frameworks for achieving the flagship project. The PAP's first session starts in May, after the framework and policies to realise the year's theme have been decided. To contribute towards the direction of the AU on the subject, the Parliament should have debated the topic in October of the prior year and then tabled its recommendations at the January Assembly meeting for implementation. Therefore, concerned institutions must synchronise their working methods and work plans beyond the provisions of the treaty establishing the PAP.

According to Respondent 12 (Interview, February 4, 2022), the alignment of institutional calendars will ensure that the discussions and debates of the PAP on critical issues of conflict can find their way into the agenda, recommendations and decisions of AU Heads of State and Government, as well as through the concerned and relevant decision-making bodies of the AU. It would include institutionalizing a continuous communication strategy, preparing strategically for each institution ahead of time, and agreeing on annual goals for them to cooperate on matters pertaining to their mandates continuously. These include topics of shared concern or interest, such as peace and security, conflict resolution, democracy, governance, and human rights concerning the conflict within the AGA and APSA.

4.4.6 Inconsistencies in the Reporting by the Peace and Security Council

Reporting to Parliament on conflicts on the continent shows how empowered the PAP is to influence policy and decision-making on conflicts within the AU through discussions of the PSC report. Additionally, it demonstrates the informational authority granted to Parliament to make judgments and recommendations on conflict matters based on facts provided.

The PSC Protocol requires the Peace and Security Council Report to be presented to Parliament through the AU Chairperson (AU, 2002). But not only has the PSC been inconsistent in reporting to the PAP, there have been changes in the calibre of presenters to Parliament over time. Still, the Parliament has been briefed on the Report by AU officials regarding ongoing crises without opportunities for the Parliament to make considerable recommendations for implementation. Concerns over the quality of reporting on Peace and Security and its effect is expressed by a staff of the Department of Legislative Business:

> “We talk about the PAP losing its prerogative, but we saw the degradation of the relationship (with PSC). For instance, we used to have the chairperson of the Peace and Security coming (to address PAP Plenary). We saw the Ambassador coming, then the Head of Department coming, then we saw staff coming, presenting report(s) that were just informative about the situation that already is ongoing, the resolution process. But we have never been quoted or called upon when a situation arises through an early warning alert system that ‘PAP, please, we need your contribution’.” (Respondent 3 interview, November 25, 2021).

Ineffectiveness characterizes the appointment of low-ranking officials to apprise Parliament of the state of conflict since they lack the authority to provide feedback to influential decision-makers within the AU. As a result, the input and recommendations from the PAP lack a channel to reach Heads of State, and the PAP's valuable perspectives for policy-making are absent from decision-makers reports. Additionally, the reports presented to Parliament are deemed obsolete as they refer to activities that occurred in the past, thus precluding parliamentary input and influence. Consequently, both the voice of the PAP and the people are omitted from these reports.

4.4.7 Limited Financial and Human Resources

The AU has come under scrutiny for its inability to fund conflict interventions adequately (Jentzsch, 2014). Similarly, as a subsidiary of the AU, the PAP requires resources for conflict interventions. Regrettably, the Parliament faces budgetary constraints that impede its ability to undertake conflict management activities, including mobility to observe situations in various troubled spots, as noted by Respondent 3 (Interview, November 25, 2021). Examination of the Parliament's report reveals a lack of specific budget allocation for conflict resolution programmes or remote conflict resolution efforts. Consequently, the chances of conducting joint missions with other conflict management institutions, particularly the PSC and its personnel, are slim (PAP, 2022b). As previously highlighted, the lack of funding from the AU has reduced the representation of the Parliament in election observation missions, thereby reducing its influence in preventing and resolving conflict.

The PAP faces limitations in its research capacity and access to vital information necessary for making informed recommendations or decisions regarding conflict management. The sensitive nature of conflict necessitates specialized expertise in political and policy analysis in peace and security, which the Parliament lacks. Consequently, the PAP encounters challenges in obtaining the information required to make decisions in this field. As noted by a staff member, inadequate capacity to support Parliamentary conflict interventions presents a significant challenge:

> “To administratively coordinate the factfinding mission for the committee (CCIRCR) and to record any interventions and deliberations of the committee, you need some technical guidance and support to the committee, which should come from a technical person or a policy person and in the area of Peace and Security. Such a person will be able to guide and support the Committee. The technical support would then guarantee the best outcome and output from the Committee” (Respondent 10, interview, November 19, 2021).

Respondent 12 (Interview, February 4, 2022) observed that the current structure of the Parliament does not cater to specific skills needed to support the thematic parliamentary committees' research needs. During the fact-finding missions, the Parliament gathers information and opinions of various parties to the conflict. However, it lacks the time and capacity to review and analyse the data received thoroughly. Respondent 4 (Interview, January 27, 2022) further claims that time restrictions prevent the Parliament from deliberating extensively on matters of conflict. In particular, the responsible Committee handling such issues meets briefly during the sittings to evaluate and approve reports intended for presentation before the Plenary.

Furthermore, tools necessary for the PAP to make informed decisions are either inaccessible or discontinued, and the channels for consideration of PAP recommendations were unavailable. One such obliterated tool is the Continental Early Warning System/alert, usually received at the initiative of the PSC after the recommendation of the PAP to be included in the mail for alerts (Respondent 3 interview, November 25, 2021). Early warning alerts are an anticipatory and preventive mechanism that gives timely information on developing conflicts.

Consequently, the Parliament depends on external partners and institutes for financial resources and data. According to Respondent 3 (Interview, November 25, 2021), this has been of concern to Parliamentarians because Parliament runs the risk of taking up the views of supporting partners and not making these decisions objectively, thereby affecting the quality of its recommendations and reports on conflict matters. It is opined that with access to sufficient resources, the Parliament will have access to experts working with various institutes that will provide comprehensive and diverse data to make informed decisions.

This disconnect between the AU legislative and the decision-making organ was further reasoned by Parliament’s location in South Africa, away from the seat of the AU in Ethiopia. A Senior Researcher from the Institute of Security Studies claims that although situating Parliament outside the centre of the AU

Headquarters may be a statement as to the envisaged independence of the legislative body, it may not have had the desired outcome as it appears to be detached and so far, removed from the AU and decision-making bodies on conflict (Respondent 1, interview, January 21, 2022). It is isolated from the PSC and secluded from access to bodies capable of providing timely, proactive, and updated information on conflict matters needed for debate in the House and the Parliament's decision-making process.

4.5 Recommendations for the Enhanced Influence of the PAP Regional Conflict Decision-Making Process

The mandate of the PAP in conflict prevention and resolution reflects the recognition of conflict, the absence of peace and security in the region, and the role of various entities in addressing conflict in Africa. This mandate was conferred as a result of the transformation of the AU from the OAU, which did not involve any intervention in Member States (Van Nieuwkerk, 2011). However, the AU's non-interference in some historical African crises that resulted in fatalities highlighted the need for a more proactive approach to crisis management. The need for swift interventions led to the evolution of the AU's management of similar crises. The Parliament should adopt a similar approach, which can be accomplished through organisational changes and the AU institutional arrangements.

4.5.1 Enhance Legislative Powers of the Parliament

Parliament's significant functions are law-making, representation, debating on policy matters and oversight over the executive. The PAP is limited by its non-legislative status, which impedes its ability to make binding laws in response to the challenges faced by citizens of Member States. According to Ogbonnaya and Ogujiuba (2015), this is a significant institutional weakness. If granted legislative powers, the Parliament would have enhanced institutional and political authority, enabling it to make decisions that could impact the outcome of conflicts in the Member States. Although the revised Protocol to the

Constitutive Act of the African Union relating to the PAP was adopted in Malabo, Equatorial Guinea, in June 2014, only 14 countries have ratified it thus far, and a simple majority of 28 ratifications are needed for the protocol to come into force.

While this may not immediately result in the desired legislative powers, it would be a step towards attaining the status envisaged in the AU Constitutive Act. Calls for enhanced legislative powers for the PAP have been made over time, with former Nigerian President Olusegun Obasanjo and the High Representative for the Horn of Africa advocating for the AU to grant the Parliament legislative powers. During the 1st Ordinary Session of the Sixth Parliament of the PAP held in November 2022, he urged the PAP to assert itself to position itself for more significant influence:

> "But there is a lot of room for improvement, and I will not rely on excuses for you not to perform as well as you should or what I will call inadequate performance. But you have power; don't allow anyone to curtail your power. You have the power to discuss, examine or express an opinion on any matter and make any recommendation you deem fit or necessary. That is not power that should be underrated." (Obasanjo, November 2022).

4.5.2 Synergy with African Union Institutions

The AU reform process encourages improved effectiveness of the Union through collaborations (AU, 2017). Synergies should be an approach to be embraced by the Parliament in repositioning itself for more significant influence on conflict matters. Therefore, PAP should build and strengthen its relationships across the organs, including those, directly and indirectly, responsible for addressing and considering conflict issues within the AU. The need for collaborations with national and regional parliaments through inter-institutional advocacy in the empowerment of the PAP was alluded to by Jancic (2019). Other institutions include the APRM responsible for monitoring good governance in Africa. PAP should work closely with the African Commission

on Human and Peoples' Rights to consider and address sources of conflict associated with states' infringement on the human rights of its citizens. AU Specialized Technical Committees can support the links between the AU sectoral policies since they represent the central base for initiating sectoral projects and programmes of the AU and can play an essential role in ensuring policy coherence between PAP and the AU (Respondent 7, interview, December 6, 2021).

A consultative process with the PSC and related policy organs will achieve decisions by related institutions on a common position of the African Union. It would be an avenue for the PAP to create awareness of issues outside the radar and agenda of the AU. Through that process, the recommendations and perspective of the Parliament could be embedded in the reports of decision-making organs on peace, security, stability, governance, and human rights to the Assembly, influencing the outcome decisions.

Such collaborations and synergies can be fostered through diplomacy, joint statements on issues of mutual concern and implementation of transversal activities. The coordination of efforts between AU institutions was emphasized in conflict prevention (Van Nieuwkerk, 2011). One of these systemic changes would entail enhancing inter-institutional consultative processes around the AU's policy coordination and strengthening implementation capacity to strengthen sectoral linkages involving all AU organs, including the PAP.

It is also crucial for the PAP to position itself strategically to the Assembly to ensure that effective communication between the two takes place and to enhance the PAP's ability to give input into the Assembly's deliberations. This cooperation has not been the case, as highlighted by Navarro (2010), who claims tense relations between the PAP and AU organs. It must be noted, though, that the AU itself might need to initiate some of the necessary institutional changes to underpin the process of bringing the PAP closer to critical AU decision-making processes.

Consequently, the Parliament should invite the Heads of AU Organs and Commissions to their sessions and issue joint statements in times of crisis.

Engage in joint deliberations where the PAP could decide on specific topics. Cooperation within the AU is often linked to individuals and their preferences and dynamics between various individuals (Respondent 1, Interview, January 22, 2022). It implies that collaborations have been built on personal relationships between leaders. The PAP can form such a relationship through an influential and diplomatic leadership capable of engaging with counterparts personally with the AU. The same should be cultivated with the RECs, who should be invited to address events of the Parliament because of their role in conflict management at the regional level.

The PAP should also build solid and collaborative relations with civil society organisations that are invaluable in contributing to debates and providing information in the Parliament's decision-making process. For example, the CSOs are involved in the work of the PAP through consultation in the model law formulation process, fact-finding missions in conflict States, and debates around conflict matters in the various committees and Plenary. This synergy is critical for the PAP to enhance the public profile and eliminate the perception of democratic deficiency in the African Union.

Additionally, Parliament serves as a platform for organised social and advocacy groups seeking to influence AU decision-making processes. Through the Africa Union ECOSOCC, the PAP has access to highly organised interest groups, advocacy and lobbying organisations and social movements at national, regional, and continental levels. These organisations have research capabilities in various policy sectors, including peace and security. The Parliament can leverage the wealth of knowledge and information to influence decision-making processes within the AU. The CSOs, therefore, present an untapped opportunity for the PAP to create collaborative working relations leading to an effective exchange of information and knowledge and strengthen its capacity for lobbying and advocacy on policies and continental matters.

Also, the potential benefits from such information and knowledge exchange between the PAP and civil society organisations would be enormous and strategic in strengthening the PAP's oversight role. Collaboration with civil

society organisations might also help deal with institutional capacity weaknesses that have affected the PAP's performance in the past. Other forms of partnerships that the PAP should foster are with academia and media. It remains crucial for the inclusion of the people's perspective in the decision-making process of the Parliament. Academia becomes vital in capturing those opinions into data that Parliament can utilise while referencing the decision of Parliament in their research.

On the other hand, the media remain invaluable in communicating the proceedings and position of the Parliament to the public. The cooperation between the PAP and national parliaments is anticipated in Article 18 of the establishing Protocol. The form of the envisaged relationship with the parliaments of Member States is inserted for enhanced collaboration that translates into effective functioning and attainment of the mandate of the Parliament. Further, a mutual consideration of matters of interest, including conflict matters, is expected to bring about a shared policy and programme vision among AU institutions.

In support of the outcome, member state parliaments should formulate a transnational polity within which the PAP will function and recognize the Parliament as a continental legislative institution created to promote conflict prevention and resolution. Parliament's first connection to national parliaments and deliberative bodies is the designation of five representatives from Member States to the PAP. Parliamentarians make deliberations on peace and security issues at the continental level, and decisions emanating from these discussions are reported through the same delegation to the national level. The reporting of outcomes of the debates created and Parliamentarians, in turn, will undertake oversight on their governments on implementing AU decisions and other transnational decisions and policies. The relationship should be further leveraged for an enhanced influence of the PAP.

4.5.3 Institutionalize Conflict Consideration Process

The Parliament has the legitimacy to address conflict but lacks the institutional framework to follow its engagement in African conflict matters. The opinion is that the PAP does not have a formalised approach to conflict intervention. Respondent 12 (Interview, February 4, 2022) observed that even though the parliamentary process includes preventing and resolving conflict, the PAP has no defined and documented conflict intervention strategy or policy to engage in conflict in the continent. A system on how Parliament engages in different conflicts in the continent and a structured manner in intervention and decision-making process does not exist. Respondent 3 (Interview, November 25, 2021) claims there is no clarity on the channels to bring forth conflict matters to the Parliament by the AU institutions, CSOs, and citizens nor an institutionalised pathway to bringing the Parliament's recommendations to AU decision-makers' attention on conflict matters. Therefore, a formalised and documented engagement framework with AU and other institutions on conflict issues would be required.

Respondent 10 (Interview, November 19, 2021) proposes a conflict intervention strategy which will provide a systematic approach to the Parliament's intervention in any conflict and will detail the intervention options available to the Parliament on different types of conflict. So, years later, despite the high turnover of parliamentarians, the approach going into fact-finding missions will remain unchanged in the composition of PAP Parliamentarians. He reasons that the framework should be an institutionalised approach that should guide the Parliament on the extent and the content of interventions. Still, it can always be subject to adjustment, evolution, and amendments, as lessons are learnt from experience and emerging knowledge from various conflict situations in Africa.

Inter-institutional cooperation within the AU should not depend on the personality dispositions of the current leadership but on a formalised practice that transcends political and technical interests. The relationship should have

the PSC consistently present its report on Africa's peace and security situation to the PAP.

The Parliament should also have access to information and data on conflict provided by the PSC supporting institutions and departments and those generated under the APSA, such as the early warning alerts to make an informed decision in formulating recommendations on conflict interventions in Africa. The working mechanism agreed upon by both institutions should enable the full integration of Parliament's contribution to the AU processes on conflict. Consequently, the PAP Rules of Procedure should be revised to include such mechanisms regarding the question, petition, and motion that can be raised in parliament when the situation arises.

4.5.4 Proactive Application of Oversight and Representative Powers

The PAP may not have legislative powers, but its protocol's consultative, advisory, representative and oversight capabilities should be maximally leveraged in creating awareness and intervening in challenges affecting the African people (Respondent 6 interview, January 13, 2022; Respondent 12 interview, February 4, 2022). Nzewi (2013) believes that the PAP does not have legislative powers to gain political legitimacy and influence over the AU. He explained that the impact of the PAP could be achieved with high performance and accountability in implementing non-legislative functions. PAP Parliamentarians are democratically elected in their states and, as representatives of the people, are responsible for raising their voices and ensuring they are heard on pertinent challenges facing the continent. Therefore, their reaction and intervention on issues with possible continental impact determine the Parliament’s relevance.

Since the PAP comprises members with skills covering various sectors, they can speak up on a range of issues, including matters that threaten the peace and stability of the citizens of Africa. The Parliament should proactively address early warning signals, threats of conflict to democracy, and good

governance (Respondent 10, interview, November 19, 2022; Respondent 15, interview, February 13, 2022). Parliamentarians should also influence policy in their respective Member State countries on climate-related issues, transnational crimes, extremism, and terrorism through debates on topical issues that impact people's lives. The PAP has not maximised the stated and implied powers in its statutes.

For the PAP to fulfil its objective of promoting policy implementation, dialogue, and participatory decision-making at the continental levels, it will need to strengthen its oversight powers and establish effective mechanisms to promote consultative and participatory practices in its programmes. According to Respondent 15 (Interview, February 13, 2022), the oversight responsibilities of the PAP do not require additional abilities to act on. The Protocol gives PAP the power to follow up on actions the PSC took on conflict matters. The African people also expect Parliament to hold the AU to account for the programmes and decisions taken on their behalf. A parliamentarian emphasized the oversight function of Parliament:

> “If the PAP is accepted as an oversight institution in influencing conflict or the resolution of conflict, on the oversight side of things, PAP should insist that the AU follow and adhere to its policies on conflict, especially on issues of unconstitutional change of Government. I should say that to some extent, PAP has not been effective and has not influenced that one. PAP has to find its feet on this one given that Parliament must check the administration of the Executive”.

The Parliament’s function of overseeing implementations should be applied in monitoring the effectiveness of AU decision-making bodies on conflict, thereby utilising such stated functions to leverage the success of the other wings of the African Union. Again, looking at the corporate functions of Parliament to oversee migration, create awareness, contribute to harmonisation of laws, and promote the coordination of the RECs Policy measure, there are opportunities and significant loopholes to add value to the rest of the AU institutions.

Africa has many projects aimed at addressing conflict. The “Silencing the Guns in Africa” flagship project is critical to the continent's freedom from conflict. Using its oversight powers, parliament should monitor the outcomes of such policies and programmes of the AU to eliminate conflict by 2030. With the structures created by the Union in the last 20 years, be it the PSC, relevant mechanisms in the RECs, continental early warning system, and intervention by the standby forces, Africa needs to question the successes of these laudable architectures. Africa was expected to ‘silence the guns’ by 2020 and later pushed it to 2030, but it appears far from achieving this aspiration. The Parliament should therefore engage in conversations that analyse if the penalties for unconstitutional change in government are adequate to deter countries from embarking on coups and the effectiveness of measures such as suspension from the Union and economic or political sanctions.

PAP should take the initiative to initiate discussion around topical issues affecting citizens' lives and influence the direction Africa and its Union takes. Such proactive steps were taken when the PAP convened the only global consultation on the post-2015 development agenda to define the governance agenda for Africa and the world (Respondent 6 interview, January 13, 2022). The Parliament assumed the responsibility as the people's representative to convene a consultation that shaped the post-2015 development agenda, which became the Sustainable Development Goals (SDGs). Although there was an AU leadership-led process, the PAP was not restrained from convening the global conversation, which became vital in defining the post-2015 development agenda on governance, rights, democracy, and inequality.

A similar discussion should be undertaken on the structural causes of conflict in countries. The dialogue should enable countries' buy-in to self-reflection and utilise the tools which assess the country’s structure, vulnerability and resilience in Member States generated by systems of the AU to document critical root causes of conflict and possible causes or future conflict in a state. Parliament can promote these structural conflict-preventing tools, closely linked to Member States, as proactive measures to address conflict rather than firefighting.

Notwithstanding the limitations of the powers bestowed on the Parliament, the PAP should be vocal about issues as a parliament or independent parliamentarians on topical matters such as gender-based violence, climate crisis, translational crimes, extremism, and terrorism. These subjects should constantly feature in discussions, dialogues, and agendas by Parliament to create awareness of the African situation and influence decision-making within the AU Member States. Continuous, consistent, timely deliberations and follow-up on the implementation of AU and PAP decisions will guarantee that the Parliament remains engaged with ongoing discussions on conflict.

When such matters are tabled for debate, the Parliament should invite key and relevant stakeholders, including Member States, to report to and respond to its queries on conflict situations to ensure that the views of Parliament are heard and incorporated in the decision-making process of the Union. Furthermore, PAP should align its agenda with PSC for the relevance of PAP decisions in the latter's decision-making process and the coherence of policymaking within the Union towards achieving inclusive and collaborative agenda-setting on Conflict.

4.5.6 Enhance Accessibility, Visibility and Credibility of PAP

There is limited awareness about the activities of the Parliament. Most of the respondents were unaware of the activities of the Parliament in addressing conflict, especially the fact-finding missions. African citizens have difficulty accessing the reports, and recommendations of Parliament, thereby hindering CSOs, Member States, Academia, and African citizens from access to information on the parliament. As a result, these institutions cannot utilize or reference the information contained in the outputs of Parliament. Olusegun Obasanjo stressed the visibility of the PAP to the PAP Plenary in his statement:

> "In the case of Zimbabwe, that is what you have done. In the case of terrorism, that is what you have done. In the case of unconstitutional government changes, you have done that. Maybe when you do these things, you need to shout them loud and clear so that all of us can

> appreciate some of the things you are doing more than we have done in the past. You have power, and if you make the people who should support you understand and realise what you are doing, I am sure they will start changing their minds positively for your institution." (Obasanjo, November 2022).

Accessibility is crucial for any parliament to execute its fundamental functions. Therefore, the availability of Parliaments to Africans is required regarding access to information and for receiving petitions from citizens. According to Rules 35 (1) and 87 (1), the PAP Rules of Procedure give the public the right to PAP proceedings and access to documents subject to specified principles and conditions of the Rules. So, the public can visit the parliament during the session and sittings. However, not all Africans have the privilege of physical access to observe and participate in the deliberations of the continental body.

Consequently, different access to inclusive, timely, precise, and appropriate information is needed from Parliament for citizens to engage in discussions and decision-making. Electronic access to the proceedings, reports, decisions, and recommendations of Parliament is required of the Parliament. The public and academia should have access to these documents in formats usable for reference. African Commission on Human and Peoples' Rights effectiveness was measured by how often the recommendations have been referred to in law-making by the court and Academia (Biegon, 2016). The utilisation would not have been possible if the public did not have access to them, thereby stressing the need for the Parliament to utilise various platforms to popularise its parliamentary texts and debates and improve its access and visibility to the African people. In addition, the outputs of the PAP are critical to regional and national parliaments for enhanced influence. As required in PAP Rule 77 (3), the Parliament is expected to keep the national and regional parliaments informed of its activities by sharing the programmes, debates reports and relevant documents of the Committees and Plenary.

This provision allows the Parliament to influence the decisions taken at the national and regional levels, especially since parliaments are responsible for legislation and oversight on implementing decisions taken at the continental

level. Also, the exchanges envisioned in Rule 77 (1) that required close collaboration with these parliaments' continents allow for cross-peer learning on approaches to conflict management.

PAP faces visibility challenges (Respondent 3 interview, November 25, 2022). This problem may not be unusual because few African citizens are aware of the existence of the AU and less so of the Continental Parliament. In highlighting the visibility challenges of the Parliament, a PSC official stated:

> “While people refer to ECOWAS as ECOWAS of the people, the same cannot be said of the AU nor the PAP. Very troubling is that Parliament has no functional website, which serves as a channel and platform for communicating and disseminating information on the legislative body.” (Respondent 2, interview, January 26, 2022).

The work of the African Parliament should be known to achieve influence. Sensitization and advocacy to create awareness about the Parliament should be undertaken through PAP Parliamentarians. Most important is for PAP to set up a website that will publish the decisions and work of Parliament to the world.

Recently, the Parliament was scrutinised for its inability to resolve a leadership stalemate that disrupted parliamentary activities. While this may have been observed in various legislatures worldwide, it does not give credibility to an institution that functions to prevent and resolve conflict. A Member of Parliament asserted this value by explaining a quote from the book, The Leadership Mystique by Prof Manfred Kets de Vries:

> “An organisation can have all the resources that it requires, money, Information Technology, human [resources], and you name it, but if leadership fails, that same organisation will crash like a car without a driver.” (Respondent 5, interview, January 20, 2022).

In summary, if the PAP wants to be taken seriously in addressing regional conflict, it should demonstrate better organisation. An institution embroiled in

internal conflict, without norms and values, accusations of irregularities and fraud cannot be reflective of an organisation that Africa will accept as capable of preventing and resolving conflict.

4.5.7 Leverage PAP Reform Opportunities

According to the Kagame report, the AU is expected to intensify its efforts towards achieving enhanced performance of its organs and institutions. Increased efficiency will be achieved through a restructuring process focusing on greater concentration, eliminating redundancies, improved efficiency, transparency, accountability, and self-financing. The ultimate aim of these reforms is to ensure that all AU organs and institutions function optimally. This report underscores the need for a comprehensive overhaul of the AU's institutional framework, which will undoubtedly result in more effective implementation of the AU's objectives (AU, 2017). The PAP reform requires a self-reflection on the purpose of the existence of Parliament, measures for improving its operations and its impact on the lives of African people (Respondent 1, interview, January 21, 2022).

The assessment of the PAP should significantly impact decision-making regarding conflict within the continent. The Parliament should capitalize on this opportunity to provide input and emphasize its added value, aiming to elevate the Parliament to the level required of a continental legislative body. For AU reform to be effective and responsive to real issues, the reform process must strengthen the PAP to enable it to carry out its role efficiently. This reform process should be coherent and address the interlocking and intertwined issues between the PAP and AU, ultimately resulting in a clear symbiotic relationship between the two entities and Africa. Moreover, the reform process should extend beyond the operational weaknesses of the AU to address the needs of the African people, explicitly concerning conflicts and the treatment of Member States by the Union (Respondent 5 interview, January 20, 2022). Such reform will lead to a more decisive and principled organization that responds proactively, quickly, and consistently to conflicts.

4.6 Conclusion

The findings of this study in Table 1 reveal that the PAP has established significant mechanisms, including Parliamentary Committees and the Plenary, to actively engage in discussions and activities pertaining to conflict, such as conducting inquiry missions in conflict-prone regions. With a focus on promoting democratic processes, the Parliament monitors elections in Member States to prevent conflicts. Additionally, the PAP undertakes advocacy initiatives to advance relevant normative and monitoring frameworks to address potential conflict triggers. Furthermore, the Parliament serves as a platform to advocate for the ratification and domestication of conflict-related protocols within Member States while supporting conflict prevention and resolution by promoting AU programs, policies, and global initiatives. By formulating model laws to harmonize Member States' legal frameworks, the PAP enhances conflict prevention capacities through consistency and cooperation among states, ultimately leading to the adoption of resolutions or proposals expressing its stance on conflicts and the responsible institutions.

However, the ability of the PAP to influence policy and decision-making on conflict-related issues is subject to certain constraints. These challenges are rooted in the Parliament's establishing protocol, which contributes to perceiving the PAP as non-representative due to its designation approach, high turnover of Parliamentarians, and the limited time allocated to consider conflict matters. Ambiguities in the statutes further result in an unclear role for the PAP, leading to perceived overlaps in mandates with other AU institutions. The study also reveals that the PAP has not been explicitly consulted on conflict-related matters and lacks a framework to follow up on its engagement in conflict-related affairs effectively. Additionally, misalignment between the PAP's programs and the AU calendar diminishes its relevance in AU discussions and decisions, compounded by inconsistencies in reporting by the AU's PSC and financial and human resource constraints.

The study proposes recommendations to enhance the PAP's influence in regional conflict decision-making. Firstly, empowering the Parliament with greater institutional and political authority would enable it to make impactful

decisions regarding conflicts in the Member States. The adoption of PAP recommendations by states would be bolstered through institutionalizing reporting mechanisms of its members, who also serve as Members of Parliaments in their respective countries. Strengthening relationships with AU organs responsible for conflict-related matters and other stakeholders is crucial for the PAP's effectiveness. Formalizing and documenting the process of engaging with the AU and other institutions on conflict considerations is vital. Leveraging the Parliament's consultative, advisory, representative, and oversight capacities can raise awareness and facilitate interventions in challenges affecting African citizens. PAP should seek to enhance its oversight powers and establish effective mechanisms to promote participatory practices in its programs. The PAP can contribute meaningfully by taking proactive initiatives to discuss pressing issues impacting citizens' lives and influencing the direction of Africa and its Union. Making the Parliament's decisions public and restructurings the AU with an emphasis on efficiency, transparency, accountability, and self-financing are additional steps towards achieving these objectives.

Given the ongoing AU reform, the study examines the prospects of transformation the PAP into an institution capable of influencing decision-making within the AU institutional arrangements on preventing and resolving conflicts in Africa. The PAP plays a vital role within the AU institutional framework, with its potential to impact conflict prevention and resolution strategies in Africa. The analysis draws insights from two institutional perspectives. The Rational Choice perspective highlights member states' strategic considerations, assessing the influence and bargaining dynamics surrounding the PAP's transformation.

The Rational Choice Institutionalism perspective reveals the significance of member states' rational assessments in the PAP's transformation. States strategically consider the institution's role and influence in conflict prevention and resolution, recognizing the benefits of a stronger PAP within the AU. By empowering the PAP, member states may anticipate more effective and

coordinated efforts in addressing conflicts across the continent. The dynamics of institutional bargaining and negotiations among member states contribute to shaping the PAP's transformation, with states seeking to strengthen the institution's mandate and authority to represent Africa’s interests in conflict-related decisions better.

In contrast, Sociological Institutionalism emphasizes how changing societal perceptions and demands contribute to the recognition of the PAP's importance as an influential entity. That perspective emphasizes how societal factors drive the need for an influential parliamentary institution in conflict prevention and resolution. As societal perceptions and expectations change, a growing demand for a more robust PAP actively engaging in conflict resolution exists. Civil society organizations, citizens, and other stakeholders advocate for a stronger PAP to effectively address conflicts and contribute to peacebuilding efforts. Such support enhances the PAP's credibility and legitimacy as a representative body capable of addressing the needs and concerns of African citizens regarding conflict prevention and resolution. Societal pressure can compel member states to back the PAP's transformation to maintain legitimacy in the eyes of their constituents.

Similar to the vision behind the transformation of the OAU to AU, the transformation of the PAP into a more influential institution is critical for the AU's ability to proactively address conflicts and foster a coordinated approach to peace and security in Africa. By synergizing these perspectives, this analysis underscores the significance of a transformed PAP as an essential tool for conflict prevention and resolution in the African context.

Table 1: SUMMARY OF RESEARCH FINDINGS

S/N	PAP Actions and Approaches to Conflict Prevention and Resolution	Empowerment of PAP towards Preventing and Resolving Conflict in Africa	Position and Relevance of PAP within African Union decision making structures on Peace and Security	Factors Limiting the Influence of PAP in Promoting Conflict Prevention and Resolution on the Continent	Recommendations for the enhanced influence of the PAP Regional Conflict Decision-Making process
1.	Establishment of Relevant Parliamentary Committees	Provision in AU Statutes	Relationship with AU Peace and Security Council	Restrictions of the PAP Protocol	Enhance Legislative Powers of the Parliament
2.	Debate and Sensitization on Conflict Situations in Africa	Institutional Frameworks of AU Organs	Relationship with other Peace and Security-Related AU Organisations and Agencies	PAP - a reflection of the authority of National Parliaments and the African Union	Synergy with African Union Institutions
3.	Fact-Finding Missions to Conflict Regions		Consultation of PAP and Role in Regional Conflict Prevention and Resolution	Non-Institutionalisation of the Formal Role of the PAP	Institutionalize Conflict Consideration Process
4.	Election Observation in Member States			Overlapping Mandates of AU Institutions	Proactive Application of Oversight and Representative Powers
5.	Popularisation of AU Legal Instruments and Programmes			Unaligned Programmes with the African Union	Enhance the Accessibility, Visibility and Credibility of PAP
6.	Formulation of Soft Laws			Inconsistencies in the reporting by the Peace and Security Council	Leverage PAP Reform Opportunities
7.	Adoption of Resolution and Recommendations			Limited Financial and Human Resources	

CHAPTER 5: CONCLUSION

The interventions of the PAP in preventing and resolving conflicts are mandatory since conflicts hinder the integration and development of the continent, which was the fundamental goal for its creation (Dinokopila, 2013). The PAP acknowledges that its effectiveness in fulfilling this role is linked to the impact of peace and stability on all other sectors, given that Africa aims to become a prosperous continent driven by its people. In pursuit of the objectives outlined in Agenda 2063, which seeks to establish a peaceful, secure, and stable environment in which Africans can live and flourish, the PAP continues to leverage the powers vested in it, both theoretically and practically, to represent the interests of Africa (Mngomezulu, 2018). The successful execution of its function with regard to conflict prevention and resolution is expected to address the shortcomings and obstacles hindering the AU's realization of the aspirations that inspired its inception.

The PAP deserves recognition for its efforts in preventing and resolving conflict in Africa. It has created effective platforms, such as parliamentary committees and plenary sessions, facilitating dialogue among African citizens on conflict, its challenges, and possible solutions (Kebede, 2020). The fact-finding missions conducted by the Parliament in conflict zones have been commendable in identifying the root causes of conflict and proposing solutions to address them (Cilliers & Mashele, 2004; Jancic, 2019). The PAP's involvement in democratic transitions, through its participation in election observation missions in member states, is aimed at preventing conflict. The Parliament also plays a significant role in promoting peace and security by raising awareness and sensitizing people on issues such as unconstitutional changes in government, the proliferation of arms, and the consequences of war, using AU shared value instruments such as the ACDEG and programmes such as *Silencing the Guns*.

Additionally, by harmonizing laws in member states and formulating model laws, the Parliament guides the effective management of social issues that may result in conflict (Nwebo & Fombad, 2022). The recommendations

emanating from the Parliament's deliberations are of great significance, as they target critical stakeholders and suggest approaches to addressing conflict (Mngomezulu, 2018). These recommendations and resolutions adopted by plenary sessions aim to shape continental policies for preventing and resolving conflict.

However, according to interviews, there is a prevailing view that the PAP has limited influence in addressing conflict on the continent (Respondent 1 interview, January 21, 2022; Respondent 4 interview, January 27, 2022). Several scholars also echo this sentiment (Fagbayibo, 2017; Mello & Peters, 2018; Mngomezulu, 2018; Nzewi, 2014; Ogbonnaya & Ogujiuba, 2015). The Parliament's perceived ineffectiveness in contributing to the African Union's (AU) decision-making processes and policy development is attributed to its loosely defined establishment documents, which are more suggestive than statutory, as noted by Respondent 4 (Interview, January 27, 2022). Scholars have identified the lack of clarity and operational mechanisms in the PAP's statutes as a barrier to its effectiveness and institutional weaknesses (Mngomezulu, 2018; Ogbonnaya & Ogujiuba, 2015). The current approach of indirect elections from national parliaments and deliberative bodies further limits the PAP's democratic authority as a representative institution. It is recommended that direct elections of PAP parliamentarians would significantly enhance its democratic legitimacy, despite potential financial and political challenges.

The PAP’s limited ability to influence the African Union's (AU) decision-making process on conflicts in member states is partly due to its lack of legislative power. Scholars such as Ogbonnaya and Ogujiuba (2015) suggest that amending the constitutive act to grant the PAP full legislative powers would enhance its authority and legitimacy. Furthermore, the non-legislative status of the Parliament means that its recommendations are non-binding to member states. The institutional structure of the Parliament also appears to subordinate it to other AU organs on conflict matters, particularly since the PAP's statutes do not obligate the AU to consult with it or give its recommendations a formal

hearing (Respondent 8 interview, January 27, 2022; Respondent 6 interview, January 13, 2022).

The PAP's impact on the AU was perceived as indirect, owing to the specific powers bestowed upon it. As an AU organ, the PAP was envisaged to play a crucial role in fulfilling its advisory and consultative mandate. By engaging in deliberations on issues confronting the African continent, the PAP was expected to exert influence on the decision-making process of the AU (Kebede, 2020). Thus, to accurately assess the PAP's impact, it should be based on its role as a platform for dialogue and its powers utilized to express views and interventions leading to recommendations on conflict (Respondent 9 interview, January 28, 2022).

Several respondents contend that the assessment of the influence of the Parliament should encompass functions beyond its traditional legislative oversight and representative roles. In particular, Respondent 5 (January 20, 2022) and Respondent 7 (December 6, 2021) suggest that the Parliament's response to conflict situations is a critical aspect to consider. Mpanyane (2009) also supports this proposition, proposing that the Parliament's influence be evaluated based on its role since its establishment or in relation to its contribution to the APSA. For instance, actions that facilitate dialogue on continental issues and engagement in conflict-related advocacy. It is argued that the initial discussions regarding the establishment of the Parliament were not centred on its traditional parliamentary functions but rather on creating a platform for non-state actors to interface and shape input to influence continental policies, as envisioned by the people-driven Charter of the African Union. According to Respondent 6 (January 13, 2022), a biographical assessment of the Parliament's contribution should not rely on a simplistic view of its accomplishments but a broader perspective that evaluates whether the Parliament attempted to intervene in conflict situations.

Although the statutes of the Parliament may not explicitly empower it to exert the envisioned influence, it nonetheless presents an opportunity for the PAP to establish itself as a significant player within the APSA. Notably, the

Parliament exhibits a degree of competence, with over two hundred and fifty members possessing the necessary skills, as opined in the study (Respondent 12 interview, February 4 2022). Furthermore, the Parliament has a clear mandate, as provided by the protocol that established it, to promote conflict prevention and resolution. Finally, the Parliament enjoys a broad audience of millions of African citizens who depend on their representatives to speak on their behalf and advocate for making the continent a peaceful and stable place to reside. By leveraging these factors, the Parliament can establish its credibility and enhance its influence within the AU.

The PAP should introspect how it traditionally interacts with structures and implement actions that aim to promote conflict prevention and resolution. The Parliament's statutes confer the necessary legitimacy to participate in conflict interventions. The institutional arrangement of the PAP, which features permanent committees and the Plenary, provides it with the capacity to engage in various activities that are geared towards addressing conflict and its sources. These institutional arrangements offer an essential platform for the PAP to play a meaningful role in promoting conflict prevention and resolution. As such, the PAP should leverage these structures and actions to enhance its effectiveness in addressing conflict-related issues.

Given the abovementioned circumstances, the PAP has made remarkable progress in heightening awareness and resolving conflicts. Nevertheless, the institution must consolidate its position as a continental parliamentary body within the AU system and among Member States and African citizens. The Parliament faces a plethora of challenges, such as its transformation into a legislative entity, considering the political and territorial sovereignty of African States, in addition to institutional and resource constraints. It is evident that the PAP's objective of promoting conflict prevention and resolution, even within the current protocol, necessitates considerable political, technical, and institutional backing. Notably, the AU, its organs, and member states do not acknowledge the PAP as an organ capable of providing advisory or consultative services on conflict matters. With its existing institutional structure, the critical outcomes of the Parliament’s engagement on conflict issues, which

are its resolutions and recommendations, lack a formal channel to reach and hold the implementers accountable. Furthermore, the limited financial and human resources encountered by the Parliament have adversely impacted the effective implementation of its various programs and activities. Therefore, establishing collaborative frameworks to formalize channels for engagement and funding the Parliament is imperative in enabling it to support the necessary programs and acquire the required expertise to execute its mandate and meet the expectations of its constituents.

The Parliament can expand its impact on the conflict resolution process by availing itself of various prospects. Navarro (2010) characterizes this as the legitimate assessment for the PAP, necessitating leveraging the Parliament's capacities. In alignment with Nzewi's (2013) suggestion, this investigation advocates that the PAP reinforce alternative mechanisms and interactions in the Member States, such as electoral and post-electoral endeavours, dialogues, and mediations. Furthermore, the Parliament should monitor and implement its recommendations and resolutions while retaining its consultative and advisory status.

It is imperative to augment Parliament’s institutional capability to execute non-legislative duties and obligations to bolster institutional credibility and influence. Among the PAP's various functions, its oversight role seems to be the most underdeveloped and requires application in overseeing the work of the AU. To this end, the Parliament must reinforce, assume authority and independence in monitoring and oversight functions over peace processes within the continent. Parliament should play a critical role in effectively monitoring and evaluating the performance of organs involved in the conflict agenda on the African continent. Through the reporting by the PSC and dialogues on conflict-related matters, the Parliament can advise the PSC on overlooked issues and encourage it to engage in conflict matters deemed critical for conflict prevention and resolution.

Although the Parliament was given a consultative and advisory role, the study showed no record of the Assembly of Heads of States and Government and its organs referring any conflict matter to the Parliament. The AU must recognise the purpose for which it has created the Parliament and assign it the expected roles. Accordingly, the AU should mandate the consultation of Parliament in its policy-making process. The institutional arrangements of Parliament should be aligned with the policy structures of the AU, thereby creating internal procedural and structural mechanisms that facilitate effective oversight. For instance, aligning the PAP's permanent committees with the AUC departments in 2013 was a step in the right direction, as it allowed the Parliament to oversee the activities of the corresponding AU commissions. In the future, Parliament should endeavour to thematically and operationally align its committees with the current AU structure. Furthermore, Parliament should exercise its powers to summon AU officials and require them to provide information necessary for its work, including strategic briefings on early warning information provided to AU Peace and Security architecture structures. Such information would enable Parliament to advise, express opinions, and make informed recommendations on conflict matters.

In addition, the PAP should capitalize on the leverage Parliament provides as the people's representatives to bolster its role as a deliberative body and facilitate dialogue on conflict-related subjects. By enhancing its relevance and incorporating the voices of Africans in its discussions and decisions through collaborations with relevant institutions and stakeholders on conflict, the PAP can better serve its mandate. Furthermore, the Parliament's role as a platform for involving citizens, civil society, and other stakeholders in discussions on AU affairs positions it as a critical actor in the "Silencing the Guns" initiative (Respondent 7 interview, December 6, 2021). These actions may foster a conflict-free continent and enhance parliamentary engagement with the public on issues impacting the AU.

It is recommended that Parliament establish stronger collaborative ties with institutions within and outside the AU to enhance Parliament's impact on matters of conflict. This approach will promote greater collaboration between

Parliament and key stakeholders. It will provide the Parliament with the necessary information to make informed decisions and recommendations on matters it is seized with. Parliament deliberations on the PSC's Peace and Security Status report and its factfinding reports should be done with concerned member states present, generating recommendations for implementation and effective follow-up (Respondent 10, interview, November 19, 2021). The guidance issued by the PAP follows broad consultation that it undertakes with stakeholders in the field and is aimed at various actors. These stakeholders include the AU and its institutions, governments of the Member States, national and continental parliaments, civil society organizations, and international organizations. Also, such synergy would develop mechanisms to facilitate the submission of Parliament's Annual Activity Report, which outlines its perspectives and accomplishments concerning conflicts throughout the continent, to the Assembly. (Respondent 10, interview, November 19, 2022).

The practical functioning of the PAP appears to be incongruent with its normative framework, resulting in limited democratic authority in the continent. However, Obasanjo (2022) asserts that power is not given but rather taken. As a continental Parliament, the PAP may be constrained by statutes, but it does not make intervention in conflict crises illegal. The fact that power is implied and not explicitly given does not preclude the Parliament from exercising its authority. The PAP should find its voice and continue to raise concerns on matters affecting the continent. The PAP leadership should be bold and capable of taking audacious positions. Therefore, Parliament should review its working mechanisms and propose a mandate change to grant it additional powers even though the Malabo Protocol has not been ratified by the requisite number of states for its enforcement.

In conclusion, attaining a high level of empowerment within the AU requires effectively utilising the ongoing reform process in the Union's organs, specifically the PAP, to rectify the existing structural and procedural shortcomings. The restructuring of the PAP to provide the necessary organizational structure and funding and its effective linkage with the AU and its organs and Member States are essential steps to enhance its efficacy. In

addition, the PAP must transmit its recommendations to responsible institutions, receive feedback on their implementation, and participate meaningfully in the AU's policy-making process. Lastly, it is critical to provide the Parliament with the necessary information to carry out its role as the people's voice, and its opinions sought concerning issues affecting the citizens it represents. African leaders must take action to ensure that the PAP plays a vital role in advancing the AU's objectives and promoting the interests of African citizens.

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APPENDIX 1

Interview Questions for staff of the PAP

1. Introduce yourself and your role.

2. What are the advantages of PAP involvement in conflict prevention and Resolution? How does Parliament involve itself in Conflict prevention and resolution? What is the PAP's approach to CP and CR?

3. To what extent has the Parliament's conflict prevention and resolution initiatives helped address conflict situations in Africa? How effective has the PAP been, and why?

4. How is Parliament made aware of conflict situations that require Parliament's intervention? How does Parliament decide on an issue to address?

5. What types or nature of conflict cases does the Parliament address? What are the causes of these conflicts? What are the recent conflict prevention and resolution issues undertaken by Parliament?

6. To what extent has the Parliament been empowered to execute this function? Do you think that the PAP can effectively prevent and resolve regional conflict? Why?

- Which matters of conflict have been referred to the PAP by the Heads of State and Government?

- How relevant are the PAP reports, decisions, recommendations, and resolutions to AU policy organs in addressing conflict in Africa?

- Which recommendations of the Parliament have informed the decisions of the African Union?

- How resourced is the Parliament to undertake its responsibilities in addressing regional conflict?

- How involved are African citizens in parliamentary interventions on conflict?

7. How will you describe the inter-institutional cooperation between the Pan African Parliament, peace and security mechanisms, and policymakers? Has it been effective? Why? How can it be improved?

8. How does the Secretariat communicate the PAP decisions and recommendations on conflict to National Parliaments and Heads of State and Government?

9. What is the advantage of the PAP working with peace and security mechanisms and policymakers in preventing and resolving conflict?

10. What are the enablers for the PAP to effectively influence decisions on the conflict in Africa?

11. What are the limitations of the PAP in effectively influencing decisions on conflict in Africa? What challenges does the PAP face in undertaking conflict prevention and resolution activities towards addressing regional conflict? And how can they be addressed?

APPENDIX 2

Interview Questions for Members of the PAP

1. Introduce yourself and your role.

2. How do you understand the influence of the PAP in decision-making in preventing and resolving conflict in Africa?

3. To what extent has the Parliament's initiatives in conflict prevention and resolution helped conflict situations in Africa? How effective has the PAP been, and why?

4. How is Parliament made aware of conflict situations that require Parliament's intervention? How does Parliament decide on an issue to address?

5. What types or nature of conflict cases does the Parliament address? What are the causes of these conflicts? What are the recent conflict prevention and resolution issues undertaken by Parliament and the Committee?

6. What are the advantages of PAP involvement in conflict prevention and resolution?

7. To what extent has the Parliament been empowered to execute this function? Do you think that the PAP can effectively prevent and resolve regional conflict? Why?

i. Which matters of conflict have been referred to the PAP by the Heads of State and Government?

ii. How relevant are the PAP reports, decisions, recommendations, and resolutions to AU policy organs in addressing conflict in Africa?

iii. Which recommendations of the Parliament have informed the decisions of the African Union?

iv. How resourced is the Parliament to support Parliamentarians to undertake its responsibilities in addressing regional conflict?

v. How involved are African citizens in the interventions of PAP on conflict matters?

8. How would you describe the inter-institutional cooperation between the Pan African Parliament, peace and security mechanisms, and policymakers?

9. Do you know of any official protocol and mandate that supports this relationship? Has it been effective? Why? How can it be improved?

10. How do you communicate the PAP decisions and recommendations on conflict to National Parliaments?

11. What is the advantage of the PAP working with peace and security mechanisms and policymakers in preventing and resolving conflict?

12. What are the enablers for the PAP to effectively influence decisions on the African conflict?

13. What are the limitations of the PAP in effectively influencing decisions on conflict in Africa? What challenges does the PAP face in undertaking Conflict Prevention and Resolution activities towards addressing regional conflict? And how can they be addressed?

14. How supportive have the AU policymakers been to the PAP towards realising its objectives of promoting peace and security-conflict resolution in Africa?

15. How do you think that the Parliament's level of effectiveness in conflict resolution will affect the PAP in the AU institutional Reform process?

APPENDIX 3

Interview Questions for Representatives of AU Peace and Security Council, Department of Peace and Security, Department of Political Affairs, AU Organs

1. Introduce yourself and your role.

2. How do you understand the influence of the PAP in decision-making in preventing and resolving conflict in Africa? Does it have the legitimacy to address conflict in the continent?

3. What is your perception of the Parliament's involvement and effectiveness in managing and addressing regional conflict? How effectively has the PAP promoted peace and security through conflict prevention and resolution?

4. To what extent has the Parliament been empowered to execute this function?

- Do you know of matters of conflict has been referred to the PAP by the Heads of State and Government?

- How aware are you of PAP reports, decisions, recommendations, and resolutions, and how relevant are they to AU policy organs in addressing conflict in Africa? Has any informed decisions of the African Union?

5. In what way does your organisation work with the PAP? How will you describe inter-institutional cooperation between peace and security mechanisms, policymakers, and the Pan African Parliament?

6. Do you know of an official protocol and mandate that supports this relationship? Has it been effective? Why? How can it be improved?

7. What do you think is the advantage of working with the PAP in issues of CR and CP?

8. What should be the role of the PAP within the African Peace and Security Architecture? And what areas of competence should reside with the Pan-African Parliament in addressing matters of conflict in Africa?

9. How supportive have the AU policymakers been to the PAP towards realising its objectives of promoting peace and security-conflict resolution in Africa?

10. What are the limitations of the PAP in effectively influencing decisions on the conflict in Africa? What challenges does the PAP face in undertaking conflict prevention and Resolution activities towards addressing regional conflict? And how can they be addressed?

11. What are the Parliament’s prospects in Conflict Prevention and Resolution?

12. How do you think that the Parliament's level of effectiveness in conflict resolution will affect the PAP in the AU Institutional Reform Process?

APPENDIX 4

Interview Questions for CSOs, Academia and Think Thanks

1. Introduce yourself and your role in your organisation.

2. What do you know about the work of the PAP in preventing and resolving conflict in Africa?

3. How do you understand the influence of the PAP in decision-making in preventing and resolving conflict in Africa?

4. What is your perception about the Parliament's involvement and effectiveness in managing and addressing regional conflict? How effectively has the PAP promoted peace and security through conflict prevention and resolution? Cite examples and reasons for your response.

5. What are the advantages of PAP involvement in preventing and resolving conflict? What should be the role of the PAP concerning the African Peace and Security Architecture? And what areas of competence should reside with the Pan-African Parliament in addressing matters of conflict in Africa?

6. To what extent has the Parliament been empowered to execute this function?

7. What are the limitations of the PAP in effectively influencing decisions on conflict in Africa? And how can they be addressed?

8. What are the Parliament’s prospects in Conflict Prevention and Resolution?