

***PGA REGIONAL SEMINAR: THE ROLE OF PARLIAMENT AND
PARLIAMENTARIANS IN ADDRESSING SMALL ARMS, CONFLICT
PREVENTION AND TRANSITIONAL DEMOCRACY AND JUSTICE IN AFRICA***

DAKAR ACTION PLAN

We, the Parliamentarians,

meeting in Dakar from 27th February to 1st March 2006, in the context of the Seminar of Parliamentarians for Global Action (PGA) on Small Arms, Conflict Prevention and Democratic Transition and Justice in Africa;

Alarmed by the persistent serious violations of human rights and the trend towards the undermining of democratic advances in Africa, due to the proliferation of small arms and the impunity that frequently characterises post-conflict situations;

Aware of the link between Small Arms and Light Weapons, Political instability, insecurity and the hindrance of development;

Confirming our attachment to the principles and objectives contained in the United Nations Charter and in the Constitutive Charter of the African Union aimed at safeguarding future generations against the scourge of war and creating the necessary conditions for peace, security and stability in the world;

Recalling the relevant provisions of the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights and its Additional Protocol on Women's Human Rights as well as other relevant international legal instruments;

Encouraging the effective implementation of African mechanisms for the prevention, management and resolution of conflicts in various regions of Africa, particularly ECOWAS, SADC, the Economic Community of the Central African States, the East African Community, the Great Lakes Region and the Horn of Africa;

Hailing the adoption of the legal and political instruments including:

- the United Nations Action Programme aimed at preventing, combating and eliminating illicit trade in small arms and light weapons of all kinds;

- the Additional Protocol against illicit production and trade in firearms, firearms parts, pieces and munitions, to the United Nations Convention against Organised Transnational Crime;
- the Bamako Declaration on the Common African Position on illicit proliferation, flow and traffic of small arms and light weapons;
- the SADC Protocol on firearms, munitions and related materials;
- the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa;
- the ECOWAS Moratorium on the Production, Import and Export of Small Arms;

Recognizing the importance of Civil Society and Gender in the area of Small Arms;

Convinced of the imperative need to comply with and implement:

- the International Convention on Civil and Political Rights;
- the Algiers Declaration on Unconstitutional Change;
- the African Peer Review Mechanism (APRM);
- the Additional Protocol on Democracy and Good Governance to the Protocol on the Creation of a Mechanism for conflict prevention, management and resolution and maintaining peace and security in ECOWAS; and
- all other legal and political instruments relating to respect of democratic principles, human rights and good political governance;

Urging on the efforts of the international community and African countries to promote justice, particularly post-conflict justice, through the institution of the International Criminal Court, ad hoc criminal courts and the African Court of Human and Peoples' Rights;

Convinced of the important role that African Parliamentarians have to play in the struggle to promote democratic principles and good political governance, respect for human rights and peace, security and justice in Africa;

Determined to make the contribution expected of the Peoples' Representatives in this fight;

Have agreed to implement the following Action Plan:

I - AT THE NATIONAL LEVEL

- 1 – Urge African governments and parliaments to adopt basic laws that establish the conditions for peaceful political transition in compliance with democratic principles;
- 2 – Undertake action to ensure the sustainability of such conditions;
- 3 – Include a small arms component in national poverty reduction strategies;

- 4 – Support the negotiation of an Arms Trade Treaty at the United Nations through an African common position;
- 5 – Support the drafting of minimum common standards on international arms transfer at the UN Review Conference at the end of June 2006;
- 6 – Work to revise and update national legislation on small weapons in relation to the UN Programme of Action;
- 7 – Conduct advocacy aimed at governments for the setting up of permanent and independent national commissions with sufficient human, material and financial resources to effectively combat the proliferation of small arms;
- 8 – Initiate, in close collaboration with government agencies and civil society organisations, information, awareness and education campaigns aimed at the population on the issue of small arms;
- 9 – Form parliamentary networks on issues relating to democratic transition, the fight against the proliferation and illicit trade of small arms and post-conflict justice;
- 10 – Encourage governments to strengthen judiciary institutions and create the conditions for their independence;
- 11 – Urge governments to take appropriate action to combat impunity, especially in post-conflict situations;
- 12 – Ensure that those states that have not already done so ratify and enforce the Ottawa Convention on antipersonnel mines;
- 13 – Encourage and support voluntary surrender campaigns for small arms and light weapons and DDR programmes;

II - AT THE SUBREGIONAL, REGIONAL AND INTERNATIONAL LEVELS

- 14 – Work towards the adoption, by the African Union, of a continental legal instrument on upholding democratic principles and good political governance;
- 15 – Conduct advocacy to convince the international community to support the efforts of the States to provide a firm foundation for democratic transition;
- 16 – Form a Committee to conduct advocacy aimed at the governments of the Member States of the African Union to expedite the process of adoption of a binding legal instrument on the proliferation and illicit trade of small arms, based on existing legal texts;

17 – Promote the creation of a control and coordination body to combat the proliferation of small arms, with sufficient human, material and financial resources in all regions of Africa;

18 – Encourage governments to create training institutions specialising in conflict prevention and peacekeeping, and to consolidate the resources of existing structures of that kind;

19 – Ensure that the States enforce justice in post-conflict situations by including in the legislations of African Union countries an obligation of national political dialogue in such situations to establish or reinstate the foundations for peaceful politics and the rule of law, with a view to making it possible to resolve issues of compensation for damages, help for victims and social rehabilitation;

III – FOLLOW-UP

20 – Organise regular sub-regional and regional meetings to assess progress in the implementation of the action plan;

21 – For that purpose, create a support mechanism for the parliamentary networks.

Adopted in Dakar, Senegal on 1st March 2006