

WORKSHOP ON THE ROLE OF PARLIAMENTARIANS IN CURBING CORRUPTION

*9th Annual Anti-Corruption Conference
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THE ROLE OF PARLIAMENTARIANS IN CURBING CORRUPTION

The workshop was designed to identify the issues and priorities associated with the strengthening of parliamentary systems of accountability to fight corruption, and discuss practical actions that can and should be taken by parliaments and parliamentarians. The African Parliamentarians' Network Against Corruption (APNAC) was brought forward as a case study.

WORKSHOP OBJECTIVES

- To review the factors associated with corruption as they relate to parliament
- To exchange country experiences and ideas on strengthening parliamentary accountability
- To discuss and examine practical parliamentary actions to curb corruption
- To facilitate and encourage networking among Parliamentarians in curbing corruption
- To raise the profile of and encourage participation in APNAC

FRAMEWORK FOR DISCUSSION

It is generally understood that Parliaments should provide leadership in the fight against corruption by ensuring effective governmental accountability to citizens. Although some parliaments are beginning to strengthen their oversight activities and tackle corruption head on, many others remain weak, ineffective institutions of accountability. The reasons for this are complex but include the fact that the governance systems of many countries are executive dominated so that they defy accountability and facilitate corruption. Accordingly, parliaments and parliamentarians must fight for a better balance of power between executive, legislative and judicial institutions.

This effort to strengthen accountability systems within nations is taking place in a world undergoing profound changes through globalisation. It is generally agreed that the effect of globalisation is to reduce the role of the nation state by shifting the locus of decision making power both upwards to the global level and downwards to the local level. Despite that, the role played by parliaments and parliamentarians is still primarily national and local, serving as a link between state and constituents. If democratic accountability is to remain (or become) effective, parliaments must adapt to globalisation by becoming more

outward looking and make it an essential part of their jobs to serve as a bridge between global forces, the nation and local communities.

A more outward looking stance requires parliamentarians to understand that public policy issues like corruption are now transnational and cannot be solved solely or even primarily on a national basis. The rapidly accelerating forces of globalisation shape both the causes and consequences of corruption, and heavily condition the means available to control it. Globalisation facilitates corruption but also creates opportunities for parliaments to fight it through international co-operation in the development and enforcement of international codes of conduct. To this end, Parliaments must strengthen their capacity to network both globally and regionally.

THE AFRICAN PARLIAMENTARIANS NETWORK AGAINST CORRUPTION (APNAC)

The African Parliamentarians Network Against Corruption (APNAC) was borne out of the *Regional Seminar on Parliament and Good Governance: Towards a New Agenda for Controlling Corruption in Africa*, held in Kampala, Uganda, in early February 1999. The Seminar was organised by the Parliamentary Centre, in partnership with the Public Accounts Committee of the Parliament of Uganda and the World Bank Institute, with support from the British Department for International Development. Thirty parliamentarians from across Africa participated, representing each geographic region.

Participants in the week-long Seminar acknowledged the great value of African parliamentarians coming together to share information, experience and lessons in strengthening parliament in the fight against corruption. They felt it imperative that participants build upon their experience at the Seminar by maintaining contact with each other and by reaching out to parliamentarians and parliamentary organisations throughout Africa. Accordingly, they established the African Parliamentarians Network Against Corruption to strengthen the commitment and capacity of African parliamentarians to fight corruption by:

- ◆ Building the commitment and capacity of parliaments to exercise accountability, with particular relation to financial matters;
- ◆ Sharing information on lessons learned and best practices;
- ◆ Undertaking projects to control corruption;
- ◆ Co-operating with organisations in civil society with shared objectives.

The Hon. Augustine Ruzindana, Chair of the Public Accounts Committee of the Parliament of Uganda, was elected Chair of the interim co-ordinating committee, and the Hon. Lindiwe Zulu, Deputy Speaker of the Gauteng Provincial Legislature in South Africa, was elected Vice-Chair. Hon. Musikari Kombo (Kenya), Hon. Mujuni J. Kataraiia (Tanzania), Hon. J.H. Mensah (Ghana), Hon. Hountondji Jean Alexandre (Benin), Hon. Abdul Carimo Mahamed Issa (Mozambique) and Hon. Dzikamai Callisto Mavhaire (Zimbabwe) were also elected as regional representatives. Hon. Sounouvou François

(Benin) has since replaced Hon. Hountondji. Pending the establishment of a secretariat in Africa, the Parliamentary Centre was asked to serve as the interim secretariat and charged with facilitating communications and activities of the network, as well as identifying potential sources of funding.

A meeting of the interim co-ordinating committee was held in conjunction with the Durban Conference. The meeting produced an APNAC work plan for 1999-2000.

WORKSHOP FORMAT

WORKSHOP CHAIR: MR RICHARD CALLAND, IDASA

Mr. Calland quoted from a local newspaper about the introduction of a new South African law requiring politicians to make public any gift they receive valued over a certain amount and to declare personal assets and incomes. The editorial noted this as a good first step towards increasing transparency but that it was not nearly sufficient. The article demonstrated the growing demands on elected representatives and opened the discussion on the role of parliamentarians in combating corruption.

Introduction and Overview

”Globalisation, Corruption and Parliamentary Networking”

Honourable Augustine Ruzindana, MP

Chair, Public Accounts Committee, Uganda

Honourable Ruzindana argued that the rapidly accelerating forces of globalisation are shaping both the causes and consequences of corruption, and heavily conditioning the means available to control it. Globalisation facilitates corruption but also creates opportunities for parliaments to fight it through international co-operation in the development and enforcement of international codes of conduct. Corruption remains a very serious problem in many African countries although there is also evidence of progress being made in bringing it under control. Using APNAC as an example, Hon. Ruzindana stressed the great importance of African parliamentarians sharing information, experience and lessons learned to strengthen parliaments as institutions of accountability in the fight against corruption.

Sharing Experiences-South Africa

”Parliamentary Leadership and Executive Domination, What should be Done?”

Honourable Lindiwe Zulu, MP

Deputy Speaker, Gauteng Provincial Legislature, South Africa

Honourable Zulu argued that state institutions are being scrutinised as never before because people want practical results from government. In the case of parliaments, oversight of the executive is a key responsibility which explains why Ministers and their officials resent MPs. Often the oversight role is performed poorly, because of lack of political will on the part of both parliamentarians and members of the executive; lack of support staff and services to allow MPs to adequately analyse the material put before them by the executive; and intimidation of MPs by Ministers. Honourable Zulu presented a number of recommendations, and discussed how APNAC will be utilised as a tool for strengthening accountability in her parliament.

Sharing Experiences-Ghana

"Strengthening Public Accounts Committees"

Honourable J.H. Mensah, MP

Chair, Public Accounts Committee, Ghana

Honourable Mensah reviewed the efforts undertaken in Ghana to strengthen the Finance and Public Accounts Committees in encouraging more democratic participation, open governance and accountability in building a more mature democracy in Ghana. Hon. Mensah argued that the planning efforts by these two committees could help define a path for other committees to follow, and for the whole institution of Parliament itself to consider.

Questions and Discussion

Discussion provided an opportunity to further define issues, state priorities and by drawing on previous experience, indicating what practical actions parliaments can and should take to fight corruption. The issues identified for discussion were as follows:

- ◆ Methods of strengthening Networks like APNAC
- ◆ Assessment of how replicable such strategies are in different regions and how one would go about developing such a network

Group Report to Plenary

RAPPORTEUR: HONOURABLE MUSIKARI KOMBO, M.P., KENYA

Key Issues Raised & Presented in the Report Back Session of the Conference

- 1) Parliamentarians must acknowledge that the division between the Executive and Parliament, has reached a point where parliamentarians are perceived as second-class counterparts to the first class executive, and that the effects associated with this divide are detrimental to the operation of the legislature.
- 2) There is a need for networks and coalitions between parliamentarians and various sectors of society to strengthen the role of parliamentarians in fighting corruption.
- 3) Parliamentarians can, and should, legislate. Although it has been made clear that there are problems in legislating anti-corruption measures, parliamentarians must use their role as legislators to increase transparency.

Problems facing parliamentarians:

- a) Lack of tools, resources, and information
- b) Executive domination
- c) Structure of political parties
- d) Election systems

Recommendations:

- a) Capacity-building of parliamentarians (significant role played by international bodies in capacity building of the executive, but MPs are left to their own devices)
- b) Access to information (Internet)
- c) Networking (networking at every level and in every sector of society)