

## **A dialogue with Ambassador Gertrude Mongella, President of the Pan African Parliament**

A discussion hosted by SARPN and the Southern African Catholic Bishops' Conference

Chairperson: Mr Trevor Ncube

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Ambassador Mongella began by noting that the opening of the second session of the African Parliament in South African, now its permanent home, marked a special day in the history of the struggle for democracy and gender equality on the African continent. This formative stage of the African parliament is an important time for people to put forward their ideas. Since coming to South Africa she had met diplomats and leaders from the different media groups to exchange views. Today provided an opportunity to meet a wide range of people, more particularly those from civil society. In the spirit of dialogue she intended to summarise a few ideas and then open the debate to the floor for a dialogue with participants.

A new era is beginning in Africa as it starts to leave behind the struggle for liberation, but it will not move forward if people dwell on the suffering and disappointments of the past. The location of the parliament in South Africa is important because this is where the last battle was fought and won. We are moving into a new world, a globalised world, after liberating ourselves from the chains of bondage. The first step was the formation of the African Union. It took over from the Organisation for African Unity, which was formed to spearhead the struggle for independence and the dismantling of colonialism and apartheid. Its leaders deemed that the time was right for a new type of organisation. The name African Union indicates that, while individual countries remain sovereign, the main goal now is the union itself and the economic, social and political integration of the African people.

The mention of political integration makes many people uneasy, but we can start by working together on economic integration. Nepad is an attempt to start building the structures for economic empowerment of Africa. It has sparked a lot of debate but, in her view, it is better to have an idea than to complain about not having that idea. We can improve Nepad but if we want to develop the African continent we need to develop concepts, objectives and programmes of this kind that will lead us to where we are going.

We also need to look at the peace question on the African continent. The AU will be creating organs to help it function. One of the newest organs is the Security Council. For the first time Africans will be able to discuss their own security issues. This does not mean shutting out other people. This would be a wrong interpretation of the spirit of the AU. It is a spirit of Africans

wanting to manage things like conflict on the continent in a fitting manner. Darfur is a big challenge, we either succeed as African people or we fail. There is no room for failure, and we need to encourage the Security Council to work hard to resolve the problems of Darfur and Burundi and other scenes of conflict. Everyone knows that without resolving the conflicts we cannot move ahead. There is reason for hope. The whole of southern Africa is now at peace and there are only isolated pockets of conflict in the north. There is a sense that the conflicts we see now are the last of their kind. Looking at these conflicts we should ask ourselves how such poor countries, countries that cannot even feed themselves, can afford to wage wars that go on for so long. Who gives them the guns? We should talk about these things openly. If a person can give a gun to kill why not give a water pump for the village well?

For the first time African people will have an organ, in the form of the Pan African Parliament (PAP), that will openly and publicly reflect their thinking. PAP will enable people to network with the members of parliament to ensure that their voices are heard. This is a very big step. In earlier times as an activist on women's issues Mongella used to look at the OAU, where representation was almost entirely male, and ask how it could represent women's views. The AU has answered that question by adopting the principle of parity from the outset. The parity issue will cut across at all levels of development. It will not happen today, but at least it has been decided.

Through the PAP the AU is extending the democratic process on the African continent. What more can we need in this process if we have an institution where each national parliament is represented? The challenge is to make sure that the institution is well established, is strong, is not a rubber stamp, but is a voice of the African people on all issues.

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### **Dialogue with participants**

Introducing the discussion, chairperson Trevor Ncube said that those present were hearing loud and clear that this is going to be a peoples' parliament. It will mirror and project the voices and thinking of the African people without shying away from the challenges on the continent. The biggest immediate challenges include setting up the institution, economic integration and of course the peace question. More broadly, how to address the challenge of Africans wanting to manage their own lives in the globalised village. The ambassador brings hope when she says that we are witnessing the last conflicts on the continent and that those who give guns will be persuaded to give pumps and boreholes.

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### **Theme: Role and Power of the PAP**

- How is the security council structured in terms of dealing with conflict, especially the conflict in Zimbabwe where the government uses its militia to attack and intimidate citizens?

Concern about the situation in Zimbabwe depends on whether you are on the side of the opposition or the ruling party. The problems of any country will be solved by its own people first. As leader of the OAU observer mission to the Zimbabwe elections Mongella saw that there are unresolved issues like the land issue that cannot be resolved by outsiders. What is happening is rooted in the history of the struggle that brought that country to independence. Now that we have a Security Council that every country has access to the issue can be raised. African leaders have said that they will listen to what the people of Zimbabwe have to say. Before the previous elections people said that ZANU-PF must go, but the election did not bear that out. If there is anything that needs to be raised it must be

structured properly so that it can be dealt with in the AU. Simply complaining will never solve problems.

- How do you deal with a situation where thousands of people are flocking to South Africa because of political violence in their own countries?
- There are still countries where democracy is not evolving rapidly. What can the PAP do to promote its progress?

How can the parliament cope with conflict areas? Although this may be too optimistic it seems that there has been a change in people's views. In the past those who came to power through the barrel of a gun were regarded as heroes, but this is no longer fashionable or acceptable. People who came to power by the gun are no longer accepted. People who want to stay in power forever are also no longer accepted. This parliament will stimulate democracy if it is properly established. People will see how it debates issues in a transparent way. The media will play an important role in helping to air views that have not been transmitted openly.

- To what extent will PAP allow countries to solve their own problems? The situation in Darfur for example has led to serious loss of life. The Security Council is probably the answer but what is the time frame and the cost? The parliament must have teeth.

People from outside the continent have asked whether we are trying to prevent international intervention in Africa. Let us take a situation like Rwanda. No one tried to stop the international community from intervening. Yet no one intervened and we lost many people. We do not want that to happen. Through the AU we have to deal with situations like this or Africa will never develop.

- What real influence can the parliament have given that it will only be a consultative body for the first five years and it is not certain that it will have legislative powers thereafter?

Legislation is only a small fraction of the activities of a parliament. A strong parliament is one that plays an effective oversight role. A parliament that can hold people accountable and debate issues openly does not necessarily need laws. Laws do not control governments; rather they are there to control civil society. The nature of the PAP means that it will require a lot of negotiation to pass a law. Through its debates parliament can hold people accountable and it will have the African Peer Review Mechanism (APRM) to help with this oversight role. Parliament needs to be strong and debate contentious issues and it must not shy away from presenting the views of the people, but issues must be debated fairly. The laws can come later; first we have to deal with the economic and political situation.

- Some of the biggest criticisms of the OAU focused on the issue of sovereignty. Article 11 of the PAP's Constitutive Act states that one of its functions is to promote the integration and harmonisation of the laws of member states. How will it deal with conflicts between the laws of member states?

There is space for making laws without infringing on the sovereignty of states, for example on the movement of people and on conflict. It is also possible to discuss issues, for example that it is not proper to have presidents who come to power through the barrel of the gun. Once there have been discussions and agreement is reached legislation to support the position should follow. The agreement on gender parity is an example of an issue that should have been followed up with legislation.

- Which countries have not ratified the protocol?

It may be possible to release the list of countries that have ratified to the media.

- In terms of oversight and institutional design, article 11, for example, says the parliament ‘may’ do certain things. There is a difference between saying a legislature may do certain things and saying that it must do them. Will there be a process of looking at what PAP must do as opposed to what it may do? Language like this can influence the role of the parliament.

May is sometimes used to be polite but it can open legal loopholes. However, it does not stop you from doing something. It is good to note this and consider it in the revision of the protocol.

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### **Theme: Representation and access**

- If members are going to vote in their individual capacity how will representation be ensured? What are the public participation mechanisms that will confirm the quality of representation? Will systems be set up to monitor the effectiveness of systems of representation?

The issue of improving public representation and the voting systems has been raised and more needs to be done to perfect that type of oversight.

- At present people are delegated to PAP rather than elected, will there be direct elections in future? Elections on merit will do away with issues of youth, gender and others related to representation.

As parliament looks at its structure more deeply it will have to consider the question of direct elections. Only two years have passed between the adoption of the protocol and its ratification. There is no other protocol that has been adopted so rapidly. The decision was to start with representation from each state and the easiest way to achieve this was to get representation from national parliaments so that people would have a mandate from their own parliament and from their constituencies. Some representatives are facing elections at home in the near future and may lose their positions. Otherwise you face the problem of defining constituencies. For example in South Africa you would have to define five constituencies. For the time being we will use this system, which is itself democratic, while looking into the expense and the practical difficulties of constituencies for direct election.

- Will the rules of procedure accommodate a structured space for civil society to make submissions to PAP?

The rules of procedure have not been adopted yet. I will have to look at what provision has been made for bringing in the voices of civil society and other groups. We need to look at how civil society resolutions come into parliament. Many issues on the African continent are better dealt with in civil society, where most people are involved, rather than in government. We need to find a mechanism for bringing in civil society voices.

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### **Theme: Gender and youth**

- The protocol that established the parliament was fairly gender neutral. What will the parliament do to ensure that it is gender responsive?

PAP is the only body that has started with a gender concern. My own election to this important post shows an appreciation of the struggle for gender equality. It represents a change in men's minds because most of those who voted for me were men. We should not lose the gains we have made, concern for the gender issue is no longer confined to women alone. The protocol does say that we should take into account political diversity and gender balance. A wise woman told me a story about the monkey that tried to grab all the nuts on the plate and kept dropping them instead of only taking those he could manage. We have come a long way on the gender issue and we should build on that. I like to say to the women in the parliament that they are not just there to fill a quota. They have work to do. Both women and men in the parliament should not just talk about peace but should take into account the young men we are losing and the young women who are being raped. That is gender balance.

- What is the time frame for achieving gender parity?

The time frame for gender parity is not only up to the presidents who formulated the declaration. It is also up to all of us. Women need to vote in elections, put themselves forward and apply for jobs. They need to engage. More women need to come forward so that there are more options and appointments can be made on the basis of merit and not quotas. It is up to gender activists to stimulate this response.

- PAP does not seem to be addressing the participation of young people. This does not augur well for sustainability. In Zimbabwe, for example, many young people are outside the country and do not have an opportunity to express themselves democratically.
- Will there be structured space to represent the voice of youth directly in PAP?

We should look at the question of participation by the youth in the context of the democratic process. In our systems the age of voting is 18 so we have assumed that this is the age for participation. I became a representative in the East African Legislative Assembly when I was 25. I appeal to people to use my solution while they are waiting for a solution. I understand the inhibition. Older people do not like to yield their seats to younger people. But young people need to have the courage to get involved. No one will ever give you power, you have to grab it – but through the democratic process, not the gun. Young people need to get involved in organisations and political parties. We need to look at the age of people in PAP but it will not refuse people because of their age.

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### **Theme: Programmes and issues**

- From a media perspective very little is known about what the PAP is going to do. It starts on Thursday this week but what will it start with?

It would be quite surprising if people knew much about the PAP. It was only inaugurated in March and the focus has been on setting it up. But we realise that the PAP can only succeed if it is the people's institution and this is why I am spending time meeting diplomats and the media, and those attending this dialogue. Once the parliament starts its discussions people will get to know more about it.

- What will the PAP be doing in the three-week session ahead?

Adopting the rules of procedure tops the agenda for this session. Without them the parliament cannot function. The second is to arrive at a shared understanding of the role of the parliament and

perhaps to develop a strategic plan. This is a big undertaking. PAP will look at the vision and mission of the AU to inform the discussion. It will also look at the concept behind Nepad because this will help it to understand where Africa is trying to go and what it wants to achieve. It also needs to understand the vision and mission of the APRM and to look at security issues. By the end of the session we should have a parliament that understands its role, is well informed and is prepared to move forward in line with priorities on the continent.

- Despite statements that markets need to be integrated there is still extensive state control of markets, and their development is limited by state capitalism. How can one talk about a flourishing economy in Africa given this context?
- What is the collective thinking on cancelling debt in the PAP?

I have to be very careful. Some of these questions have to be addressed by the parliament. The parliament is there so that we can discuss issues like state capitalism and free trade. It will be surprising if issues of trade and debt do not come up in the next week as we discuss the vision.

- A lot of people talk about HIV/AIDS but do not get involved in the issues. We need to ensure that the leadership in programmes are properly informed on the subject or we will not be able to tackle the issues facing us on the continent.

On the question of HIV/AIDS we have to keep on appealing to people. Legislation has not worked. We appeal to individuals to take charge of their own situation. PAP cannot ignore this issue.

- Many would agree that economic issues, particularly poverty are the most pressing issues. What capacity is there for monitoring poverty and progress towards achieving the Millennium Development Goals?

Poverty is one of the biggest problems in Africa. Programmes like Nepad and other national strategies are geared to address the question. We have to avoid the trap of being another venue for seminars. We need to find a way to use our oversight role to check whether the peer review mechanism is working and that national poverty reduction strategies are being implemented. Otherwise we will just complain. Maybe we should develop an accountability mechanism.

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