



The Role of Parliaments in Conflict Management and Peace Building

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13



Research Report

The Role of Parliaments in Conflict Management and Peacebuilding

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Introduction: Terms of Reference of Research Project

1. Project Objectives

The Research Project involved a unique combination of African political leaders and (regional) democratic institutions in a groundbreaking assessment of the role of parliament in African conflict management and peacebuilding efforts, including the role of regional parliaments and the role of women's leadership in conflict and post-conflict settings.

2. Results

The outcome is a seminal Research Report document containing a comprehensive review of relevant African experiences and setting out recommendations for African policy-makers and guidelines for international assistance consisting of:

- An opening essay, outlining and analyzing the role of parliaments in conflict prevention and peacebuilding
- A thematic essay on the role of regional parliamentary cooperation for conflict prevention and peacebuilding in Africa (including regional parliamentary gender networks)
- A thematic essay on the role of women's leadership in conflict and post-conflict settings
- National Case Studies

3. Project Activities

3.1 Desk Research

In an effort to deepen the level of analysis of AWEPA's research and to maximise exchange of existing expertise per issue addressed, AWEPA engaged in a new form of partnership with relevant experts and research institutes. The objective was to develop a broader model of research cooperation as pilot project that will eventually impact other AWEPA projects.

For the research project on The Role of Parliaments in Conflict Management and Peacebuilding, AWEPA's new approach has been to regularly inform partners, research institutes as well as a unique combination of African political leaders (especially the Political Coordination Committee (PCC)¹ of the research project) and Civil Society Organisations, about developments within the research project and to systematically share final draft research documents with them (approx. 15-20 partners) for feedback. Where AWEPA felt that e.g. specific research institutes would have more adequate resources, AWEPA has sent draft documents to them for input (substantial comments were received from ACCORD, UPEACE, Danish Institute for International Studies (DII), Institute for Democracy in South Africa (IDASA) and Institute for Security Studies (ISS). AWEPA also cooperated with the European Centre for Conflict Prevention (ECCP; Utrecht, Netherlands). Through the presentation of the Research project at relevant conference, AWEPA was able to shared information within the broad European Association of Development Research and Training Institutes (EADI), International Political Science Association (IPSA) and UNDP networks.

¹ Speaker of the East African Legislative Assembly (EALA); Speaker of the Economic Community of West African States (ECOWAS Parliament); President of the Pan-African Parliament (PAP); Chairperson of the Southern African Development Community Parliamentary Forum (SADC PF), AWEPA

As expected, this transparent approach has created a constructive exchange of information about the issues under discussion. The outcome is not only an enrichment of all partners' expertise. In addition, together they also ensure that efforts are not duplicated but that in a common effort multi-faceted areas of the theme are deepened.

3.1.1 Opening Essay: The role of parliaments in conflict prevention and peacebuilding

"The New Parliamentary Peacebuilding Paradigm in Africa"

A new generation of African leaders has taken up the challenge, in the African Union (AU) and the New Partnership for Africa's Development (NEPAD), to correct the failures of past leaders and, among other things, put parliamentarians into the front seat, and perhaps eventually even in the driver's seat, of the political process. The growth in numbers and successes of democratisation processes in Africa, coupled with the changing nature of conflict itself in the post-Cold War geopolitical environment, has significantly affected the role that parliamentarians can play, and has opened the door to a new recognition of their possibilities and responsibilities, in conflict-affected countries.

In the first part of the paper, the conflict dynamics in Africa is analysed. In the second part, parliamentary strategies to address conflicts is outlined, including the greater need for women leadership and participation. The final part proposes a parliamentary peacebuilding agenda.

This paper makes the case that conflict management is possible in Africa with stronger parliamentary democracy, and that one key element of political stability is parliamentary action to implement NEPAD and achieve the Millennium Development Goals (MDGs). The chief implication of this new paradigm for parliamentary engagement is that the international community could usefully rethink its development cooperation targeting, delivery and accountability mechanisms. This paper demonstrates why parliament should be a first consideration, not an afterthought, when it comes to conflict management.

3.1.2 Thematic Essay I (Regional Case Studies): The role of regional parliamentary cooperation for conflict prevention and peacebuilding in Africa

"Regional Parliamentary Cooperation for Conflict Prevention and Peacebuilding in Africa"

Understandably, national institutions are the focus of conflict prevention and peacebuilding efforts. Conflict itself is defined in terms of state boundaries, occurring either within states or between them. Increasingly, however, the regional dimension is recognized as important, especially with regard to prevention of violent conflicts. This paper focuses on the development and practices of regional parliamentary institutions in Africa and their relevance to regional conflict dynamics. It is argued here that parliamentary dialogue and cooperation in a regional context can have particularly beneficial outcomes for peacebuilding that are not fully recognized by policy-makers.

After examining relevant experiences in Africa, the paper proceeds to draw conclusions regarding the implications for international development assistance prioritization. Regional parliaments have been disadvantaged by falling within an overlap of two policy blind-spots: regional institution support and parliamentary support. Characteristically, development policies focus mainly on national institutions, not regional, and political 'good governance' support is typically restricted to either the executive branch or to civil society, bypassing the critically important intervening layer of parliament – the elected voice of the people. In relation to conflict prevention and peacebuilding, these twin policy oversights are especially problematic.

3.1.3 Thematic Essay II: The role of women's leadership in conflict and post-conflict settings

"African Women at the Forefront: Understanding the Impact of Women MPs on Peace, Security and Decision-Making"

The binding United Nation Security Council Resolution 1325 (2000) urges all governments, UN bodies, and parties to armed conflict to make special efforts to protect the human rights of women and girls in conflict-related situations and to ensure a gender perspective in all activities related to peace-building and maintenance.

This research paper delineates the importance of gender-related work in parliament and re-emphasizes the importance of increased women's participation in decision-making positions, gender mainstreaming as well as the continuous need for capacity building programs and regional exchange among women leaders and between gender networks. The first part of this paper outlines and analyses the important advances achieved and hurdles taken in the past ten years with regard to increased women's participation in political decision-making. Realizing that the concepts related to gender issues are often misunderstood and misused, the second chapter clarifies the opportunities, challenges and pitfalls of gender concepts for parliamentary work and peacebuilding. By looking at the African experiences of the past ten years, women's competence trends, strongly marked by the high prevalence of conflict and the HIV/AIDS pandemic, are identified. An analysis of gender roles in conflict will show the importance of gender-awareness and mainstreaming for MPs' conflict management and peacebuilding work, men and women alike. Finally, the last part of this paper, makes a start in tracking national and regional milestones of women's leadership in Africa. To conclude, recommendations are made for donors and Members of Parliaments, emphasizing the continuous need for capacity building efforts around women's empowerment and gender awareness raising among men and women in parliament.

3.1.4 National Case Studies:

National conflict analysis Case Studies were prepared by AWEPA staff, using a conflict analysis methodology as background document, developed by the Clingendael Institute with some input from SIDA and adapted to AWEPA's needs. The aim of the Case Studies was to find out what parliaments have done in conflict situations, what they could have done and to develop recommendations for the future.

- Ø Congo-Brazzaville
- Ø DRC
- Ø Lesotho
- Ø Mozambique
- Ø Somalia
- Ø The Sudan

UNDP worked on a similar project: "Initiative on Strengthening the Role of Parliaments in Crisis Prevention and Recovery". A cooperation agreement was made to share research outcomes, which means that the following Case Studies were made available through cooperation with UNDP:

- Ø Burundi
- Ø Rwanda

4. Program Activities

During the timeframe of the programme, the desk research was supplemented with various activity types: workshops, conferences and meetings, in which issues at hand or research results could be shared and discussed, and where stakeholders could be interviewed. Outcomes were integrated into the research report.

4.1 Program Activity Types

AWEPA has been fortunate to work in close cooperation with leading partners in Africa. While critical expertise of African partners used to be called in more on a one-off basis, in the past few years AWEPA has developed a more systematic approach of integrating experts' feedback into programme monitoring and development.

Specific Steering Committees are established, with representatives relevant to the

respective AWEPA programmes. In an effort to promote regional exchange and the growth toward a more Pan-African cooperation, while working with many national parliaments, AWEPA has always put emphasis on the strengthening of regional parliaments. Therefore, regional parliaments' representatives always constitute the basis of the committee membership, as they ensure the inclusion of a wider representation. The Political Coordination Committee (PCC) for the AWEPA The Role of Parliaments in Peacebuilding and Conflict Management in Africa Research Project, met three times to be informed about and to comment on the programme developments and draft research products.

Other members of Parliament, UN agencies and parliamentary associations and experts were regularly invited where appropriate, to contribute to and participate in the programme.

In addition, Regional Consultation Workshops and Regional Dialogue Activities were organized in the timeframe of the program, to enable MPs from all parts of Africa and Europe to discuss issues related to conflict management and peacebuilding. Finally, Consultation Missions allowed AWEPA staff to conduct interviews with main stakeholders and to participate in several conferences dealing with the research report topics to deepen the analyses and exchange information with experts. Research papers were shared on numerous occasions, and feedback was incorporated.

4. 2 Timeline of Activities (Planned and project-related (in italics))

2005

17 January	Regional Dialogue Activity I: 1 st Political Coordination Committee (PCC) Meeting, Nairobi, Kenya
14-16 April	Regional Consultation Workshop I: Parliamentary Democracy and Peace in the Great Lakes Region Conference, Nairobi, Kenya
May	AWEPA briefed the European Centre for Conflict Prevention (ECCP) about the research project in preparation for their conference on Civil Society consultation and parliamentary cooperation "Towards a Global Conference on the Role of Civil Society in Prevention of Armed Conflict and Peacebuilding", UN Headquarters, 19-21 July, New York, USA
12-13 May	Regional Consultation Workshop II: Conflict Management and Gender Perspectives: The Role of Regional Parliaments, Abuja, Nigeria
7-8 June	Consultation Mission I: Presentation of the Research Project at the Wilton Park Conference: Promoting Good Governance and Development in Conflict-Affected Countries: The Role of Parliament and Government
20-22 July	Consultation Mission II: UNDP-IPU Study Group Meeting: Parliaments in/after Conflict, Geneva Switzerland
8-10 August	Consultation Mission III: Regional Parliaments Speakers Meeting, Lusaka, Zambia. Interview with ECOWAS Speaker, SADC PF former and new Chairperson
9 September	Regional Consultation Workshop III: Special Thematic Workshop On Conflict And AIDS, Lilongwe, Malawi
21-22 September	Consultation Mission V: International Expert Workshop Project Series "Development and Failing States: From Individual Action to a Common Strategy? EU policy on sub-Saharan Africa, Bonn, Germany: Presentation of Paper about Conflict in Lithuania
21-24 September	Consultation Mission IV: European Association of Development Research and Training Institutes (EADI) Conference "Insecurity and Development: Regional Issues and Policies for an Independent World", Bonn, Germany: Presentation of Opening Essay
21 October	Regional Dialogue Activity II: 2 nd PCC Meeting in London during the European Parliamentary Seminar; Opening essay and ToR were discussed
15-16 December	Presentation of Opening Essay at Consultative Dialogue Workshop: Consolidating Peace and Democracy "The Role of Parliament in promoting national Unity and Global Security" organized by the Dutch Ministry of Foreign Affairs, The Hague, The Netherlands

2006

January	UNDP – IPU Global Conference on Strengthening Parliaments in Conflict/Post-conflict Situations, Geneva, Switzerland
January	Consultation Mission VI: Visits to Southern Africa Development Community Parliamentary Forum (SADC PF), Pan-African Parliament (PAP), KwaZulu Natal (South Africa) Parliaments and to various collaborative partners
27-28 February and 1 March	Regional Dialogue Activity III: Regional Parliamentary Conference: "The Role of Parliament and Parliamentarians in Addressing Small Arms, Conflict Prevention and Justice in Africa", Dakar, Senegal
19-21 April	Consultation Mission VII: UNDP Donor's Conference: Initiative on Strengthening the Role of Parliaments in Crisis Prevention and Recovery, Brussels, Belgium
24 May	Regional Dialogue Activity IV: 3 rd PCC meeting in Cape Town during AWEPA European Presidency seminar
9-13 July	Consultation Mission VIII: Presentation of Research Paper "African Women at the Forefront: Understanding the Impact of Women MPs on Peace, Security and Decision-Making" at International Political Science Association (IPSA) World Congress: "Is Democracy Working?", Fukuoka, Japan

5. List of Partners

During the course of the project the following partners were regularly informed about project developments:

- The Political Coordination Committee (PCC), which consist of:
 - Speaker of the East African Legislative Assembly (EALA)
 - Speaker of the Economic Community of West African States (ECOWAS Parliament)
 - President of the Pan-African Parliament (PAP)
 - Chairperson of the Southern African Development Community Parliamentary Forum (SADC PF)
- Civil Society Organisations, Research Institutes and International Organisations:
 - African Centre for the Constructive Resolution of Disputes (ACCORD)
 - Centre for Human Rights UPEACE
 - Commission on Africa
 - DCAF (Centre for Democratic Control of Armed Forces)
 - DII (Danish Institute for International Studies)
 - EADI (European Association of Development Research and Training Institutes)
 - ECCP (European Centre for Conflict Prevention)
 - EU-funded African Peace Facility (European Commission/Directorate General Development)
 - IA (International Alert)
 - Institute for Democracy in South Africa (IDASA)
 - IDEA (International Institute for Democracy and Electoral Assistance)
 - Institute for Security Studies (ISS)
 - North Africa Institute
 - Nairobi Peace Initiative
 - Southern African Defence and Security Management Network (SADSEM)
 - Saferworld
 - UNDP
 - USAID
 - University of Western Cape: School of Government
 - World Bank

AWEPA would like to express its profound appreciation to the Danish Ministry of Foreign Affairs (DANIDA) for making this research project possible. AWEPA is also extremely grateful to the members of the PCC, the partners and collaborative organisations in this project. Without them, it would not have been possible to achieve these results.



[S]uccessful post-conflict rehabilitation of the affected countries is a condition for achieving effective development results, as there is no development without peace, no peace without reconciliation, no reconciliation without democracy and no democracy without justice

[S]uccessful post-conflict rehabilitation, including effective poverty-reduction strategies and measures in the framework of the global fight against poverty contributes to the global fight against terrorism
ACP-EU Joint Parliamentary Assembly²

I. The New Parliamentary Peacebuilding Paradigm in Africa

Abstract

A new generation of African leaders has taken up the challenge, in the African Union (AU) and the New Partnership for Africa's Development (NEPAD), to correct the failures of past leaders and, among other things, put parliamentarians into the front seat, and perhaps eventually even in the driver's seat, of the political process. The growth in numbers and successes of democratisation processes in Africa, coupled with the changing nature of conflict itself in the post-Cold War geopolitical environment, has significantly affected the role that parliamentarians can play, and has opened the door to a new recognition of their possibilities and responsibilities, in conflict-affected countries.

In the first part of the paper, the conflict dynamics in Africa will be analysed. In the second part, parliamentary strategies to address conflicts will be outlined, including the greater need for women leadership and participation. The final part proposes a parliamentary peacebuilding agenda.

This paper will make the case that conflict management is possible in Africa with stronger parliamentary democracy, and that one key element of political stability is parliamentary action to implement NEPAD and achieve the Millennium Development Goals (MDGs). The chief implication of this new paradigm for parliamentary engagement is that the international community could usefully rethink its development cooperation targeting, delivery and accountability mechanisms. This paper demonstrates why parliament should be a first consideration, not an afterthought, when it comes to conflict management.

Keywords: parliament, peacebuilding

² ACP-EU Joint Parliamentary Assembly: ACP-EU 3754/05/fin. Adopted by the ACP-EU Joint Parliamentary Assembly on 21 April 2005 Bamako (Mali)

Introduction

The international development community seems to have discovered parliamentarians, at long last, at the intersection of collective efforts to help democratize and develop Africa. At the forefront, a new generation of African leaders has taken up the challenge, in the African Union (AU) and the New Partnership for Africa's Development (NEPAD), to correct the failures of past leaders and, among other things, put parliamentarians into the front seat, and perhaps eventually even in the driver's seat, of the political process. At seemingly the ideal moment, a plethora of parliamentary handbooks, toolkits and guidelines has emerged around the turn of the century (see annex), in recognition of what parliamentary bodies have been insisting for quite some time: without a central role for parliaments, lasting peace and prosperity in Africa will be an illusion.

The growth in numbers and successes of democratisation processes in Africa, coupled with the changing nature of conflict itself in the post-Cold War geopolitical environment, has significantly affected the role that parliamentarians can play, and has opened the door to a new recognition of their possibilities and responsibilities, in conflict-affected countries. The increased presence of intrastate conflicts in Africa has led to a reassessment of the roles different actors can play in preventing and resolving hostilities, bringing parliaments into more prominence as forums for debate of contentious issues with a potential for contributing to peacebuilding processes. This newly perceived importance of parliament stems partly from the new respect gained by parliamentary institutions as a result of a wave of democratization in Africa.

Africa, through its own leadership, must solve its own problems and take its destiny in its own hands. This is the AU and NEPAD message. The cooperation of the international community will be required in relation to the issues extending beyond Africa's borders (such as aid, trade, debt relief and transnational corruption), but the message is clear: that parliamentarians stand ready to take up a new and exciting role as champions for human rights. Their single most enticing challenge as an antidote for bad leadership, is to be the voice of the people in poverty reduction, conflict prevention and peacebuilding efforts. Parliamentarians are more conscious than ever of their responsibility to create an environment conducive to long-term sustainable relationships that don't spiral into violent conflict. All they lack are the resources to play this role. The international donor community has, however, encouragingly, begun to realize the added value for their other investments of having a parliamentary capacity building component in their assistance programmes.

This paper will make the case that conflict management is possible in Africa with stronger parliamentary democracy, and that one key element of political stability is parliamentary action to implement NEPAD and achieve the Millennium Development Goals (MDGs). Issues of capacity will be returned to in the final section. The chief implication of this new paradigm for parliamentary engagement is that the international community could usefully rethink its development cooperation targeting, delivery and accountability mechanisms. Parliament should be a first consideration, not an afterthought, when it comes to conflict management.

1. Conflict Dynamics in Africa

African leadership has had to weather the successive storms of slavery, colonialism, Cold War cronyism and foreign-supported tyranny. However, the African Union has emerged with its home-grown NEPAD plan, and has established a Pan-African Parliament to provide oversight and advice. As called for in the AU's NEPAD programme, good political, economic and corporate governance are the basic building blocks for harmony and development in Africa. Where they are weak and inadequate, parliamentarians will need to play a key role in strengthening and maintaining them. How they can make this important contribution to conflict prevention and peacebuilding depends on the type of conflict dynamics in a given national or regional context.

By definition, conflict is found wherever competing and mutually-exclusive interests are present. Virtually everywhere, conflict is therefore a naturally occurring phenomenon. It is important to keep in mind that violent conflicts only constitute a fraction of all existing conflicts in society and that conflicts are a natural part of interaction and are necessary for positive social change. Root causes for violent conflict might have been festering from a long time, but they do not necessarily need to lead to it. Exacerbated by a sudden shock such as natural disaster, rapid economic decline or human rights violations, there is a heightened change for violent conflict to unleash (Bengtsson 2005; 35-36). The challenge is to detect the roots of conflict and to productively mediate between conflicting parties so it does not come to violent conflict. The ability of political and social institutions to deal with or assist with the use of violence is central. This is where parliaments can make a central contribution.

Where competing interests are coupled to a lack of respect, conflict turns ugly. Examine any of Africa's past or present conflicts, and one finds an atrocious lack of mutual respect: for human dignity, for human rights, for women, for parliamentary process and institutions, for minorities, for governing or opposition political parties, for refugees and displaced persons, and for neighbouring countries and their citizens. Without respect for each other and for their most basic rights, human beings can become inhuman. War is primarily the domain of men, and it is hard not to be disgusted by the depravity and atrocities that men are capable of, especially when conflict gets out of hand.

Most conflicts in Africa occur within countries, not between them. Evidence suggests that internal conflict is related to poverty, that a society's vulnerability to conflict goes up as poverty increases and persists. Statistically, there is a strong negative correlation between outbreaks of violent conflict and per capita income (UN 2005; 146). The OECD has identified a number of triggering or accelerating factors that can result in an escalation of pre-existing tensions into violent conflict (Grandvoinnet 1998; 18):

sustained economic decline

- changes in degree of internal cohesion
- shifts in control of central authority
- change in distribution of political power
- external interventions and arms shipments
- large movements of people and capital.

In the context of work to achieve the MDGs, the World Bank, UNDP and UNICEF, among others, have come to realize that parliamentarians are key players in poverty reduction and political stabilization strategies. Helpful resources, such as handbooks (see annex: bibliography of Handbooks), have been developed to assist in the parliamentary response, and indications are that donors may also be leaning toward parliamentary assistance packages in this area.

Another recognized area of intrastate conflict generation is related to elections. Contentious electoral processes may see violence erupting during the campaign period or, more commonly, after the results come in and the losing party (or parties) refuses to accept them. Elections, the showcase of democracy, can instigate war or peace. The Southern African Development Community Parliamentary Forum (SADC PF) established a Conflict Management Advisory Group (CMAG), which, based on the Norms and Standards for Elections in the SADC Region, has identified a number of root causes to election-related conflict (SADC PF 2004):

- unfair or inappropriate electoral systems
- archaic constitutional and regulatory arrangements
- misuse of state resources in campaigns
- biased composition of electoral management bodies
- unresolved or unaccepted electoral dispute settlements
- media misrepresentation and bias
- violations (or absence) of codes of conduct.

The SADC PF has also proposed parliamentary intervention strategies and action areas for pre-election, election-phase and post-election conflict flashpoints. Parliamentary goodwill missions in conflict-affected areas are seen as an important option to promote regional parliamentary solidarity with democratic forces, as are regional parliamentary electoral observer delegations. Regional parliamentary peer pressure can help to stifle non-democratic tendencies and open new possibilities for effective parliamentary action. A SADC Handbook: Handling Election-Related Conflicts was called for at the CMAG meeting of July 2004, and was prepared by SADC PF for publication in 2005.

Where an election result is not accepted by dissenting parties, they may boycott or inadequately participate in subsequent parliamentary processes, fuelling tension and perpetuating conflict further. This reduces the possibility for achieving a national consensus on approaches to poverty reduction, and can usher in a period of heightened vulnerability to the emergence or return to violent conflict on the part of minority parties and marginalized groups. Often conflict results in economic damage not only for the country concerned but for its neighbours also.

Inter-state conflict in Africa has a far higher potential to erupt where dialogue is absent and cross-border tensions are high. According to the Saferworld/International Alert report Developing an EU strategy to address fragile states (Alexander 2005; iv.), there is strong links between security, governance and development. Maintaining political dialogue with fragile states on a regional level, or inter-regional, can be an effective prevention mechanism.

The colonial-imposed boundaries frequently detract from nation-building and national economic coherence. The conflict in the DRC at one point involved in one way or another forces from nine different countries. In such circumstances, there is an even greater need for progress on regional economic integration and regional political dialogue. Both can be realized by an active parliamentary peace agenda.

2. Parliamentary Strategies to Address Conflict

This section draws on the framework developed in the Millennium Project Report 2005 for country-level processes to achieve the MDGs, with special reference to countries affected by conflict (UN 2005; 183-189). Within this framework, three areas of attention are presented:

investing in conflict prevention, countries in conflict, and countries emerging from conflict. The basic tenet of this work is that contained in the Millennium Declaration (2000), namely that peace and security are fundamental for eradicating all forms of poverty. The inverse is also true, that the long-term vision of development provided by the MDGs can be effective in promoting stability and buy-in of dissident and (potentially) violent groups. The Report of the UN Secretary-General's High-Level Panel on Threats, Challenges and Change (UN 2004) addresses the following clusters of threats to international security:

- wars between and within States, including large-scale human rights abuse
- poverty, infectious disease and environmental degradation
- nuclear, radiological, chemical and biological weapons
- global terrorist networks and transnational organized crime.

The Report places an emphatic priority on prevention, and stresses:

“Development has to be the first line of defence for a collective security system that takes prevention seriously. Combating poverty will not only save millions of lives but also strengthen States' capacity to combat terrorism, organized crime and proliferation. Development makes everyone more secure” (UN 2004).

In regard to internal, intra-state conflicts, it is advisable that the increased provision of investments, services and infrastructure needed to achieve the MDGs occur on an equitable basis, and that attention be given to the needs of minorities, marginalized regions and, where relevant, victims of human rights violations, former combatants, refugees and internally displaced persons. The Millennium Project Report cites five areas of investments that can help prevent conflicts:

- conflict early warning systems
- equitable poverty reduction strategies
- participatory decision-making structures
- transparency in flow of public revenues, and
- investments in state security capacity.

Within each of these five key areas, parliamentarians will ideally play a central role. The details of such an agenda will be outlined in the following section. Here it is important to stress the blind spot that is common in the crafting of such measures. While much is often made of the need to provide 'political space' for marginalized communities to express their grievances and aspirations, this is often cast as the exclusive role of civil society organizations - and the role of parliamentarians is subsumed under 'government'. As examples from parliamentary development programmes have repeatedly attested, it is exactly the heightened interaction between parliament and civil society that produces mutually beneficial results in respect of early warning, equitable policies, participation, transparency and security. Parliaments need to be given explicit attention, as governments cannot be counted on automatically to include them in these processes. On the contrary, governments with questionable democratic credentials tend to discourage parliamentary empowerment.

One area where parliament can assist in conflict prevention is through an equitable distribution of socio-economic development across regions and communities, through income and opportunity distribution policies using the national budget. Parliaments in Africa are often not in a position to pro-actively intervene in budgetary reallocations, for example on opportunities for education and employment, even though it is their constitutional responsibility to approve the budget. This is an areas where parliaments need specific skills development and institutional strengthening to play a greater role.

Confidence building measures are also required to improve relations between ruling and opposition parties. Transparent decision-making structures, such as on electoral processes, and enabling parliamentary committees to hold all-party debates on key contentious issues, can make the difference between a spiral down into violence or up into a multi-party consensus on national priorities. This is especially the case when new threats emerge to challenge a nation's (or a particular group's) prospects.

Currently the biggest and most dramatic development challenge faced by Africa is the HIV/AIDS pandemic and its immediate impact, which is creating orphans in numbers unprecedented in human history and threatening the survival and future of these and millions of other vulnerable children. The UN (Webb 2005) estimates that in 2005 some 15 million children in sub-Saharan Africa have been orphaned by AIDS, and that by 2010 there will be some 50 million orphans in this region by all causes, of which about half caused by AIDS. By the end of 2003, already 15% of all children in sub-Saharan Africa were orphans. Of these, 55% are adolescents, many with behavioural and depressive disorders after witnessing the slow, painful death of one or both parents, and often of siblings. These children are, in relation to non-orphans of their generation, on average more undernourished, undereducated and excessively vulnerable to sexual and other exploitation, including as sex slaves and child soldiers.

To make matters worse, only 3% of orphans and other children made vulnerable by HIV/AIDS are being supported by efforts of the international community. This is a global policy failure, with national implications. Ministries dealing with children and AIDS are characteristically the weakest, and African Heads of State pledges to devote 15% of the annual budget to health have not been met. UNAIDS, UNICEF and AWEPA produced a parliamentary toolkit *What Parliamentarians Can Do About HIV/AIDS: Actions for Children and Young People* (AWEPA 2003), which has been introduced in a number of parliaments and translated into several local languages (AWEPA 2004). With more funding, more could be accomplished. A parliamentary action plan on orphans has been developed (Cape Town Declaration) (AWEPA 2004b), but Africa's parliamentarians still lack the resources to implement it properly.

Another aspect of managing conflict is civil control of the armed forces and police, including the oversight of military budgets and military involvement in politics. This is an area where parliament can (if sufficiently resourced) and should play a leading role, to ensure alignment with national priorities. During conflicts, parliaments can act to provide transparency in the diversion of government finances toward military efforts, and they can interact with international donors to ensure that humanitarian assistance is targeted in an equitable way. Consideration also needs to be given, in open and inclusive parliamentary debate, to the implications of internal and cross-border migration, and to the needs of women who are at risk of sexual violence, HIV infection and psychological damage from wars. International peacekeepers can play a more effective long-term peacebuilding role, when they engage with various political (parliamentary and extra-parliamentary) parties and diaspora at an early stage, rather than waiting for the ink to dry on the accord first.

An example of the role of parliament in ending conflicts was given in the Pretoria peace negotiations for Ivory Coast. The morning after the peace accord³ was signed, Prime Minister Seydou Diarra presented the results to the plenary session of the Pan-African

³ Ivorian factions agreed to stop fighting and begin disarmament. The deal, signed in Pretoria, was mediated by South African President Thabo Mbeki on behalf of the African Union. Under the deal, militia groups operating in the country are supposed to be dismantled.

Parliament (7 April 2005). The following main elements of the accord were listed as having a direct relevance to the parliamentary process:

- all-party political cooperation and dialogue would need to continue to fuel the ongoing negotiation process
- cross-party confidence-building measures were needed if the disarming of militias was to succeed
- complicated logistics were being worked out for militia regrouping centres and planning for security and police redeployment
- parliamentary and presidential elections were being prepared for later in 2005, with international mediation
- a number of Bills were being prepared for swift adoption by a new National Assembly to guide issues in the electoral and peace processes
- among these the funding of political parties, including an equal amount for the ruling and the main opposition parties, was still being prepared.

Ambassador Mongella, the President of the Pan-African Parliament (PAP), interpreted the presence of the Ivorian leader as an indication of a new respect afforded parliament by African leadership. She pledged that the relevant PAP Committees would give proper attention to the implementation of the Pretoria Accord, and saw the process as an example of how Africa was more able than in the past to solve its own problems.

The role of parliamentary committees is especially important in the post-conflict period. As societies emerge into a new understanding for the future, parliamentary committees can help to bring the conflict from the realm of individual personalities and groups of people, into the realm of ideas, policies and proposals for the future. Simply by allowing the disadvantaged and minority parties to express their grievances in open debate can act as an important pressure-release valve and cross-party confidence-building measure. This is especially so if the debate is part of a learning process whereby members of competing parties move from a position of sworn enemies to one of political adversaries, from shooting to shouting. The Mozambican political context in the aftermath of the 1994 transitional multi-party elections is a case in point.

The SADC PF has established a Conflict Management programme that proposes conflict early warning and mitigation mechanisms and includes the following activities (SADC PF 2004):

- establishing databases and institutional memory of election-related conflict
- training parliamentarians and staff on mediation and peacebuilding
- preparation of materials for conflict prevention in upcoming elections
- conduct ongoing pre-election assessments and stakeholder consultations
- coordinate and collaborate with conflict management organizations.

These actions are vitally important because, as the World Bank has established, "countries emerging from conflict show a 44% tendency to relapse into conflict within the first five years" (UN 2005; 187). The post-conflict setting requires significant investments to reconstruct war-torn areas, resettle refugees and internally displaced persons, and reintegrate former combatants, as well as to rebuild the basic infrastructure in education, healthcare and transport. Government capacity also needs rebuilding, and special attention must be given to the parliamentary process in order to prevent reversals.

According to the Millennium Project Report, the priority for successful peacebuilding is an early and sustained investment in a long-term MDG-based development framework, with attention for healthcare services, education and income-generating opportunities. Also, in the aftermath of armed conflict, the weapons need to be collected and destroyed. Experience from the Great Lakes region of Africa demonstrates that government decrees

alone are insufficient to make a success of small arms reduction programmes. In order to implement the Nairobi Declaration on small arms reduction, which sat on a shelf for four years after government signature, it was necessary for parliamentary action to be taken. This work was coordinated in a UNDP-AWEPA programme, that not only developed a special handbook (AWEPA 2004c), but launched it in multi-party political forums and introduced it in both national and regional parliamentary workshops, followed by stimulation and monitoring of parliamentary action on e.g. harmonization of legislation. This was incorporated into the Nairobi Parliamentary Action Plan for Peace in the Great Lakes Region (AWEPA 2005b), and helped secure a joint DRC-Burundi-Rwanda parliamentary arms reduction initiative.

The UN Secretary General's Special Representative for the Great Lakes Region, Ibrahima Fall, speaking at the AMANI/AWEPA conference on Parliamentary Democracy and Peace in the Great Lakes Region, 14-16 April 2005, stated that parliament has the power to declare war, but asked whether parliament can declare peace. Parliamentarians, he said, are very important for preventing conflicts, by being an early warning mechanism to draw the executive's attention to growing tensions in local constituencies and communities in different parts of the country. Parliamentary committees need parliamentarians to function as peace actors and demonstrate good neighbourliness. He expected that parliaments would need to ratify the Security, Stability and Development Pact coming out of the International Conference on the Great Lakes Region (ICGLR) process, to make it legally binding, and that the region's parliaments would be an important monitoring mechanism so that the Pact is respected and implemented.

In the regional context, confidence and security building measures are important. Although often not part of the formal regional defense and security apparatus, parliamentary dialogue improves information flow and transparency and contributes to a more accountable security establishment, by bringing it under clear democratic (parliamentary) control.

In the first meeting of the Technical Thematic Task Forces of the joint UN/AU Secretariat of the ICGLR, a number of priority projects were identified, including in the area of good governance, such as:

- establishment of a regional centre for democracy, good governance and human rights
- setting up of a regional anti-corruption mechanism
- setting up a regional forum of parliaments
- creation of a regional civic education centre
- establishment of a regional mechanism on gender equity, and
- setting up a multi-functional regional centre for youth.

Special attention will be given to the empowerment of women, youth, persons with disabilities, indigenous peoples and marginalized groups. This is an active conflict prevention and peacebuilding agenda that requires full parliamentary engagement. Ambassador Fall has contended, at the above-mentioned parliamentary conference, that parliamentarians can be taken up by their governments, as experts, in the ICGLR Technical Task Forces, and he strongly welcomed parliamentary pressure on governments to put members of parliament, including women, into their delegations. Other leaders called for gender norms for such delegations, and for sanctions (as in the IPU) on non-compliant delegations.

The introduction of women candidate quotas is a controversial issue, yet Africa is now at the forefront of women representation in parliament with 48.8% in Rwanda, even surpassing the Scandinavian countries; Mozambique (30%) and South Africa (29.9%) are

among the 13 highest ranking countries; 9 out of those have ruling parties that set quotas for women candidates (Ballington 2004; 11). The 11 countries that have achieved the 30 percent target have all used quotas (UNIFEM 2003). Quota systems, like all affirmative action tools, should be seen as temporary measures. Once equal representation is ensured and gender is mainstreamed they might no longer be necessary. When attempting to increase women's participation several factors must be kept in mind: The main argument is based on the simple right for women to be there. Women constitute half the population and should therefore be equally represented in decision-making positions. Another approach is that women have a different set of experiences and therefore different perspectives and needs that must be brought to the decision-making table. However, it must be acknowledged that not each woman representative will engage in women's rights activism. It must therefore be avoided that quotas are translated into 'token candidates'.

Also, women who enter national parliaments tend not to be drawn from the ranks of the poor in any part of the world and there is no guarantee they will be more responsive to the needs of the poor (Kabeer 2003). Similarly, it is often ignored that women also represent minorities and ethnic groups and that these women can experience three times the discrimination other women experience (UNDP 2002; 10). Gender mainstreaming will not only occur by simply increasing the number of women decision makers. A critical mass of leaders, men and women, must be built that places social justice and equality at the centre of its work (Anderlini 2000; 56). An encompassing gender perspective and analysis for instance also seeks to take children's (boys and girls), elders' and men's societal roles into consideration. Parliament should attempt to reflect society in a microcosm so that all interests are represented. Conflicts can not be solved without the participation of all concerned.

In the end, peace is sustainable only in a context where the legitimate grievances of the people are aired and listened to in the halls of power, in parliament and government. A strong civil society must be able to articulate the concerns of the people, and parliamentary structures must be in place to engage with constituent and other groups. Civil society organizations cannot on their own assure effective leadership in these processes, but once engaged in the parliamentary process they are bound to succeed in being heard, and listened to. Parliament-civil society relations is, as yet, an underdeveloped aspect of democracy support programmes.

In terms of cross-border conflict, regional parliamentary dialogue and networking can be a crucial element of sustainable peace. Sharing experiences and good practices between parliamentarians from countries with different historical background and systems has proven effective for mutual learning. In the context of conflict prevention, regional parliamentary institutions (SADC PF, East African Legislative Assembly, ECOWAS Parliament) can play an important role in confidence-building measures via parliamentary diplomacy and exchange of information and experience. Regional parliaments debate protocols, observe elections, and can assist in harmonization of legislation, for example on small arms reduction and arms trafficking.

Building trusting relationships between adversarial stakeholders, particularly among parliamentarians of different political parties and persuasions, is at the core of peacebuilding activities. As the World Bank points out: "formal regional institutions promote regional dialogue, build confidence and facilitate learning between members of a region, whilst helping to mediate disputes and provide a neutral space for dialogue" (World Bank Institute 2004; 16). The most promising new development in African inter-parliamentary relations is the establishment of the Pan-African Parliament (March 2004), which initiated a programme

of peacebuilding missions with its first delegation to Darfur in 2004. The PAP intends to monitor and advise on all AU peacekeeping operations, if resources allow.

Regional parliamentary networking among women parliamentarians has also been of pivotal importance in bringing the concerns of women onto the development and conflict management agenda. Examples include the SADC Regional Women's Parliamentary Caucus and the Network of Central African Women Parliamentarians (RFPAC). The following results have been achieved by RFPAC members over the last few years:

- increased knowledge of experiences of women in parliament
- strengthened debating skills of women parliamentarians
- prioritization given to social issues and MDG attainment
- networking skills and avenues developed for assisting peacebuilding
- women's role in DRC/Burundi/Rwanda peace process heightened
- growth in respect of male colleagues for status of women members
- women members became more vocal and prominent on key issues
- Rwandan women's caucus and Nordic networking assisted in achieving the world record 48.8% of women members in Rwandan Parliament.

Other networks in Africa have been developed, for example, around HIV/AIDS (SADC PF), corruption (GOPAC), and NEPAD (Parliamentary Contact Group on NEPAD, NEPAD Parliamentary Forum). Representing divergent groups in different parliaments, these networks have the advantage of multi-party membership and create thereby an additional avenue for cross-party dialogue on issues of common interest and concern, that can be extremely useful in countries and regions at risk of heightened political tensions and conflict. Strengthened by ongoing dialogue with regional and continental colleagues, parliamentarians can be more forceful in holding negligent governments to account for human rights and democratic principles. A natural progression should be a focus within the African Peer Review Mechanism (APRM) on parliamentary responsibilities.

3. Parliamentary Peacebuilding Agenda

In order for parliaments to function as effective instruments for peace, certain pre-requisites must be fulfilled. Among these are:

- a transparent electoral system that secures a fair representation of different views and interests within the population
- a constructive relationship between the governing party and a credible opposition, based on mutual respect and respect of minority rights
- conditions that facilitate a smooth transfer of power when demanded by the voters, including possibilities for the opposition to prepare for governance
- open contacts and communication between parliamentarians and constituents, including freedom of association and active engagement with civil society.

With these preconditions met, parliament can function as an insurance policy against violent conflict and an early warning mechanism. With these conditions unmet, a badly functioning parliament will likely be a catalyst for conflict, lacking inclusive representation, unfairly distributing budgetary resources and unwittingly contributing to political instability and the spiral into dissension and violence. A practical peacebuilding strategy enables parliament to defuse the structural causes of conflict, for example, by securing a broad participation of women in political life, passing legislation to secure minority rights, and monitoring the implementation of poverty reduction programmes.

This paper proposes four main aspects of a parliamentary peacebuilding agenda for Africa: escaping from the poverty trap; valuation of women's leadership; transformation of constituent relations; and putting an end to corruption, impunity and abuse of power. This approach does not assume that Africa is suffering from a governance crisis, but rather concurs with the Millennium Project Report's assessment that "Africa's governance is on par with other regions at comparable income levels" (UN 2005; 146). This is not to say that African good governance is fully on track, it is not. It needs more resources for parliamentary training, information and communication systems, strengthening committees, electoral processes, and the like.

In reducing poverty, Africa has a number of structural disadvantages to overcome. The Millennium Project Report (UN 2005; 146) mentions five key factors that make Africa the most vulnerable region in the world for a 'persistent poverty trap':

- very high transport costs coupled with small markets
- persistent low-productivity rain-fed agriculture
- very high burden of tropical and other diseases
- historically adverse geopolitical position
- very slow adoption of foreign technology.

If these issues are all to be dealt with properly, parliament must have a bigger role. Although parliaments in Africa have been under-represented in terms of involvement in the Poverty Reduction Strategy process (PRSP), a number of key actions can be taken by parliament, as outlined in the following key sources:

- Parliaments and the PRSP Process, World Bank Institute
- Handbook on Parliamentarians and Policies to Reduce Poverty, Parliamentary Centre, WBI
- PRSPs in Africa: Parliaments and Economic Policy Performance, Parliamentary Centre, GTZ
- Helping Parliaments and Legislative Assemblies to Work for the Poor, DFID

The national budget is a starting point for attention to persistent poverty in any country. When public resources are used to the advantage of one group over another, friction results. An unfair budget that persistently neglects the needs and interests of a group of stakeholders can generate conflict. A parliament which rejects certain expenditures, such as for military and defense expenditures, can free up revenue for use in the satisfaction of other priority development objectives and thereby contribute to a proper management of the distribution of resources. Compliance with international principles of the public expenditure management in national budgeting processes is something that parliaments can monitor and promote, especially as they apply the security services.

Parliamentarians can do much more to support PRSP processes, such as: ensuring legislative compatibility; educating the public about PRSP programmes; and monitoring PRSP progress. Political parties, both government and opposition, are recommended to prioritise their party platforms with NEPAD and MDG-based objectives, thereby focusing the national debate on a positive development future when peace is sustained. The Parliamentary Contact Group on NEPAD undertook a detailed training exercise on development of NEPAD national action plans, at an AWEPA regional parliamentary workshop in the South African Parliament on 22 September 2004. Additional resources are required to expand and deepen this work.

The role of the opposition can be fundamental to the encouragement of political participation that is part of the peacebuilding agenda. Opposition parliamentarians can act

as intermediaries, initiate confidence-building measures, and start to create an enabling environment for governmental interaction to diffuse acrimonious situations. Often a neglected peacebuilding tool, opposition parliamentarians, when given the chance, can function as a bridge between government and conflicting parties. The contentious issue of political party funding is another aspect that can have a positive or negative impact on the enabling environment. When groups in society do not benefit from national revenue, and when they are excluded from avenues to get their views heard, there is no incentive for participation in the political process. Exclusion creates a potential to resort to violent means.

Parliament has the power to take affirmative action in favour of groups in society that may be disadvantaged or discriminated against, thereby reducing the socio-economic exclusion of any group and ensuring the realization of their legitimate claims to health, education, land and livelihoods. With regard to the poorest and most vulnerable, orphaned children, a parliamentary action plan has been developed by UNICEF and AWEPA (AWEPA 2003). Children and youth constitute the hope for the future – and any peacebuilding strategy should give them careful attention.

Significantly, the Millennium Project Report mentions only one overarching factor that is needed in order to make investments in improved governance and the MGDs effective: improved political representation and socio-economic status of women (UN 2005; 153). The valuation of women's leadership starts with giving women a seat at the table, whether in parliament or in peace negotiations. In 1995, the nations of the world signed the Beijing Platform for Action at the global conference on Women and Development, committing their countries to a minimum of 30% women at all levels of decision-making, including in all their parliaments, by 2005. Unfortunately, very few countries have been able to reach this target. In fact, few have even given it serious attention. As stated in *Transforming the Mainstream: Gender in UNDP*, there are two complementary approaches in achieving gender equality-mainstreaming gender and promoting women's empowerment (UNDP 2003; 8).

Do women in decision-making and in peace building make a difference?

“Acquiring peace is about trading power, and women have been chronically alienated from it....Gender equality produces better governments because the diversity of social groups are positioned at the centre of policy-making, informed and participatory set-ups are promoted, and unilateral ways of appraising human experience are eventually challenged....[I]t leads to the recognition that the differences in the position of men and women in society are connected to a gender-biased hierarchical ranking and it acknowledges their shared responsibility in removing power imbalances in society” (Pezotti 2005; 22).

How do women make a difference? Women leaders are increasingly involved in a positive capacity in peace processes, although they often don't get proper recognition of this. In *Women at the Peace Table: Making a Difference* (Anderlini 2000), several women peace advocates were interviewed to trace their experiences. No evidence suggests that women at the peace table are more committed than men to promoting the greater good of population at large, yet they more frequently arrive at the table through civil activism and therefore often are more likely to have first-hand experience of the brutal consequences of violent conflict. They come face to face with realities that are created by decisions made at the peace table. In most conflict situations, women assume expanded leadership roles in providing for their families, and sustaining community relationships and structures. The break-up of families and the wide-scale displacement of communities, economic hardship, and sexual and gender-based abuses and human rights violations are frequently the reasons for them to mobilize for peace. Because of all these very distinct experiences,

women are often the sole voices speaking out for women's rights and concerns, critically contributing to the longer term goal of women's development and equality. Similarly, they might first raise very practical issues concerning the most urgent matters securing the survival of their families and communities: access to land, health issues, education, and work.

Do women communicate differently, are they better listeners, and are they better at reaching a compromise? One has to be careful to make wide-reaching generalizations. The interviewed women were conscious of the danger of stereotyping women as 'nurturers' or inherently peaceful beings. Instead, they often linked advantages they personally benefited from for their successful peace building work to their experiences in society. It can be expected that for many their roles as mothers and caretakers for the sick and elderly, might have enhanced their people skills. While engaging in peace talks the ability to listen to and empathise with the people concerned is a very positive attribute and helps to break down barriers. For some it was therefore easier to relate to people and tackle core issues and it helped foster an environment of cooperation to ensure that the peace negotiated was 'owned' by the people who have to make it a reality in their lives.

Women parliamentarians need to be given more chances, more respect, and more resources, in order to play their peacebuilding role. They must overcome such dubious arguments against their participation as:

- international standards conflict with local culture and norms
- peace accords are gender-neutral, not needing attention to women's rights
- women leaders are not representative of the broader population
- women can be excluded as they are not involved in the fighting.

Arguments against the exclusion of women, and for the participation of women parliamentary and other leaders in peace negotiations, include the following:

- gender equity and justice give women an equal right to participate
- utility and efficiency reasoning to prevent post-conflict marginalisation
- qualitative arguments appreciating women's perspectives on inclusiveness
- women's purported greater tendency to coalition and trust-building.

Women leaders are concerned that peacebuilding yields more equitable access to land and credit, better medical and psychological treatment for women victims, lower complaint levels from local populations, and better protection of peacekeepers from the spread of HIV/AIDS. Legislative and socio-political changes that improve the status of women work to counter the root causes of conflict and terrorism.

Constituent relations is an underdeveloped part of parliamentary life in Africa. This has partly to do with the choice of electoral system. A proportional representation, party-list system does not automatically assure that parliamentarians will feel responsible for a specific constituency. Innovations have been developed for this in some countries. Some members of parliaments also have been perceived to feel themselves, suddenly after their election to office, somehow too elevated for contacts with the common citizens who voted them in, creating a perception of arrogant distancing. The point of parliamentary work is to represent the people, to be the voice of the people, to reach out to all sectors of society. When they do so, they are acting in a peacebuilding mode. When they do not, it is an indication that their public outreach and constituent relations skills need transformation.

As the World Bank has pointed out, "A democratic system requires meaningful participation and representation that integrates all groups in society – religious, ethnic, tribal, political, socio-economic and cultural groups – into the decision-making process" (World Bank

Institute 2004; 3). Through pro-active constituency engagement, parliamentarians can ensure that groups with divergent vested interests feel they have 'buy-in' and therefore have no incentive to resort to violence. When, as is inevitable, government policy choices eventually adversely affect the interests of one particular group or another, ongoing dialogue with constituents provides the opportunity to explain the rationale of prioritization in policy shifts and, for example, resource allocations, and ameliorate their concerns (World Bank Institute 2004; 3).

It is exactly in their role as representative, even champion, of constituent concerns, that parliamentarians can provide both an early warning mechanism for conflict and a rapid response facility for delivery of conflict management and peacebuilding strategies. Parliamentarians can, in fact should, be advocates for the achievement of the MDGs in their constituencies, their countries.

Ending corruption, abuse of power and impunity for human rights violations is a tall order for parliamentarians, especially when relations between executive and legislative branches are out of balance. An overbearing and dominating executive is not uncommon in Africa, nor is a weak and intimidated legislature. Nonetheless, in the power struggle between branches of government, it is imperative that parliament pulls its weight if the democratic process is to function properly. Periodic elections, which normally bring in new and inexperienced members, often do not help matters. This perpetuating weak spot is compounded when political parties and parliaments lack the resources to provide orientation and induction training for victorious candidates, as is often the case in Africa. There are three generally recognised avenues open to parliaments that should form part of their basic toolkit:

- oversight of the executive via parliamentary committees
- freedom of information and media, including in electoral processes
- alliances between parliamentarians and civil society organizations.

In order to achieve true accountability, parliaments need to be pro-active in ending corruption and providing for the independence of the judiciary. Within parliament, the rules of procedure and especially the independent role of the Speaker can be determinant in allowing for an inclusive and impartial legislative debate. A disorderly debate can bring the institution of parliament into public disrepute just as fast as the misconduct of its members can tarnish their own image and that of colleagues. Such loss of credibility threatens the possibilities for parliamentarians to be effective peacebuilders. Additional accountability mechanisms include the office of Ombudsman, Auditor General and Human Rights Commissions, which parliaments can create and monitor. Also, it must be kept in mind that the form of government (parliamentary vs. presidential system, unicameral vs. bicameral parliament (World Bank Institute 2004; 3)), per capita income levels and levels of democracy can greatly influence oversight potential. The study *Tools for Legislative Oversight: An Empirical Investigation*, concludes for example that countries with parliamentary forms of government, higher per capita income levels, and which are more democratic have a greater number of oversight tools and greater oversight potential and that while the oversight potential follows this general trend, the use of committees of enquiry, interpellations and ombudsman offices follow a different pattern⁴.

⁴ "The use of interpellations as an oversight tool is most common in high income countries, less common in low income countries and least common in middle income countries while the presence of committees of enquiry and of the ombudsman offices is most common in middle income countries, less common in high income countries and least common in low income countries".

Additional methods for holding the military accountable to civilian control are contained in the handbook published by the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and the Inter-Parliamentary Union (IPU), *Parliamentary Oversight of the Security Sector* (Fluri 2003). Some 30 specific actions, instruments and tools are listed under the following areas:

- general legislative and parliamentary powers
- budget control and approval/rejection
- peace mission and deployment approval/rejection
- military procurement policy review
- general defence and security policy involvement
- defence and security personnel policies.

It can be anticipated that these elements of potential parliamentary action will be made more explicit as the APRM reports are produced and the implementation of their recommendations begins.

The advantage of parliamentary committees in relation to conflict management is that through open all-party debate, where relevant informed by inputs from civil society, and where needed with the privacy of media absence, the conduct of ministers can be examined, disagreements can be ironed out by compromise and a new understanding and consensus can be worked out. *Prima inter pares* among parliamentary oversight committees is the Public Accounts Committee, providing oversight of the budgetary process and holding out hope for oversight of the security sector. Ideally, this committee would be chaired by an opposition party member, be open to the media, entertain submissions from civil society and actively disseminate information about government spending. An effective parliament is able to reject or amend the budget and can influence future spending patterns via a medium-term expenditure framework.

Freedom of information can be guaranteed by parliaments through appropriate legislation. This assists to create an environment of openness and trust-building, in a context where fundamental freedoms and minority rights are protected. By assuring that minority groups are not discriminated against, and that they have official channels to seek redress of grievances, parliamentarians set a framework for peace. The media can channel information to parliamentarians about social concerns, and parliamentarians can use the media as a channel to explain new policy developments. An independent and qualified media is in a position to challenge questionable policies and help hold the executive to account. This is especially the case when parliament passes a "freedom of information" act, such as in South Africa, which in 2003 led to allegations of arms trade fraud⁵.

When parliament-media relations turn sour, as is frequently the case in a too restrictive context or with biased and low quality journalism, media practitioners can be labelled as opposition supporters, fuelling tensions and conflict. Media that is no more than a government mouthpiece can be misused and shackled, also a bad portent for peace. When parliamentary-media relations are less than optimal, one recognized peacebuilding measure is to bring the legal framework into line with international standards and promote a more positive interaction with political players.

⁵ "In a major victory for exponents of open government, a Pretoria High Court has ordered the Auditor-General of South Africa to grant a private company access to thousands of documents relating to the government's controversial acquisition of Strategic Defence Packages (SDP) for arms procurement. The decision of Judge W. J. Hartzenberg is the first major judgment involving the interpretation of the Promotion of Access to Information Act 2 of 2000, the South African freedom of information law." http://www.internews.org/mra/mrm/feb03/feb03_front2.htm

Parliament-civil society relations are often complicated by a lack of impartiality among civil society groups. Unelected with no popular mandate, NGOs often champion critical causes and become identified with opposition parties and hostile groups. In such cases it is no wonder they lack the trust and confidence of ruling parties. Nonetheless, a strong parliamentary alliance with non-aligned and human rights-based NGOs can be a key asset in peacebuilding. Inputs to parliamentary committees are welcomed, constituency relations improve, public hearings and parliamentary visits to the electorate become plausible. Parliaments should therefore be pro-active in their relations with civil society, actively cultivating a two-way flow of information and adopting strategies for the establishment of a continuous policy dialogue with civil society groups (World Bank Institute 2004; 10). Parliaments often lack sufficient research capacity, which can be usefully supplemented by cooperation and linkages with relevant civil society research institutions.

In periods of reconstruction, a major challenge for a nation is how to deal with a legacy of human rights abuses. Reconciliation, or 'conciliation'⁶ as assessed in the International IDEA study analyzing the role of parliaments and inter-parliamentary bodies with regard to reconciliation in time of transition, can be greatly influenced by parliamentarians. The presence of investigations, accountability, justice and reparation are important bases for the reconstruction of a society as it will strengthen the people's trust in the new authorities. The study offers practical prescriptions for national parliaments' and foreign parliaments and intern-parliamentary associations' contributions⁷.

In the fight against impunity, when crimes become the rule, no national court system is strong enough to cope with the mass of perpetrators and other transitional justice methods are necessary. Here, National Parliaments have a very significant role to play in the advancement of reconciliation.

- They can support the establishment of truth commissions and similar bodies or fact-finding mechanisms⁸ by enacting legislation, participating in the appointment of individual commissioners, providing financial support during the commission's operational phase, implementing the recommendations contained in its final reports, since the main causes of non-implementation appears to be lack of political will, and authorizing investigative powers outside of the constitutional jurisdiction of the executive branch. Parliaments may also establish their own inquiries: parliamentary inquiries or congressional committees of investigation or other investigative bodies ranging from national human rights commissions to ombudsmen to victims' commissioners to coroners.
- As has been seen to date in countries where widespread human rights violations have occurred, mass prosecution of the perpetrators is not feasible, yet accountability for the committed crimes is necessary for the rebuilding of a sound society. National Parliaments can take the lead with regard to reparation. Actually, "most victim reparation programmes established around the world have been set up by parliaments"⁹. Here difficult choices must be made: Individual reparation such as reparation packages including health care, education, housing benefits versus cash

⁶ "Dictionary definitions suggest that reconciliation has to do with 'restoring friendly relations' and 'accepting unwelcome things'. ...Often in transitional settings the disputants have never been on friendly terms or they have never had an actual relationship. Thus it is more appropriate to employ other terms such as 'conciliation', since what is being pursued is the creation of a relationship not its restoration."

⁷ For a detailed list of the prescriptions please refer to the full International IDEA study (see reference above), pages 8-16.

⁸ "Truth commissions are temporary non-judicial fact-finding bodies....Typically, they are established and empowered by the state [and] focus on the investigations patterns as well as specific instances of human rights abuse committed during a defined period. They operate in a victim-centered fashion, and usually conclude their work by delivering a final report containing conclusions and recommendations". Ibid. p.8.

⁹ Ibid. p.11.

payments, or collective? Financial or symbolic compensation such as personal letters of apology from successor government, public memorials etc., which to date have been effected mostly by domestic parliaments?

- Often, in the wake of violent conflict, the justice system needs to be seriously strengthened and reformed to avoid a possible collapse or needs to be completely rebuilt. Corrupt and abusive officials must be removed from the public system and new institutions must be created (e.g. civilian oversight bodies, anti-corruption entities, specialized courts, ombudsmen, human rights and anti-corruption training policies and programs). Parliamentarians can initiate reform in all these areas.
- With regard to amnesties and trials, Parliamentarians have a responsibility for accountability of human rights violations. They can establish ad hoc mechanisms and special prosecutors and help protect their independence through legislation and sound budgeting. They can introduce victim-offender reconciliation programmes and other 'restorative justice' measures.

Foreign parliaments and inter-parliamentary associations can contribute to the state reconciliation process. They can serve as advisors and watchdogs. They can monitor human rights situations and dispatch fact-finding missions to report back or capacity-building missions to advise on the following specific issues:

- For the establishment of truth commissions and similar bodies, they can provide relevant documentation from the experience of other countries (e.g. specific legislation, terms of reference, rules of procedure, public hearing videos), organize local or international conferences on truth commission experiences.
- With regard to amnesties and trials, they can provide documentation on positive examples of limited amnesty or advice on how to challenge or overturn unprincipled amnesties. They can arrange for trial monitors and observers to attend particularly important cases being conducted in a transnational context.
- They can establish early warning systems, urgent action protocols, create handbooks for parliamentarians on how to contribute to reconciliation after violent conflict, adopt bilateral sanctions or urge targeted multilateral sanctions.

4. New Perspectives on Parliamentary Leadership

This paper has made the point that parliamentary leadership is extremely important, particularly in relation to peace and development. But this is exactly what tyrants and military leaders have done for decades in Africa. European and other northern parliamentarians also have the power to better hold their governments to account for commitments made to Africa, and to help target their own development assistance resources toward their needy African colleagues. But they have failed to do so. Part of the reason why decades of development aid have failed to end Africa's poverty, is that it has been so channelled as to ignore and neglect the parliamentary process in Africa, thereby undermining democratic development. This works to the detriment of peace.

Part of the reason African parliaments have traditionally not played a role of any significance in oversight of the security sector, and have frequently been totally excluded from decision-making in this area, is that they are under-resourced. Classified material has been kept secret from parliament for fear of security breeches, but often a parliament lacks access to even the requisite unclassified information and its members are not fully equipped to digest and analyze it properly. In *Helping Parliamentarians and Legislative Assemblies to Work for the Poor: A Guide to the Reforms of Key Functions and Responsibilities* (DFID 2004; 37-41),

priorities are outlined to enable improved performance. An effective parliament cannot be run on the cheap. While members and staff must be paid adequately and resources managed carefully, it is also central that the parliamentarians have access to information and advice (libraries and research centres and researchers) as well as to all necessary facilities and services (meeting rooms, office space technology, administrators, secretaries, receptionists) and technology and relevant training to use it (phones, copy machines, computers, Internet...). Similarly, if the security forces are effectively to be held accountable by the representatives of the people, for their actions and their use of public funds, then parliament needs a minimum resource base for this.

The wave of democratic elections in Africa, over the last two decades, has brought in a new generation of African leaders and opened excellent opportunities for strengthening democratic control over the security sector, and for initiating peacebuilding budgetary and development processes. However, chances have been missed by the neglect of parliaments. In young democracies, the technical capacity of parliaments needs to be built up before the institution and its members can be fully effective. Not only do new parliamentary procedures need to be established but also the resource base of parliament must be confirmed. Fledgling executive branches, particularly those with something to hide, are often hesitant to provide their legislatures with sufficient funding for it to fully play its active and independent oversight role. Budgetary resources for parliaments are often insufficient, and they can be usefully topped up from external development cooperation funding. When parliaments do not have the capacity to meet stringent donor contractual requirements, which is often the case, non-partisan intermediary organizations can play an important role in assisting them.

Parliaments in Europe and other developed countries have a responsibility to make sure their countries play a constructive role in NEPAD, and can encourage their development ministries to target more resources toward African parliamentary development. However, European parliamentarians suffer from a serious knowledge and capacity deficit themselves when it comes to Africa. It is not only important but urgently needed that European parliamentarians come to understand the conditions and developments within Africa, economic and political, as well as the implications for NEPAD's success of their own political decisions and international policy choices. Armed with such knowledge, parliamentarians in the donor countries can better hold their governments to account for the promises made – and broken – in the past, such as in the MDGs, in Monterrey, and in the G8 Africa Action Plan.

Parliamentarians often do not realise their potential influence and impact. They have a mandate, a responsibility and an opportunity to change the course of history. Individually and collectively, their actions can make the national, regional and global treaty obligations worth more than just the paper they are written on. Whether in relation to the basic rights of women (CEDAW) and children (CRC), on landmines, electoral reform, small arms reduction, or even the International Conference on the Great Lakes Region, government (executive branch) commitments are meaningless without parliamentary action. And parliamentary action would be further strengthened by permanent regional networking and inter-regional parliamentary dialogue and cooperation mechanisms.

This applies to Africa just as it does to other world regions. Experience has shown that inter-regional parliamentary solidarity can be effective in addressing intransigent and seemingly irreconcilable conflicts. North-South parliamentary solidarity instigated sanctions and helped to end apartheid, and it can be put to use in ending war and poverty. The world needs more champions, heroes: courageous leaders, men and women, who are willing to risk their careers, even their lives, for a just cause. They need support to achieve these objectives.

NEPAD parliamentarians touring European donor countries in late 2004 concluded that there is a glaring lack of resources for promoting a better understanding of NEPAD among both African and European parliamentarians (Turok 2004). Effective leadership on both continents is needed, in order to secure a sustainable peaceful and prosperous future for Africa.

When each nation bows its head to commemorate the victims of the holocausts of war and genocide, and stops to honour those who gave their lives in the cause of liberation, let them remember that today's heroes should be the ones who prevent the wars, not merely die in them. Each generation needs to learn again that freedom must be fought for, it is never just granted. Parliamentarians need to be invested in, in order for them to function more effectively, to fight this battle, and in order for democracy and peace to be sustainable. This is the challenge of the current century. Africa need not wait for the next Nobel Peace Prize to be awarded, but can create its own awards to honour those political leaders who have the courage of their convictions, who make it their daily work to build peace, democracy and prosperity.

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II. Regional Parliamentary Cooperation for Conflict Prevention and Peacebuilding in Africa

Abstract

Understandably, national institutions are the focus of conflict prevention and peacebuilding efforts. Conflict itself is defined in terms of state boundaries, occurring either within states or between them. Increasingly, however, the regional dimension is recognized as important, especially with regard to prevention of violent conflicts. This paper will focus on the development and practices of regional parliamentary institutions in Africa and their relevance to regional conflict dynamics. It is argued here that parliamentary dialogue and cooperation in a regional context can have particularly beneficial outcomes for peacebuilding that are not fully recognized by policy-makers. After examining relevant experiences in Africa, the paper proceeds to draw conclusions regarding the implications for international development assistance prioritization.

The paper will examine the implications for international development cooperation policy. Regional parliaments have been disadvantaged by falling within an overlap of two policy blind-spots: regional institution support and parliamentary support. Characteristically, development policies focus mainly on national institutions, not regional, and political 'good governance' support is typically restricted to either the executive branch or to civil society, bypassing the critically important intervening layer of parliament – the elected voice of the people. In relation to conflict prevention and peacebuilding, these twin policy oversights are especially problematic.

It is all too often the case that the international community demonstrates the political will to go to war, investing hundreds of billions of dollars in military campaigns, but is far, far less committed to the fight for sustainable peace, requiring much more modest investments for food, healthcare, education and infrastructure in poor countries. Worse still, there is little recognition that investments in leadership, particularly in parliamentarians and other political leaders, produce the greatest potential returns. It is the political class of indigenous leaders that must see a transition through from armed conflict to democratic stability.

Keywords: parliament, peacebuilding, regional parliaments, EALA, ECOWAS, SADC PF, gender networks

Introduction

Understandably, national institutions are the focus of conflict prevention and peacebuilding efforts. Conflict itself is defined in terms of state boundaries, occurring either within states or between them. Increasingly, however, the regional dimension is recognized as important, especially with regard to prevention of violent conflicts. This paper will focus on the development and practices of regional parliamentary institutions in Africa and their relevance to regional conflict dynamics. It is argued here that parliamentary dialogue and cooperation in a regional context can have particularly beneficial outcomes for peacebuilding that are not fully recognized by policy-makers. After examining relevant experiences in Africa, the paper proceeds to draw conclusions regarding the implications for international development assistance prioritization.

Examples exist in all world regions of successful regional institution-building. Regional economic integration produces incentives for closer regional political cooperation, and both are mutually reinforcing. An international region can be defined as 'a limited number of states linked by a geographical relationship and by a degree of mutual interdependence' (Nye, 1968, vii). But politics plays a greater role than geography and economics. A region tends to define itself along political alliances, with the history of regionalism in Southern Africa being a good example. The Frontline States formed the Southern African Development Coordination Conference (SADCC) as a collective self-reliance survival mechanism in the face of apartheid aggression, despite strong economic dependency, then reformed itself into the Southern African Development Community (SADC) in preparation for a post-apartheid regime to join the regional body. As stated by one of SADCC's founding fathers, former Botswana President Sir Seretse Khama:

"We need to gain mastery of our own destiny in this turbulent region of our continent, and we can only succeed in achieving this noble objective within the framework of a united Southern African community" (SADC 1994; 100).

A key element of regionalism is the parliamentary dimension. Although the conventional model of integration prescribes a gradualist approach based on functionalism, from a Preferential Trade Area to a Free Trade Area to a Customs Union to a Common Market or Community to some form of Political Union, with economic cooperation first that leads to political cooperation. In practice, political institutions show a gradual development path as well. The example of the European Parliament within the European Union is a case in point. As the European Community moved toward a Union, the powers and responsibilities of the Parliament have also grown. In the case of SADC, a SADC Parliamentary Forum (SADC PF) was established in the mid-1990s, which is in the process of transforming into a full-fledged Regional Parliament. As will be shown later, the SADC PF is playing a particularly important role in relation to conflict prevention.

The key advantage of regional cooperation within a self-defined region and self-created interaction process, is that highly sensitive political issues can be tabled for discussion among peers with a higher mutual understanding and tolerance level. This is especially relevant for conflict prevention and peacebuilding. As stated by former Tanzanian President Julius Nyerere:

"certain regional and ideological associations have an advantage over the UN. As a means of preventing or settling disputes, talking is more productive, and certainly easier, the greater the general feeling of sympathy and friendship among the participants" (Nye 1968; ix).

Looked at from the perspective of conflict, regional integration and cooperation can follow another gradualist progression, from regional conflict formation to regional security

regime to a regional security community (Buzan 1991; 218). This conceptualization refers especially to inter-state conflicts, where the objective is to reduce fears of political assault or military attack by defining security as a mutual dilemma. Intra-state conflicts, with their regional spillovers of rebel groups, refugees and disrupted economies, also require a mechanism for regional political interaction. As will be shown later, regional parliamentary dialogue is particularly well suited to fulfill this need. International IDEA and the Inter-Parliamentary Union (IPU) have even developed a set of guidelines for parliamentarians to maximize their constructive inputs in post-conflict reconciliation processes, *Making Reconciliation Work: the role of parliaments*, (IDEA/IPU 2005).

Lastly, this paper will examine the implications for international development cooperation policy. Regional parliaments have been disadvantaged by falling within an overlap of two policy blind-spots: regional institution support and parliamentary support. Characteristically, development policies focus mainly on national institutions, not regional, and political 'good governance' support is typically restricted to either the executive branch or to civil society, bypassing the critically important intervening layer of parliament – the elected voice of the people. In relation to conflict prevention and peacebuilding, these twin policy oversights are especially problematic.

It is all too often the case that the international community demonstrates the political will to go to war, investing hundreds of billions of dollars in military campaigns, but is far, far less committed to the fight for sustainable peace, requiring much more modest investments for food, healthcare, education and infrastructure in poor countries (Shawcross 2000; 366-3667). Worse still, there is little recognition that investments in leadership, particularly in parliamentarians and other political leaders, produce the greatest potential returns. It is the political class of indigenous leaders that must see a transition through from armed conflict to democratic stability. Reflecting on the continuing crises in some parts of Africa at the turn of the century (Congo, Sierra Leone, Zimbabwe), UN Secretary General Kofi Annan stated that one of his greatest disappointments as UNSG was the quality of African leadership (Shawcross 2000; 377). In the re-examination of ODA priorities for this century, it is recommended here that political leadership be taken much more seriously than ever before, both in terms of guaranteeing ownership and providing mutual accountability.

1. Levels of Analysis in International Relations

The analysis of conflict, as with other aspects of international relations, can best be approached on three different levels: national, regional and global. All levels influence the causation, course and outcome of conflicts. Traditionally, national or domestic level analysis received the greatest attention, followed by global level relations. Often only as an afterthought were regional influences given credence, and most neglected are inter-regional aspects including South-South and North-South regional relations. Gradually, it has become generally accepted that regional security complexes play a key, if not central, role in conflict management (Buzan 1991; 225-226). In Africa, regional security is as dependent on security within states as it is on security between states.

In a situation of war, civil war and other violent conflicts, all countries in a region suffer, either directly or indirectly. Regional leaders share a need for peace, and their dialogue is interwoven with such 'buzzwords' as 'collective and common security, good neighborliness, peaceful resolution of interstate conflicts, cooperation and integration' (Ohlson et al. 1994; 273). The functioning of national political systems warrants close attention, as multi-party parliamentary democracy has been seen to offer the best remedies for conflict prevention, problem solving and peacebuilding. The development of stronger states and more stable societies within a region may be a necessary condition

for security, but it is not sufficient. Interdependencies from political insecurity (e.g. ethnic tensions), economic instability (e.g. lost production), social disruption (e.g. migration, AIDS) and environmental challenges (e.g. water, soil erosion) all cross national borders and defy national level solutions (Ohlson et al. 1994; 299-300). Without attention in open regional dialogue, they sometimes lead to violent conflict.

A typical national level analysis of Africa's persistent poverty and strife leads to the conclusion that African governments have consistently failed their peoples, that predatory leaders create poverty and drive people to fight for scarce resources to ensure their survival (Guest 2004; 12). But the failure of leadership only tells part of the story, as the growth of parliamentary power and regional political cooperation are demonstrably helping to cure bad leadership. When the analysis of conflict management focuses too closely on top politicians, it falls into the trap of blaming 'government' without unpacking this concept and looking into the system that produces a dysfunctional or 'rubber-stamp' parliament. Looking for a solution in the realm of strengthening civil society often overlooks the flawed political system that precludes operational working relations between civil society organizations and the elected representatives of the people, their parliamentarians. By bringing the parliamentary system into focus and under scrutiny, security analysis uncovers potential innovations to address the root causes of conflict at national and regional levels.

Some good examples of this can be given from Central Africa. An in-depth analysis of civil wars in Africa by the World Bank Such variables as diaspora, forest cover and geographic dispersion of the population have been shown to play a key role in conflicts (World Bank 2005a; 6). Why? Densely populated areas of Central Africa provide cover for rebel forces. The Democratic Republic of the Congo (DRC) has a population dispersed far to the eastern edges of the country, intermixed with refugees and migrants from other neighbors, especially Rwanda. Burundian diaspora, particularly those employed over a longer period in Europe, helped to foot the bill for keeping armed groups well resourced, while Burundian refugees across the border in Tanzania added a source of regional tension for more than three decades. Particularly the presence of large diasporas has been shown to increase the risk of conflict recurrence. 'Diasporas preserve their own hatreds, which is why they finance rebellion' (World Bank 2005a; 12). Neglected, they slow down or even reverse the healing process as time goes on.

Over a period of a decade, 1995-2005, AWEPA was involved in a process to engage with the Burundian diaspora as part of its parliamentary capacity building and support programme. By bringing Burundian parliamentarians in touch with diaspora representatives from across Europe and North America, an in-depth dialogue on the future of the country was initiated and maintained that eventually made a significant contribution to the peace process in the country, and set an example for other conflict prevention and resolution processes in the region. Significant moments in this process included major peacebuilding dialogue activities in Bujumbura in June 2000, in Dar-es-Salaam in September 2000, and in Brussels in December 2000 (AWEPA 2001). Some of these diaspora eventually returned to Burundi and took up positions within the parliament. They brought with them their experiences of living, sometimes for decades, in countries with well-functioning parliaments and democratic systems.

Part of the success of this approach to parliamentary diplomacy was the development of informal networking among political leaders with a common objective – peace. Groups of parliamentarians, all bringing the same message, can turn the tide of political will in ways that an individual voice cannot. It bears remembering that:

"Parliaments, as the expression of political will, should be the institutional bridge between state and society and play a critical role in good governance by ensuring that state institutions are accountable, open and participatory in their decision-making and service delivery. In systems that work, citizens look to parliaments –

their elected representative assemblies – to hold governments accountable for their actions and performance” (GOPAC 2005; 11).

In relation to conflict prevention, parliamentary networking provides important space for sharing knowledge and experience with like-minded colleagues from other affected countries, particularly advantageous under circumstances where conflict-related facts are scarce and where propaganda and rumors abound.

The Millennium Project Report to UNSG Kofi Annan underlines the importance of regional public goods and the search for regional solutions via regional political dialogue and consensus building:

“And since many local conflicts have repercussions on entire regions or are driven by regional tensions, conflict management requires greater regional cooperation to detect conflicts before they erupt and to develop coordinated responses from neighboring countries to end them” (Sachs 2005a; 224).

The African Union (AU) Commission has emphasized the critical importance of the PAP in the assurance of good governance and enduring peace (ACCORD 3/2005; 52). As will be discussed in the following sections, regionalism in Africa has produced mixed results and is confronted with a number of recurrent challenges that continue to restrict its potential for success in these areas.

2. The Growing Importance of Regional Political Cooperation in Africa

Arguably the most important objective for Africa in the coming ten years is the achievement of the Millennium Development Goals (MDGs). It is widely recognized, however, that the MDGs are least likely to be met in Africa unless current policies are changed. The Millennium Project makes ten key recommendations for meeting the MDGs, one of which being a plea for regional approaches. Recommendation #6 calls for African governments to align their national strategies with the New Partnership for Africa's Development (NEPAD), and for donor governments to directly support regional groups, among other things, to implement cross-border projects and promote best practices and good governance (Sachs 2005a; xxi). NEPAD, and especially its African Peer Review Mechanism (APRM), are seen as an important forum for improving policy environments for peace and development.

With regard to regional peace and security, the Millennium Project calls for regional bodies to implement the recommendations in the Reports chapters on good governance and conflict management (Sachs 2005a; 226). These efforts are extensive and require extensive additional funding to overcome such constraints as high coordination costs and understaffed and under-resourced institutions. NEPAD and its initiatives such as the PAP and the APRM urgently need additional support in order to carry out their ambitious plans, not least as a contribution to conflict prevention. As noted in the EU Strategy for Africa:

“... wars and conflicts also provoke uncontrolled population movements, increase environmental pressure, destabilize the societies and governing structures of neighboring countries and regions and often provide fertile breeding grounds for terrorism and organized crime” (EU 2005, 21).

An example of one essential aspect of regional cooperation is in water resources policy and especially river basin management (Nakayama 2003; 280-281). Technical knowledge

and general negotiation skills are lacking in the responsible government officials, and even more so among members of regional parliaments, and support staff, who have this on their committee agendas. Africa has a particular susceptibility to environmentally related conflicts that occur within and between countries (or parts of them), especially related to strategic non-renewable natural resources:

"The term "New Wars" has been used to capture the changing nature of war, the gradual shift in the causes of conflicts, their duration and the increase in incidence of regional conflicts. Ostensibly based on identity politics, statehood (control or secession), the control of natural and other resources, these conflicts are largely devoid of geo-political or ideological goals that characterized earlier wars" (Clover 2005; 83).

Poverty is a related issue and common denominator in many African conflicts, sometimes exacerbated by environmental degradation. Again, like HIV/AIDS, another poverty generator that crosses borders, regional solutions must be found through regional political dialogue and mutually-agreed cooperation and integrated into NEPAD priorities.

NEPAD is the AU's development plan for Africa. For the first time, Africa is determining its own priorities rather than merely accepting donor-driven formulas. One innovation has been to redraw the map of Africa's regions. The overriding paradigm of Africa's regional security complexes in the 1990s featured North Africa as part of a Middle East complex, and Southern Africa as the sole other regional grouping (Buzan 1991; 210). The AU has defined five regions in Africa: North, East, West, Central and Southern. NEPAD has based its planning around the five regions, three of which have functioning parliamentary bodies: West, East and Southern. The Economic Community of West African States (ECOWAS) has a Parliament. The East African Community (EAC) has its East African Legislative Assembly (EALA). And the Southern African Development Community has its Parliamentary Forum (SADC PF). As will be seen below, all have built up a track record on conflict management and peacebuilding. The other AU regions are the Arab Maghreb Union (UMA) and the Economic Community of Central African States (ECCAS).

The development of legitimate parliamentary institutions, at national and regional levels, has contributed to a more stable political environment, which not only reduces conflict-provoking tensions but instills confidence in potential investors in Africa. A common view is that 'poor leadership has been instrumental in retarding economic growth and driving investors from the continent', leading to calls for more moral political leadership (Kebonang 2005; 10-11). Internationally, including among the private sector, confidence in African leadership is growing. The World Economic Forum records an increase in interest in Public-Private Partnerships with regard to health and education sectors and water provision in the context of pro-poor policies (WEF 2005). This growth in confidence is partly a result of successful regional political cooperation.

Another example is provided by the G8 group of major industrialized countries plus Russia, which since 2002 has supported the G8 Africa Action Plan, 'assisting African regional organizations so that these can engage more effectively to prevent and resolve conflicts on the continent' (Laakso 2005; 489). Examples can be found of positive African initiatives on 'multi-level' security in the SADC and ECOWAS regions, and to a lesser extent by the Inter-Governmental Authority on Development (IGAD) in the horn of Africa (Laakso 2005; 494-498).

The UNDP has undertaken a major consultation process on 'Strengthening the Role of Parliaments in Conflict and Post-Conflict Situations' which debated the role of regional parliamentary groupings, African and international, seeing parliament as having an important responsibility to investigate the root causes of conflict and oversee government action to address them (UNDP Geneva 2005; 5). The UNDP African Regional Study Group meeting on this theme noted a number of missed opportunities, particularly

in the DRC, and noted that 'the role of regional bodies and parliamentary forums, e.g. Amani Great Lakes forum, has been proven to be essential to re-establish contact between the Great Lakes countries involved in conflict' (UNDP Nairobi 2005; 4-5). The following section will examine four case studies of regional parliamentary action in Africa.

3. Regional Parliamentary Action on Conflict Prevention and Peacebuilding

This section will provide an overview of actions by regional parliamentary bodies around issues of conflict prevention and peacebuilding in four regions: SADC, EAC, ECOWAS and the Great Lakes. It begins from the premise that while national parliaments provide oversight of the national security sector, regional parliaments must provide this for regional military operations and security issues. The EU Strategy for Africa confirms that: 'Parliaments are the legitimate institutions for security sector reform (SSR), conflict resolution, national integration and reconciliation' (EU 2005; 24). It also calls for policy-makers to apply the principles of subsidiarity and intra-African solidarity in relation to issues of governance and security:

"Through these agreements, the EU should engage with Africa's three levels of governance – national, regional and continental – on the basis of the principle of subsidiarity: only matters which would be dealt with less effectively at a lower level should be reserved for a higher level of governance. Issues such as peace and security, migration, interconnection or disaster management require primarily regional or continental responses..." (EU 2005; 19).

World Bank studies in Africa have also identified a potential 'peace dividend' of well-functioning parliamentary systems, owing to parliamentarianism's tendency toward inclusivity assisting in the management of multiculturalism better than presidential systems (World Bank 2005a; 317). The following regional examples seek to identify the security dividends and added value of parliamentary action.

- SADC Parliamentary Forum

The SADC PF has a Standing Committee on Democracy, Gender and Conflict Management/Peace Building. One of the key objectives of the SADC PF, as stated in the introduction to its MP's Orientation Handbook, is:

"To promote peace, democracy, gender equality, security and stability on the basis of collective responsibility by supporting the development of permanent conflict resolution mechanisms in the SADC region" (SADC PF 2004).

The SADC Organ on Politics, Defence and Security did not traditionally allow room for either parliamentary or civil society inputs (Le Roux et al. 2004; 24). The experience of SADC military engagements, such as from August 1998 with the Angola, Namibia and Zimbabwe interventions in DRC and the September 1998 SADC Combined Task Force of South African and Botswana troops in Lesotho, brought security issues onto the agenda of the then two-year-old SADC PF. The SADC PF devoted its 15th Plenary Assembly, 1-6 December 2003 in Maseru, Lesotho, to the theme 'Towards a SADC Parliament'. The Task Group on the Transformation of the SADC PF into a SADC Parliament, in its report to the Maseru Assembly recommended, among other things:

"...that the SADC Parliament would continue with the programmes of the current consultative SADC Parliamentary Forum, including inter-parliamentary

cooperation, election observation, peace building and regional integration" (SADC PF 2003; 5).

Study has shown that even though the SADC PF is still in the process of transforming itself into a formal regional parliament, it is already making an impact in terms of oversight of the security sector (Le Roux et al. 2004; 27-28). One area has been in relation to electoral observation. In the case of Zimbabwe, after a critical report on the last presidential elections, the SADC PF was not invited to send a delegation for the subsequent parliamentary elections.

The SADC PF formed the Conflict Management Advisory Group (CMAG), which has given attention to the conflicts in the DRC and Angola. In order to carry out their responsibilities, CMAG members are expected to have specialized knowledge and experience in three areas:

- the theory and practice of conflict management and peacebuilding
- community-based peacebuilding strategies and their impact on vulnerable groups
- Southern African inter-governmental institutions and their peacebuilding interventions.

Parliamentary participation in SADC conflict management is intended to help identify 'win-win' solutions that produce 'victory without losers' (SADC PF 2004; 2-3). The CMAG efforts, including fact-finding missions in Angola and DRC, focused on pre-election, election phase and post-election conflict. The DRC mission encouraged parliamentary colleagues to draw lessons from the experiences in Burundi and Rwanda. In June 2004, the SADC PF Plenary Assembly invited the provisional Parliament of the DRC to SADC PF membership (SADC PF 2004; 4). The goodwill mission to Angola sought to assess the state of readiness to hold elections, and recommended Angolan MPs to enter into dialogue with colleagues from other SADC countries, to help consolidate the peace (SADC PF 2004; 12).

The SADC PF is to be commended for its ground-breaking work in producing a parliamentary Handbook on Handling Election-Related Conflicts. Some 18 potential actions were identified that increase the potential of violent conflict during electoral processes (SADC PF 2005; 6). Paradoxically, as a democratisation process progresses toward elections, violence conflict has a tendency to flare up, particularly during the campaign period and after the results are announced. When the situation arises that one or more (losing) parties reject the election results, the conditions are present for recurrence of conflict during the inter-election period. The Handbook also calls for the establishment of a regional Conflict Management Unit with links to parliaments in the region and national level Inter-Party Peace Caucuses in each parliament (SADC PF 2005; 17). The further consolidation of democratization processes in the SADC region still requires further electoral reforms (SADC PF 2005; 12). Given sufficient resources to implement their own guidelines and recommendations, the SADC PF and its partners can play a significant role in preventing future conflicts. One potential area of cooperation that has not yet been taken up is the organization of joint parliamentary delegations with European colleagues, as part of inter-regional cooperation.

- East African Legislative Assembly

The Half Term Report of the First Assembly, covering the period November 2001 to June 2004, outlines a number of direct, conflict prevention-related actions taken by EALA. Of the seven Standing Committees created by EALA, one is called The Regional Affairs and Conflict Resolution Committee. Chaired by a woman, Hon. Kate Sylvia Kamba, this Committee was the most active of all Committees during the initial session, having had

nine sittings vs. 8, 7, 7, 6 and 5 for the others (EALA 2004; 7). During the second session, from November 2002 to November 2003, this Committee was responsible for passing a Resolution to establish a Peace Committee mandated to address the violence in northern Uganda (EALA 2004; 11). As an example of proper Assembly functioning, during the third session (November 2003 to November 2004) a question was raised to the Summit of Heads of State, as to why the East African Peace Committee for Northern Uganda had not yet been established as called for by Resolution (EALA 2004; 19).

The success of EALA peacebuilding initiatives is accountable to their very pragmatic nature and the hands-on role of EALA members. Repeatedly, parliamentary delegations have visited conflict-prone areas to conduct situation analyses and promote confidence-building measures. Specific examples of relieving cross-border tensions include:

- Mission to Gulu, northern Uganda in relation to devastation caused by the Lord's Resistance Army (LRA)
- Mission to West Pokot and Trans Nzoia districts in western Kenya and the Lake Victoria region in relation to conflicts from fishing disputes
- Missions to Uganda-Tanzania and Kenya-Tanzania border areas in relation to conflict early warning over pasturelands
- Inter-Committee investigations into cattle rustling on the Uganda-Kenya border, fishing disputes on Lake Victoria, and pasture-related disputes on the Kenya-Tanzania and Uganda-Tanzania borders
- Conducting seminars and workshops on conflict resolution and integrated responses to (potential) conflict in the EAC and Great Lakes regions (AWEPA 2005a).

The EALA Regional Affairs and Conflict Resolution Committee has also participated in a number of regional forums, organized by AWEPA and others, where inter-regional dialogue has been undertaken, for example with SADC, ECOWAS and Great Lakes region counterparts. The importance of EALA peacebuilding measures can only grow in the future as it is anticipated that Burundi and Rwanda will join the EAC in the next few years. This will facilitate closer parliamentary cooperation in the Great Lakes region.

- ECOWAS Parliament

The ECOWAS Parliament has had a lot of work just to keep abreast of ECOWAS Monitoring Observer Group (ECOMOG) efforts. Official missions have been conducted by ECOMOG in Liberia, Sierra Leone, Niger, Cote d'Ivoire and Guinea Bissau. The ECOWAS Parliament has been guided in its efforts by a number of practical actions that contribute to collaborative security:

- defence policies based on non-provocation and confidence-building
- regional early warning and security building measures
- targeted capacity building within regional organizations
- standby arrangements for a viable peacekeeping capacity
- regional command-and-control capabilities and mechanisms
- regional military interchanges and joint exercises
- integrated rapid reaction and disaster management capacity

These items have been supplemented by recommendations for Africa as a whole, such as strengthened democratic oversight, cooperative relations among politicians and alignment of policies and budgets, which are extremely relevant to planned PAP security support interventions (Le Roux et al. 2004; 92-96).

Some specific examples of ECOWAS Parliament involvement include the following:

- Liberia: the ECOWASP sent a delegation to intervene with rebels and encourage them to the negotiating table, and played a key mediation role especially in the critical early stages of peace progress.
- Ivory Coast: the ECOWASP sent delegation on several occasions, consisting of members from several countries in the region, to interact with the President, Parliament, opposition forces and rebels, which extended also to consultations in neighboring Burkina Faso and Ghana and fed into a special plenary session on Ivory Coast in November 2003.
- Guinea Bissau: the ECOWASP played a minor role in a parliamentary mediation process between the GB President and Parliament, leading to significant temporary concessions that were later reversed.
- Togo: the ECOWASP sent a fact-finding and early warning mission, which led to a minor intervention related to conflict prevention.
- Nigeria-Cameroon: the ECOWASP formally encouraged Nigeria to respect the International Court of Justice verdict in favor of Cameroon.

If more resources were available, the ECOWASP would play a greater role in electoral observation and assistance, along the lines of the SADC PF (AWEPA 2005c). The ECOWAS Parliament is an example of an under-resourced regional mechanism for peacebuilding, which has an enormous potential to contribute to sustainable peace in West Africa. In terms of institutional capacity, the ECOWASP has major challenges in terms of communications, internet and email for members. The complexity of peace and security issues present in the region, and the diversity of countries, cultures and language, make capacity building for members both a necessary and a costly endeavor.

- Great Lakes Region

One of the greatest threats to peace in the Great Lakes region is the proliferation of small arms and light weapons (SALW). The EU Strategy for Africa calls for promotion of an integrated approach to address the presence of SALW and landmines (EU 2005; 22). Such an approach is being implemented by AWEPA in cooperation with UNDP in the Great Lakes region. Following the production of A Parliamentarians' Handbook on the Small Arms Issue (AWEPA 2004) and its distribution among parliamentarians in the region, AWEPA and AMANI Forum organized a key parliamentary dialogue seminar in Nairobi in April 2005, to align parliamentary efforts with those of the International Conference for the Great Lakes Region (ICGLR). The UNSG's Special Representative for the GLR, Amb. Ibrahima Fall, stated at that meeting that, in the interest of sustainable peace in the region, parliamentarians need to be present at the negotiation table and need to be active participants in the implementation and monitoring of all accords reached. Amb. Fall called for strong parliamentary engagement in all four ICGLR theme areas: peace and security; democracy and good governance; economic development and regional integration; and humanitarian and social issues.

With regard to the regional conflict that engulfed much of eastern DRC, issues of land and migration play an important, if not determining, role. Relevant issues include the presence of natural resources, the historical definition of borders, patrimonialism and land access, social fragmentation, migration and land alienation (Clover 2005; 115-194). Among the solutions called for is new legislation that is coordinated among relevant countries in the region. A good example was set by the DRC, Rwanda and Burundi in the joint drafting of SALW legislation in a post-Nairobi AWEPA-supported initiative (Dhoore interview, November 2005) .

Already, in April 2005, AWEPA co-organized with others the regional conference on Parliamentary Democracy and Peace in the Great Lakes Region. The meeting produced the Nairobi Parliamentary Action Plan to promote the implementation of the Dar es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes

Region, with detailed passages on involving women in peacebuilding and in small arms reduction in the region. The Nairobi Parliamentary Action Plan states that: "The core business of Parliament is to settle conflicts peaceably", and calls among others for the following:

- Parliaments must be more pro-active in setting the political agenda for peace and prosperity, while articulating the needs of all the people, to build confidence and prevent escalation of conflict ...
- Parliaments must press governments to include parliamentary representation, on a gender-balanced basis, in peace initiatives...
- Parliaments must be properly resourced to have sufficient capacity to hold governments accountable to the rule of law and will of the people, and counter the culture of impunity (AWEPA 2005b).

This applies to national as well as regional parliaments. When they are well-resourced to play their peacebuilding role and have the active participation of women members, sustainable peace will be possible.

4. Regional Women's Parliamentary Cooperation

Cooperation among women parliamentarians in Africa gained impetus following the 1995 Beijing Conference on Women and Development. In particular, the establishment of women's parliamentary caucuses at the national level, in the latter half of the 1990s, worked to strengthen 'gender machinery' and imbed parliamentary action within it. A seminal conference held in the Belgian Parliament in September 1998, Empowering National and Regional Gender Machineries: African-European Cooperation on the Beijing Mandate, organized by AWEPA and UNDP at the occasion of the third anniversary of the Beijing conference, resulted in commitments among women parliamentarians in Southern and Central Africa to establish and strengthen regional women's cooperation mechanisms (Balch 1998). This section will review the progress of these endeavors and discuss their linkages with regional conflict prevention and peacebuilding efforts.

Table 1 Percentage of Women Members in Regional Parliamentary Bodies, 2006

	Total	Men	Women	% of women
Pan-African Parliament	225	160	65	14
ECOWAS Parliament	108	92	16	14.81
East African Legislative Assembly	27	18	9	33
SADC Parliamentary Forum	2588	2005	583	23
European Parliament				30.3
Benelux Consultative Assembly	49	40	9	18.37
Nordic Council	87	52	35	40.23
Council of Europe Parliamentary Assembly	623	471	152	24.4

Sources: contacted parliaments directly 2006

One of the common features of conflict is its disproportional negative impact on women and children. For this reason, women political leaders have sought to play a more active role in relation to security issues in general. Table 1 shows the percentages of women in regional parliamentary bodies in Africa and Europe. Their actions to bring gender more into focus in political debates, and in peace and security in particular, face an uphill battle. Although it is now generally accepted that including women in peacekeeping missions increases their legitimacy and is beneficial for results, the topic is laced with the landmines of gender stereotypes and fallacies that can lead to misguided reasoning. Are

women innately peaceful and men more aggressive, and are women therefore too weak to play a direct military role? In the absence of facts, conjecture takes over:

“A common feature of international, regional, and subregional peacekeeping operations is their lack of a gender-analytic approach. Women and children, those often worst hit by conflict, are excluded from peacekeeping decision-making structures” (Fitzsimmons 2005; 112).

But to conclude that women's views and concerns are totally absent from the processes and institutions concerned with peacekeeping in Africa would not be true. Particularly through the efforts of women parliamentarians and Cabinet ministers, this picture has started to change. The East African Women's Parliamentary Union, for example, has called for the introduction of peace and human rights education within regional human resources curriculum (EAWPU 2000; 7). Apart from drawing more attention to the security of women and children during times of violent conflict, women leaders are participating more than ever in the debate about priorities for post-conflict reconstruction and peacebuilding. Female peacekeepers may be seen as being more constructive and less aggressive and therefore useful to have in peacekeeping missions, there remains an aversion to putting women in direct combat situations. However, women have the potential to play a greater role in areas of training, capacity building and research:

“Military training takes place at the expense of a more holistic emphasis on conflict management in the form of preventive diplomacy, peacemaking, peace building, and post-conflict reconstruction, areas where women's contribution, at least, has been firmly recognized” (Fitzsimmons 2005; 124-125).

Building up leadership capacity, within men and women, to recognize the importance of gender and its inter-relationship with human rights, development and human security, is a key challenge for the future of Africa. This is nowhere more evident than in relation to property ownership and inheritance rights, areas where parliamentary action is required to create an equitable legal framework (Clover 2005; 102). Building institutional capacity and gender awareness within regional organizations and regional parliamentary bodies is a priority that regional women's parliamentary cooperation is working to place higher up the political agenda. The EU Strategy for Africa underlines this point in its priorities for promotion of gender equality:

“The EU should give priority to the elimination of illiteracy especially among girls and the promotion of their equal access to education, to investment in Sexual and Reproductive Health (SRH) in order to combat the HIV/AIDS pandemic, to the reduction of maternal and child mortality, and to the participation of women in conflict prevention, peace building and reconstruction” (EU 2005; 25), [emphasis added].

A brief review of experiences in Southern and Central Africa confirms the both importance of this aspect of women's leadership, and its possibilities.

- SADC Regional Women's Parliamentary Caucus (SADC RWPC)

The SADC Women's Parliamentary Network (WPN) held its first meeting in Windhoek on the first anniversary of the Beijing conference, in September 1996, with the goal to facilitate the implementation of the Beijing Declaration in the SADC region. The members of the Network were drawn from the national women's parliamentary caucus, normally the chair, and supported the development of strategies to increase the representation of women in SADC parliaments and assisted in the formation of women's parliamentary caucuses in the region where they did not exist, as part of the Windhoek Agenda for Gender Equality (Balch et al. 1997; 68-69). The Windhoek meeting initiated a series of

meetings, sponsored and co-organised by AWEPA, which culminated in the formation of the SADC RWPC in its meeting on 10-12 April 2002 in Luanda, Angola. Among the key objectives of the SADC RWPC is: 'to improve the participation and role of women Members of Parliament in electoral processes, conflict prevention, resolution and management' (SADC RWPC 2002; 4). The SADC RWPC also contends that:

"The participation of women in peace building and conflict resolving processes in SADC has been very minimal, and this has proved costly to the regional peace initiatives. The recognition that women bring a lot to peace building processes as they are more inclined to peace making solutions, is essential for the region's long term peace initiatives" (SADC RWPC 2002; 6).

The SADC Parliamentary Forum Constitution requires that women form part of each member state's three-member delegation. The terms of reference of the RWPC were approved at the SADC PF 16th Plenary Assembly, in June 2004, and it was decided that the RWPC would delegate one member from each country to the Forum meetings, thus making the SADC PF the first (and only) regional parliamentary body with a de facto 50% women's membership. The SADC PF has one Standing Committee dealing with gender that is serviced by a Gender Advisory Team consisting of leading NGOs and gender institutions.

The SADC WPN played a key role in the promotion and implementation of the SADC Heads of State Declaration on Gender and Development (SADC, September 1997), and the SADC RWPC has as its overall objective the transformation of Parliaments to achieve the SADC Declaration on Gender and Development objectives.

- Network of Women Parliamentarians of Central Africa (RFPAC)

Women parliamentarians, ministers and other leaders from eight Great Lakes countries met in Rwanda in October 2004, and adopted the Kigali Declaration calling for an end to impunity for rape as a weapon of war and sexual slavery, practices that spread HIV/AIDS. As women are disproportionately responsible for care and support in households devastated by wars, the Declaration calls for the integration of women into peace, rehabilitation and reintegration process negotiations. The regional women's intervention was successful in influencing the subsequent ICGLR in Dar es Salaam. Women parliamentarians continue to play a key role in pushing for the ratification and implementation of the AU Protocol on the Rights of Women in Africa.

5. Implications for Future Development Cooperation Priorities

The one central message coming from the evidence above, is that there is an urgent need for institutional and member capacity building in regional parliamentary bodies, and particularly so in relation to women's networking, if the vast potential for conflict prevention and peacebuilding is to be realized. A shift in mind-set is needed among development policy-makers, and this is today more possible than ever. No longer is the image of development assistance tainted by that of pure self interest. The following conclusion in Lords of Poverty would not hold today:

"... at every level of the multilateral agencies, maladjusted, inadequate, incompetent individuals are to be found clinging tenaciously to highly paid jobs, timidly and indifferently performing their functions and, in the process, betraying the world's poor in whose name they have been appointed" (Hancock 1989; 99).

The code word for the 21st century is partnership: partnership around the MGDs, and partnership as implied in NEPAD – the New Partnership. The best description of the new partnership in terms of security has been set down in the Report of the UNSG High-Level Panel on Threats, Challenges and Change. Some excerpts:

- In today's world, a threat to one is a threat to all.
- The erosion of State capacity anywhere in the world weakens the protection of every State against transnational threats...
- Development has to be the first line of defence for a collective security system that takes prevention seriously.
- We will have to build on the successes of regional organizations in developing strong norms to protect Governments from unconstitutional overthrow and protect minority rights.
- Successful peacebuilding requires ... a focus on building State institutions and capacity, especially in the rule of law sector (UN 2004; 1-6).

The UN Peacebuilding Commission, agreed at the Millennium Review Summit of September 2005, will need to be monitored closely to see whether parliamentary and gender perspectives are given sufficient structural attention. Rich country efforts at poverty reduction can do much more than just protect themselves from the security consequences of extreme deprivation. They can encourage genuine South-South cooperation through facilitation of an ongoing exchange of views at parliamentary level, through the strengthening of regional institutions, and through the promotion of national and regional parliamentary endorsement and implementation of internationally agreed codes, norms and standards (World Bank 2002; 197-199).

The use of development cooperation resources to strengthen regional parliamentary structures would counterbalance the tendency of such assistance to shift power away from representative bodies, such as parliaments, by making politicians in recipient countries accountable 'upwards' to donors instead of 'downwards' to citizens (Sogge 2002; 180). By supporting the use of decision-making power by the elected representatives of the people, development assistance can also counteract the tendency of aid to worsen social stratification and inequalities, which have been shown to be a contributing factor in conflicts (Sogge 2002; 174-175). Investing in conflict prevention, entails first of all strengthening the rule of law. This requires a limitation of power within the different branches of government, meaning 'that all three pillars of government – executive, legislative and judicial – are well resourced and staffed to function effectively' (Sachs 2005a; 115). According to the Millennium Project, conflict prevention is supported by 'MDG-based poverty reduction strategies' that include efforts to provide effective democratic oversight of the security sector (Sachs 2005a; 184-186). This applies to regional as well as national level institutions, and in Africa also the continental level in the institution of the Pan-African Parliament.

The coordination and cooperation needed at regional level to prevent conflicts requires strong regional institutions, particularly to enhance political responsibility. The Millennium Project calls for international assistance to bridge the funding gap at regional level: 'Adequate funding must be available to fund the operating costs of organizations in addition to the specific projects that receive most attention today' (Sachs 2005a; 227). This call has been echoed by the European Commission in the new EU Strategy for Africa: 'the EU should step up its assistance to support partner countries' and regional organizations' efforts to strengthen governance/institutional capacity building to enable them to engage effectively in prevention approach' (EU 2005; 22). The EU Strategy calls specifically for support to the PAP and other pan-African institutions (EU 2005; 20). It remains to be seen to what extent and in what time frame this call will be heard and responded to.

An assessment of institutional reform in Africa cites a long-term failure to improve investments and policies on institution building, on the part of African governments and the donor community, stating that: 'both sides lacked the far-sightedness and patience required for success' (Kayizzi-Mugerwa 2003; 343). Institution building, like democratization and reconciliation, is a long-term process requiring adequate investments over time. Short-term approaches are less effective than long-term partnerships. And country-level programming misses out on regional level added value and synergies. A recent evaluation of World Bank support to capacity building in Africa is a case in point. The report acknowledges a growth in regional WB programming, but fails to make the link to the regional level in relation to institutions, organizations, networking and cross-border sectoral dimensions in Country Assistance Strategies (World Bank 2005b; viii-ix).

Another aspect of institution building at regional level, often overlooked in development assistance in relation to peace and security, is the presence of male-dominated structures that intentionally or unintentionally work to prevent or minimise the contributions of women. A study of the experiences of peacekeeping forces in Africa concludes:

"What the continent really needs is first to strengthen the institutional capacity of regional and subregional organizations. Second, it requires a reconceptualization of security in comprehensive people-centered terms. There exists substantial evidence that through their understanding of peace and security, women can make a positive contribution. By introducing gender as a unit of analysis and mainstreaming it in all areas of conflict resolution and security, we will allow these so-called female values and techniques to become part of policy and military doctrine, thus benefiting all" (Fitzsimmons 2005; 129).

Despite ten years of lip service to gender equality since the historic Beijing Conference on Women and Development of 1995, development cooperation agencies have by and large failed to extend their mainstreaming efforts into the traditionally male-dominated areas of political, military and security sector leadership. Evidence suggests that here also a thorough reprioritization is worth consideration. Gender needs to be fully incorporated into security and anti-violence programming of development agencies, including in relation to domestic abuse and rape (Fitzsimmons 2005; 195).

6. Conclusion: Promoting Mutual Accountability

The analysis above points to a number of lessons learned about regional efforts to prevent conflict and build peace in Africa. Perhaps the most significant conclusion is that there is an international dimension of great significance in relation to political leadership. Linked to the new partnership implied in NEPAD must be a new commitment to the promotion of parliamentary capacity, at national and regional levels, that can oversee the quality of African leadership. The UNSG Kofi Annan has repeatedly stressed the crucial importance of leadership responsibilities at home. 'Peace cannot be imposed,' he states (Shawcross 2000; 384). Peace must be demanded by the people and delivered by their leaders. The same can be said at the global level, as pointed out by Prof. Sachs in *The End of Poverty: how we can make it happen in our lifetime*:

"My point was that one cannot fight a war against weapons of mass destruction through military means alone. The weapons of mass salvation that I referred to – anti-AIDS drugs, antimalarial bed nets, borewells for safe drinking water, and the like – can save millions of lives and also be a bulwark for global security" (Sachs 2005b; 217).

The broader definition of security includes attention to the political stability, human rights and human development – all responsibilities of parliamentarians. In order for them to play their role effectively, they also require resources to facilitate the acquisition of knowledge and experience from regional networking and cooperation. The World Bank review of poverty reduction strategy experiences concluded that: ‘the early focus on civil society engagement in PRS formulation may have bypassed certain stakeholder groups, notably parliaments and poor people and other marginalized groups’ (World Bank 2005c; 10). The consequences for such gaps in conflict-affected countries fragile states can be devastating. Development policy improvements in relation regional parliamentary institutions and dialogue can help to mitigate the negative impact of national level shortcomings.

Ultimately, it is necessary to look beyond the regional to the inter-regional level, to relations between recipients and donors, between Africa and Europe, and to examine whether at this level there is also sufficient political dialogue with parliamentary involvement. The ACP-EU Joint Parliamentary Assembly is an important organ in this respect, but unfortunately one that has little direct relevance translated through to the national level in either Europe or Africa. Although the EU Strategy for Africa calls for a ‘permanent, frank and constructive political dialogue’ (EU 2005; 20), it is yet to be seen whether this will be translated into parliamentary dialogue structures, at continental level such as with EP-PAP dialogue or among the regional parliamentary bodies.

There needs to be a balance in terms of mutual accountability for development results, according to the World Bank:

“... a balance in accountabilities between governments (to their domestic constituents for improved policies, governance, and development results) and donors (to provide more and better aid in ways that support rather than detract from domestic accountability)” (World Bank 2005c; 2).

Calls for mutual accountability come increasingly from the African parliamentarians involved in NEPAD. The Contact Group of African Parliamentarians for NEPAD has concluded that the knowledge and involvement of European parliamentarians in relation to the development relationship of their own countries with Africa is unacceptable (Turok 2004). A parliamentary seminar on Africa, held in London in October 2005 under the auspices of the EU Presidency, developed and adopted a handbook on mutual accountability for development promises that sets out the responsibilities of both African and European parliamentarians (AWEPA 2005d). This is the newest challenge for African-European relations.

The African Union, via NEPAD, has constructed the African Peer Review Mechanism (APRM), and African parliamentarians are working to ensure a parliamentary dimension to this oversight process. There needs to be a corresponding European parliamentary review mechanism, whereby the European colleagues take up their responsibilities to call their governments to account for the promises they make toward Africa. Simultaneously, there needs to be a thorough inter-regional political dialogue at parliamentary level, fed by ongoing regional parliamentary dialogue processes, between colleagues from Africa and Europe, particularly in relation to issues of conflict prevention and peacebuilding.

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"[T]he empowerment of women is now widely viewed as essential to economic growth, improved health status, decline in poverty, sustainable management of the environment, and consolidation of democracy....As [UNIFEM Director] Noeleen Heyzer notes, 'women's status will continue to be the barometer of peace and security....Progress for women will mean progress for all'" (UPEACE 2005; 48).

III. African Women at the Forefront: Understanding the Impact of Women MPs on Peace, Security and Decision-Making

Abstract

The binding United Nation Security Council Resolution 1325 (2000) urges all governments, UN bodies, and parties to armed conflict to make special efforts to protect the human rights of women and girls in conflict-related situations and to ensure a gender perspective in all activities related to peace-building and maintenance. This research paper intends to delineate the importance of gender-related work in parliament and to re-emphasize the importance of increased women's participation in decision-making positions, gender mainstreaming as well as the continuous need for capacity building programs and regional exchange among women leaders and between gender networks.

The first part of this paper outlines and analyses the important advances achieved and hurdles taken in the past ten years with regard to increased women's participation in political decision-making. Realizing that the concepts related to gender issues are often misunderstood and misused, the second chapter clarifies the opportunities, challenges and pitfalls of gender concepts for parliamentary work and peacebuilding. The paper argues that while it is women's given democratic right to participate in decision-making based on their demographic representation in a given country, in addition, chances are that they will also bring added-value to the decision-making table through a different set of societal experiences in peaceful times, but especially also during conflict. By looking at the African experiences of the past ten years, women's competence trends, strongly marked by the high prevalence of conflict and the HIV/AIDS pandemic, are identified. An analysis of gender roles in conflict will show the importance of gender-awareness and mainstreaming for MPs' conflict management and peacebuilding work, men and women alike. Finally, the last part of this paper, while realizing that more research is needed to better account for the types of impacts women have made in decision-making in general and in the peacebuilding process more particularly, makes a start in tracking national and regional milestones of women's leadership in Africa. To conclude, recommendations are made for donors and Members of Parliaments, emphasizing the continuous need for capacity building efforts around women empowerment and gender awareness raising among men and women in parliament.

Keywords: parliament, peacebuilding, gender, equal participation, gender mainstreaming, gender awareness

Introduction

Parliaments, Crisis Prevention and Recovery – Principles

15. National parliaments are uniquely positioned to promote gender equality and women's empowerment. This may be achieved through the composition of gender-balanced parliaments (e.g., many countries have adopted mechanisms for enhancing women's representation); through the enactment of gender-responsive and rights-based legislation and budgeting; and via oversight of government policy implementation to ensure that it is targeted to meet the needs of both women and men. In the aftermath of conflict, parliaments have a particular responsibility to legislate on issues of gender-based violence, to address the gender dimensions of nationality law, and to ensure that property and inheritance rights are gender-balanced. They also have an important role in ensuring gender balance in judicial appointments, and in the appointment and conduct of transitional justice.

Source: UNDP (2006; 6). Parliaments, Crisis Prevention and Recovery: Guidelines for the International Community.

Conflict and post-conflict countries receive large amounts of international assistance for reconstruction. In the democratic checks and balances chain, parliament is the main link, as it is responsible for monitoring the executive and ensuring accountability.

Unfortunately, the donor community tends to underrate the importance of parliament, of democratic debate by the people's representatives, elected MPs, in this process in general and the important role women can contribute, especially when it comes to conflict-related issues.

Although armed conflicts strongly affect women, they are often absent from the formal peace processes, the peace tables and decision-making positions within foreign affairs, defense, or international relation bodies. The gender dimension of conflict and post-conflict is not sufficiently included in peace accords. Instead, women often tend to engage in the informal sphere, in peacebuilding activities at the local and grassroots level, gaining useful experience and a unique know-how that must be preserved and expanded. Being less perceptible than formal peacebuilders, women's contributions must be made visible and be recognized, if their potential role as post-conflict political leaders is to be realized and opportunities must be created for them to access political participation and representation. Support for women participation therefore starts long before parliamentary elections.

This research paper intends to delineate the importance of gender-related work in parliament and to re-emphasize the importance of increased women's participation in decision-making positions as well as the continuous need for capacity building programs and regional exchange among women leaders and between gender networks.

Since the 1980s/1990s, the added value of women's contribution in decision-making has been promoted by various UN documents in terms of a 30% critical mass of women leaders, executives and managers in strategic decision-making to ensure a gender perspective in all activities, including in conflict-resolving and peace-building-related ones. While many countries ignore the 30%, others (e.g. Africa in the African Women's Protocol¹⁰ (2003)) call for 50%, yet we are still a long road away from so-called equal participation and gender equality in decision-making.

The first part of this paper outlines and analyses the important advances achieved and hurdles taken in the past ten years with regard to increased women's participation in political decision-making. Realizing that the concepts related to gender issues are often misunderstood and misused, the second chapter clarifies the opportunities, challenges and pitfalls of gender concepts for parliamentary work and peacebuilding. The paper argues that while it is women's given democratic right to participate in decision-making based on their demographic representation in a given country, in addition, chances are

¹⁰ The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (known as 'The African Women's Protocol').

that they will also bring added-value to the decision-making table through a different set of societal experiences in peaceful times, but especially also during conflict. By looking at the African experiences of the past ten years, women's competence trends, strongly marked by the high prevalence of conflict and the HIV/AIDS pandemic, are identified. An analysis of gender roles in conflict will show the importance of gender-awareness and mainstreaming for MPs' conflict management and peacebuilding work, men and women alike. Finally, the last part of this paper, while realizing that more research is needed to better account for the types of impacts women have made in decision-making in general and in the peacebuilding process more particularly, makes a start in tracking national and regional milestones of women's leadership in Africa. AWEPA, having a long experience supporting national and regional parliaments in Africa, is convinced of the important contribution regional exchange and cooperation brings to conflict prevention, conflict management and peacebuilding. Drawing partly on this experience, this research documents and underlines the importance of widespread support of national and regional women's and gender networks, through women's capacity building, gender mainstreaming and gender analysis training for all MPs. To conclude, recommendations are made to donors and members of parliaments emphasizing the continuous need for capacity building efforts around women's empowerment and gender awareness raising among men and women in parliament.

This paper will contribute to the ongoing dialogue around the issues at hand. Further discussion is needed with women MPs, the donor community and relevant NGOs to determine other related research areas for a more comprehensive analysis leading to more detailed recommendations and, where relevant, development of tools for action.

1. Advances made since the 4th World Conference on Women towards Equal Participation in Leadership Positions

Is women's political participation only a question of democratic representation and women's rights, or can women also contribute a new dimension to politics? Can politics be engendered by an increase in women politicians? The Platform for Action, the document coming out of the 4th World Conference on Women in Beijing (1995), calls for action by governments, national bodies, the private sector, political parties, trade unions, employers' organizations, research and academic institutions, subregional and regional bodies and non-governmental and international organizations to take positive action to build a critical mass of women leaders, executives and managers in strategic decision-making positions (paragraph 192). The UN Economic and Social Council sets this "critical mass" at 30% women participation.

There are several arguments as to the rationale behind targeting an equal number of men and women in decision-making positions¹¹:

- Ø The justice argument – women account for approximately half the population and therefore have the right to be represented as such.
- Ø The critical mass argument – women are able to achieve solidarity of purpose to represent women's interests when they achieve certain levels of representation.
- Ø The democracy argument – the equal representation of women and men enhances democratization of governance in both transitional and consolidated democracies.
- Ø The experience argument – women's experiences are different from men's and need to be represented in discussions that result in policy-making and

¹¹ UNDAW, Equal Participation of Women and Men in Decision-Making Processes, with Particular Emphasis on Political Participation and Leadership, Report of the Expert Group Meeting, Addis-Ababa, Ethiopia, 24 – 27 October 2005; EGM/EPDM /2005/REPORT; <http://www.un.org/womenwatch/daw/egm/eqi-men/FinalReport.pdf>

implementation. These different experiences imply that women 'do politics' differently from men.

- Ø The interest argument – the interests of men and women are different and even potentially conflicting and therefore women are needed in representative institutions to articulate the interests of women.
- Ø The symbolic argument - women are attracted to political life when they have role models in the arena.

The UN report made in preparation for the 50th session (27 February – 10 March 2006) of the Commission on the Status of Women "Equal Participation of Women and Men in Decision-Making Processes at all Levels"¹² lays out that the last decade has seen important improvements for women in leadership positions. At the time of the 1st Women's Conference held in Mexico in 1975, women accounted for 10.9% of members of parliaments worldwide. In 1995, it was 11.3% and that figure has increased to 15.6% in 2005 (IDEA 2005). Since 1995, more than 30 women have served as heads of governments and/or states and in 2005, 19 women were presiding over houses of parliament. Further, the number of parliaments with 30% representation of women has increased fourfold, while the number of parliaments worldwide in which women representatives constitute less than 10% has decreased significantly from 63% in 1995 to 37% in 2005.

There seems to be reason to celebrate, as the percentage of parliaments that have reached the 4th World Conference on Women's target of at least 30% women in parliament has increased threefold in the last ten years, to 6% (IDEA 2006), yet "[o]verall, progress, while steady, has been far too slow. The Inter-Parliamentary Union estimates that if current incremental rates continue, an average of 30% women in parliament would not be reached until 2025 and parity would not be achieved worldwide until 2040" (UN 2006; 7). For more information please refer to the IPU study¹³ published on the occasion of the 50th session of the UN Commission on the Status of Women.

Table 2 Women in Decision-making Bodies, 1995 and 2005

	1995			2005		
	No. of Women	Total No.	% Women	No. of Women	Total No.	% Women
Heads of State or Government	12	187	6.4	8	191	4.2
Presiding Officers of Parliament	24	228	10.5	21	254	8.3
Parliamentarians	-	-	11.3	-	-	15.7 (Jan) 16.0 (Sept)
Ministerial Positions	-	-	Data not available	-	-	14.3

Source: IPU, 2005. Women in Politics: 1945-2005. Information kit.

<http://www.ipu.org/english/surveys.htm#45-05>

¹² UN ECOSOC, Equal Participation of Women and Men in Decision-Making: Processes at all Levels, 19 December 2005, E/CN.6/2006/13

¹³ IPU, Women In Politics: 60 Years In Retrospect (Information Kit), 2006.

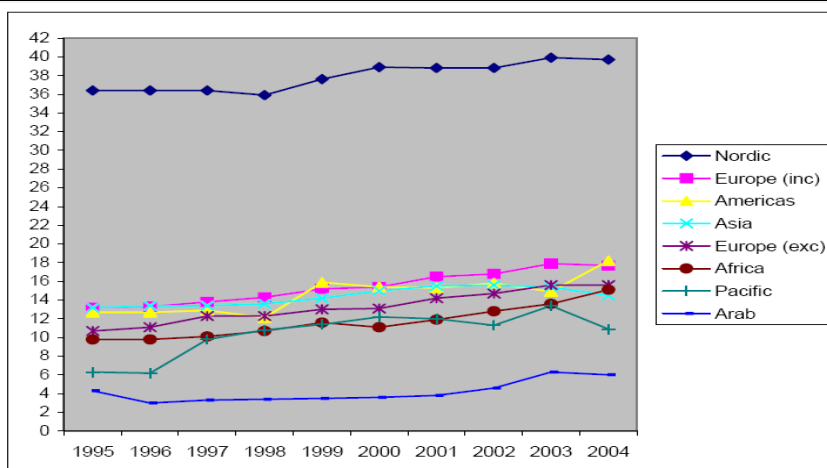
http://www.ipu.org/PDF/publications/wmninfokit06_en.pdf

Table 3 Women in Parliament 1945-2005

	1945	1955	1965	1975	1985	1995	2000	2005
Number of parliaments	26.0	61.0	94.0	115.0	136.0	176.0	177.0	187.0
% of women representatives (lower house or unicameral)	3.0	7.5	8.1	10.9	12.0	11.6	13.4	16.2
% of women representatives (upper house)	2.2	7.7	9.3	10.5	12.7	9.4	10.7	14.8

Source: IPU, 2005. Women in Politics: 1945-2005. Information kit.
<http://www.ipu.org/english/surveys.htm#45-05>

Table 4 Women in Parliament by Region 1995-2004



Note: Europe (inc)=OSCE member countries, including Nordic countries; Europe (exc)=OSCE member countries, excluding Nordic countries.

Source: IPU, 2005. Women in Politics: 1945-2005. Information kit.
<http://www.ipu.org/english/surveys.htm#45-05>

While still far away from the target quotas set at the 4th World Conference on Women, significant advances have been made since, and it is important to look at the lessons learnt in the past ten years to ensure progress continues.

Rwanda is now the world leader in terms of women's representation in parliament (48.8%), with Mozambique (34.8%) and South Africa (32.8%) also ranked among the top 15 nations and closing in on the Scandinavian countries and the Netherlands, which have been traditional leaders in the area of gender equality. In their studies¹⁴ Women in Parliament: Beyond Numbers and The Implementation of Quotas: The African Experiences, International IDEA has analysed the causes of higher women's participation, and the conclusions suggest that "this 'fast-track' increase is largely due to

¹⁴ Please cf. IDEA, Women in Parliament: Beyond Numbers, 2005.

<http://www.idea.int/publications/wip2/index.cfm> and IDEA, The Implementation of Quotas: The African Experiences, 2004. http://www.idea.int/publications/quotas_africa/index.cfm

the adoption of quotas" (IDEA 2004; 124) and that certain electoral systems call for greater women's participation than others.

IDEA and Stockholm University have conducted an analysis of electoral quota systems (cf. www.quotaproject.org), which found that more than 100 countries had implemented, previously had or were considering implementing quotas. Of the 16 countries that have reached the target 30% critical mass, 14 of them have implemented quotas. Of these, four have legislative quotas, including Rwanda, the world leader in parliament, while the other countries have voluntary quotas.

With regard to electoral systems, the conclusion is that proportional representation (PR) systems are the most women-friendly, as 15 out of 16 countries with the highest representation of women in the world have PR electoral systems and an average 34.7 % women representation in their parliament (IDEA 2006; 116). With a PR system, not one but several candidates will be elected per party, which means there are chances the party ticket will be balanced out and a woman will not have to directly compete against her male colleagues around a single seat.

From the study, it is clear that there is no one-size-fits-all model and that quota regulations and electoral systems must be developed to individually fit the context of the country. Yet quotas, defined as a mandatory percentage of women candidates for public elections, have become the most widely used mechanism for facilitating the entry of women into representative politics. It is central to keep in mind that quotas are seen as a temporary means, which should eventually become obsolete in the pursuit of equal representation and the inclusion of all perspectives in democratic decision-making.

Table 5 Electoral System and Existence of Quotas

Transforming Parliament: Countries Achieving 30%, 2005			
Country	Electoral system	Existence of Quotas	% Women in NA*
Rwanda	Plurality: first past the post	Yes Type 1: Constitution establishes quota for women Type 2: 24 seats out of 80 are reserved for women in National Assembly Type 3: 20% district councillors are reserved for women	48.8
Mozambique	Proportional representation: list system	Yes Type 4: The front for the Liberation of Mozambique has a 30% quota for women	34.8
South Africa	Proportional representation: list system	Yes Type 1: Constitution establishes quota for women Type 2: 30% of party's list must include women in winnable positions Type 3: The national and provincial laws include quotas Type 4: Most parties adopted a 30% quota for women	32.8
Burundi	Proportional representation	Yes Type 4: Legislated quota of 30% women candidates	30.2
* =National Assembly Note 1: The following types of quotas are considered: Type 1= Constitutional quota for national parliament Type 2= Election law quota or regulation for national parliament Type 3= Constitutional or legislative quota for subnational government Type 4= Political party quota for electoral candidates			

Source: Luciak 2006, Conflict and a Gendered Parliamentary Response (35-36) quoting UNRISD (2005), IPU (2005)

The tables below outline possible areas of change in parliament that will positively impact women's participation (Table 5) as well as examples of initiatives women and men can take to support the progress of gender equality and gender mainstreaming in parliamentary work (table 6):

Table 6 Four areas of Change that will Impact on Women's Participation

Institutional/procedural	Making parliament more 'woman-friendly' through measures to promote greater gender awareness
Representation	Securing women's continued and enhanced access to parliament, by encouraging women candidates, changing electoral and campaigning laws and promoting sex equality legislation
Impact/Influence on Output	Making sure legislation takes into account women's concerns
Discourse	Altering parliamentary language so that women's perspectives are sought and normalized, and encouraging a change in public attitudes towards women

Source: IDEA 2005; 179

Table 7 Institutional/Procedural Representation and Influence on Output and Discourse

Learning the Rules	Using the Rules	Changing the Rules
<ul style="list-style-type: none"> -Develop public speaking and effective communication -Relate to and lobby male colleagues -Network with women's organizations -Distinguish between women's perspectives, women-specific needs and gender issues -Draw attention to sexist discourse -Establish a presence within different committees (e.g. budget, defense, foreign affairs) 	<ul style="list-style-type: none"> -Make a point of nominating and voting for women in internal elections and within parties -Draw attention to absence of women in key positions -Push for and establish government equal opportunity positions and women's ministries -Campaign to expand existing structures to include women's concerns -Influence parliamentary agendas and introduce women-sensitive measures -Establish public enquiries on women's issues and use findings to place issues on government agendas and within legislative programs -Link gender equalities to other equalities -Use media as part of the effective outreach strategy to widen women MPs' constituencies and public support base 	<ul style="list-style-type: none"> -Introduce quota selection rules for the entire party, especially for leadership positions -Introduce quota systems on certain committees or issues of proportionality for men/women representation -Establish gender equality committees -Establish mechanisms to encourage women speakers -Participate in institutional and procedural reform and modernization processes to ensure the resulting changes are women-friendly -Cooperate with the women's movement and the media to change the image of women as 'only' housewives, to portray them as effective and efficient politicians and to normalize the image of a woman politician -Be proud of identity as woman, instead of attempting to imitate men and hide or deny womanhood -Expand legislation to include emerging issues of importance to women (e.g. conflict

		resolution and peace-making, human rights, special women's budgets
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Source: IDEA 2005; 180-181 (excerpts)

When looking at what facilitates women's participation in politics, it is also important to look at the hurdles women face. Three categories are outlined (IDEA 2005; 32-33):

- Ø Political obstacles
- Ø Socio-economic obstacles
- Ø Ideological and psychological hindrances

The persisting challenges for women include:

- Ø Balancing work and family obligations
- Ø Segregation into lower-paid jobs
- Ø Inequality of pay between men and women
- Ø The feminisation of poverty
- Ø Increases in widespread domestic or persistence of violence against women
- Ø Exclusion from post-conflict peace negotiations and rehabilitation

Factors negatively influencing women's access to decision-making bodies include:

- Ø Lack of political party support, including financial and other resources to fund women's campaigns and boost their political, social and economic credibility
- Ø The type of electoral system as well as the type of quota provisions and the degree to which they are enforced
- Ø The tailoring of many institutions according to standards and political attitudes set by men
- Ø The lack of coordination with and support from women's organizations and other NGOs
- Ø Women's low self-esteem and self-confidence, endorsed by certain cultural patterns, which do not facilitate women's access to political careers
- Ø The lack of media attention to women's contributions and potential, which also results in the lack of a constituency for women

According to IPU data, encouragingly, a number of post-conflict countries are listed among the top 30 countries averaging between 25 and 30% of women legislators. A lesson retained is that "[t]here appear to be a number of critical junctures, such as peace processes, transitions to democracy and the drafting of new constitutions, that provide opportunities for increasing women's participation" (UN 2006; 16). Africa, again, has an exemplary role worldwide, as five African countries (the first four and the last) are among the eight first countries with the highest women participation in a post-conflict parliament (Table 7). Africa has a wealth of experience in this regard, and there are many lessons to learn for the rest of the world that should not be missed.

Table 8 Initiating Change in the Wake of War: The Gender Composition of Post-Conflict Parliaments

Country	Women	%	Men	%
Rwanda (2003)	39	48.8	41	52.2
Mozambique (2004)	87	34.8	163	65.5
South Africa (2004)	131	32.8	269	67.2
Burundi (2005)	36	30.5	82	69.5
Uganda (2001)	73	23.9	232	76.1

Source: Luciak 2006, Conflict and a Gendered Parliamentary Response (10) quoting UNRISD (2005), IPU (2005)

It is increasingly seen as important that women are seated at the decision-making tables of transitional and peacebuilding processes. The momentum of the critical junctures can and must be used as a crucial moment of opportunity to improve women's representation in the future society. Too little is known about gender roles in these processes. This is an area where more research is required.

2. Understanding the Added Value of Women's Participation and Gender Mainstreaming

2.1 Gender Concepts

As pointed out by Ambassador Gertrude Mongella, President of the Pan-African Parliament, Member of the Parliament of Tanzania and Chair of the 4th World Conference on Women in Beijing:

"...the participation of women not only provides equal opportunity on a practical level, but also offers a new perspective and diversity of contributions to policy-making and priorities for development. Addressing gender issues is an important strategy in stimulating development, in alleviating poverty, and strengthening good governance. The main reason for this is that development can only be sustainable where material benefits are fairly distributed, especially to those in need, most disadvantaged and most vulnerable – and these people are often women" (UPEACE 2005; 45).

Since women make up more than half the world's citizens, from a democratic perspective it is evident that women also represent half of all political decision making positions, yet in addition it is important for all involved in decision-making, men and women, to be gender-aware and to use a critical gender analysis framework in their work. Great confusion surrounds terminology around gender issues, and it is important to understand the basic concepts to be able to engage in a critical and constructive gender analysis that avoids generalizations and simplification of the issues at hand. Please see Annex I: Glossary of Gender-Related Concepts and Terms, for background information of the terminology used.

While the term 'sex' identifies the biological differences between women and men, the term 'gender' captures the different roles women and men have within society. It is imperative not to use the two terms and ideas interchangeably, but to be informed and to raise awareness about the complexities the differences bring with them. The danger is to draw essentialist¹⁵ conclusions when analysing the roles either sex tends to be covering in a society. The challenge is to realize that roles are not carried out because a person's sex predetermines them biologically, but because a society in a certain geographical area and timeframe happens to define gender roles in a specific way. Gender roles can therefore be learned and 'unlearned', leaving room for considerable positive change. While a role does not become a person's 'natural' identity, it does influence men and women's experience and vision of life.

One stereotypical tendency across many societies, is the construction of women's role in society around passive elements, while men's is constructed around active ones. As a result, women are mainly associated with the 'private life', the house realm, family and their maternal capacity, while men are associated with the 'public' life outside the house. This leads to limited visions of the differences between men and women. To define women mainly in terms of the motherhood experience many, but not all women have, can for example lead to the belief that women are 'natural' peacekeepers because mothers intrinsically are seen as nurturing and therefore peaceful. Since a majority of women will bear children in the course of their lives, motherhood will be more part of the experience of women. It will therefore shape their perspective of daily life and while the

¹⁵ Essentialist positions on gender, race, or other group characteristics, consider these to be fixed traits, while not allowing for variations among individuals or over time. Contemporary proponents of identity politics including feminism, gay rights, and anti-racist activists generally take constructionist viewpoints, agreeing with Simone de Beauvoir that "one is not born, but becomes a woman" [<http://en.wikipedia.org/wiki/Essentialism>]

resulting knowledge must be paid attention to, it also has to be kept in mind that not all women are mothers, and not all women for instance are 'good mothers' as in maternal, nurturing and therefore peaceful. Men can potentially be as good nurturers as women.

Table 9 Main Gender Concepts

Gender	Sex	Gender Roles
<ul style="list-style-type: none"> Ø Socially constructed Ø Difference between and within cultures Ø Includes variables identifying differences in roles, responsibilities, opportunities, needs and constraints 	<ul style="list-style-type: none"> Ø Biologically defined Ø Determined by birth Ø Universal Ø Unchanging 	<ul style="list-style-type: none"> Ø Define what is considered appropriate for men and women within the society, social roles and division of labour; Ø Involve the relation to power (how it is used, by whom and how it is shared); Ø Vary greatly from one culture to another and change over time; Ø Vary from one social group to another within the same culture; Ø Race, class, religion, ethnicity, economic circumstances and age influence gender roles; Ø Sudden crisis, like war or famine, can radically and rapidly change gender roles

Source: UNDP 2001; 4

Due to a possible difference in societal roles, women can bring different qualities to the decision-making table, as will any other group in society, yet it cannot be determined in advance, which specific added value it will be. This is only one of the many vicious circle argumentations that must be avoided in the attempt to engage in a constructive gender analysis. Because gender is not biological it varies over time and across cultures, and it will shape and be shaped by many other defining markers determining people's lives in this world, such as class, ethnicity, culture, religion, health, education, age, income level, geographical location etc. All these criteria must be taken into consideration when analyzing the reality an individual lives in.

"The categories of women, men, boys and girls are not without complexity or controversy. The use of monolithic terms such as "women", "men", "women's experiences", or "men's experiences" does not account for the diversity and stratification among women and men and the effects of ethnicity, race, class, poverty level, age, and geographic location...Within complex political emergencies, it is important to recognize gender's crosscutting roles and most significantly, examine the effects of gender on power relations – how manifested and used by whom (individuals and institutions), and how this plays out before, during and after armed conflict" (Mazurana 2005; 13).

Another misunderstanding that often occurs is that having a woman or women present will automatically lead to gender-sensitive analyses.

"Women's increased presence in decision-making bodies does not automatically ensure attention to gender equality in political processes. An increase in the numerical representation of women has to be complemented with increased substantive representation or the possibility of influencing political decision-making. In addition, the accountability of all political actors to commitments on gender equality and empowerment of

women is critical for ensuring gender-sensitive outcomes through gender-mainstreaming" (UN 2006; 5).

Therefore both, men and women can both use gender analysis training. The greater need for gender awareness training among men stems from their greater number in leadership positions, and the therefore more 'male dominated' leadership culture from which they benefit and that tends to disadvantage women.

Gender mainstreaming therefore is not the increase of women participation alone, but rather general awareness-raising of the perspectives different gender roles in society bring with them and the attempt to include that awareness in daily work. Gender equality and gender mainstreaming are two very different goals. The first is to better realize the demographic reality of the world in decision-making representation for instance, including the equal rights, responsibilities and opportunities of women, men, girls and boys by striving towards equal participation of men and women. The latter, gender mainstreaming, is

"a strategy for making women's as well as men's concerns and experiences an integral dimension of design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres, so that women and men can benefit equally and inequality is not perpetuated" (UN GAOR Doc.A/52/3/Rev.1. (1997); chap. IV, para. 4, 31).

Both are necessary to advance gender issues. Therefore, a critical mass (30%) of women's representation in decision-making positions, encompassing the goal of eventually reaching parity (50%) between men and women in decision-making is not only important for statistical purposes, but also for successful gender-mainstreaming. In a group, the majority tends to determine a certain work culture, and there is always the danger that attempts made by too small a minority to introduce a different work culture, e.g. a gender-mainstreamed one, will fail, as the majority will tend to compel the minority into assimilating into the majority behavior.

"Reactions to female politicians may change as they acquire political legitimacy; the political culture will be less formal and less ceremonious as women are usually briefer and more to the point; and the nature of political discourse may change as gender issues gradually become subject to serious political debate....More balanced participation will be hard to achieve if men continue to dominate the contents, culture, and rules of political institutions and decision-making processes. Women's increased participation in politics will only be truly valued when there is a shift in underlying gender power relations" (Bouta 2005; 63).

Opinions differ on the subject. The fear that pioneer women parliamentarians become surrogate men, for instance, also acknowledges that the presence of one woman might already alter the behavior of men, that sometimes all that is needed is the presence of a single gender-aware woman or man to remind colleagues to include relevant gender issues into a discussion and decision-making process. Yet, it can be agreed that "[w]hile the presence of even one woman can make a change, it is most likely that long-term, significant change will only be realized when there is a substantial number of women in parliament who are motivated to represent women's concerns" (IDEA 2005; 177). The UNDP report (written by Dr. Luciak) Conflict and a Gendered Parliamentary Response points out that "the entry of a sufficient number of women into positions of political power and influence will help make gender visible as key governance issues and will challenge the masculinization of power" while cautioning that "the entry of more women into positions of power within these structures may be a necessary but not sufficient condition for gender-equitable sustainable development" (Luciak 2006 quoting Greig, Kimmel and Lang; 38). Therefore continuous gender awareness training is of paramount importance for men and women.

Two challenges must be identified here: the increase of women representatives to better meet their demographic percentage in society, and the inclusion of gender-awareness by men and women into the decision-making process. The test that a critical mass of women and a critical mass of gender-aware representatives is present would be the

acceleration of the development of women's representation and the mainstreaming of gender issues, which would lead not only to the improvement of women's situation, but also everyone's in a given society (also men's, boy's, girl's, aged and specially challenged people...) through a better informed approach to the impact of gender roles in a specific society.

It is important to measure and qualify the impact a better gender balance brings to the decision-making level for society, while ensuring to avoid the 'essentializing' pitfalls. In general, it must be noted that too little research and documentation is available on the sort of impact women have and the advances achieved with regard to mainstreaming gender issues.

The 1998 Inter-Parliamentary Union survey carried out under almost 200 women politicians from 65 countries, including 14 sub-Saharan African countries (19.3 % of the respondents) for instance showed women's vision of how women's involvement in politics makes a difference. Women noted a shift in political priorities and outcomes, behavior and practices, and a broader and enriched political process (a crosscutting approach). Also, it is mostly women so far, who place women's position in society on the formal political agenda.

In Gender, Conflict and Development, various indicators are listed such as:

- Ø Growing gender consciousness of gender issues in society
- Ø The inclusion of gender issues in the political agenda, and the legislative changes that are important for women
- Ø The proportion of men and women going to the polls, elected to public bodies or appointed to public office

Among the indicators of success of women's participation in politics are the following:

- Ø The introduction of political, institutional and financial guarantees that promote women's candidacies to ensure the equal participation of female nominees in electoral campaigns
- Ø Designing legislative regulations for implementing effective quota mechanisms
- Ø The creation of educational programs and centers designed to prepare women for political careers
- Ø The development of and support for schools (or centers) for the training of women for participation in electoral campaigns.

2.2 Gender Roles and Experiences in Conflict: Added Value for Peacebuilding

"We have seen how women's protection is glaringly neglected, how their contributions to peace building are marginalized, and that without women's equal participation and full involvement in peace processes there will be neither justice nor development" (Noelen Heyzer commenting on 1325. UPEACE 2005; 38).

The binding United Nation Security Council Resolution (2000) urges all governments, UN bodies, and parties to armed conflict to make special efforts to protect the human rights of women and girls in conflict-related situations and to ensure a gender perspective in all activities related to peacebuilding and maintenance. It addresses the protection of women during armed conflict, and calls for an end to impunity for gender-based abuses during and after conflict, the integration of a gender perspective in peacemaking and peacekeeping, and the participation of women in all levels of decision-making and issues related to prevention, management and resolution of conflict. This is an historic Resolution that warrants serious attention and full implementation.

What are the main factors threatening women's well-being in Africa today? HIV/AIDS and conflict are two of the main tragedies by which Africa as a continent is worst affected.

These tragedies have a strong impact on people's lives, and the impact is strongly varied depending also on gender. When looking at Africa and women (or men, girls, boys, the aged) in Africa, certain specific experiences can be determined that are bound to influence their vision when in decision-making positions, making their participation very valuable.

Africa is highly affected by the HIV/AIDS pandemic. Sub-Saharan Africa remains the most affected region and is home to about 65% of the total number of people living with HIV worldwide. Women in general, and girls in particular, are more vulnerable to HIV/AIDS and are disproportionately affected by the epidemic, and women in Africa are being infected at an earlier age than men (there are dramatic increases in HIV infection among young women, who now make up 60% of the 15- to 24- year olds living with HIV/AIDS)¹⁶. Also, women bear the greatest burden of care as they are more often responsible as main care-givers than men. HIV is also spread faster during conflict situations due to increased population displacements, infected military, peacekeeping and insurgent fighters, and rape as an instrument of war.

As stated by the World Bank Group, one in four African countries presently suffers from the effects of armed conflict. The number of African casualties of conflict exceeds that of all other regions combined. About one-fifth of Africans live in countries severely disrupted by conflict, and for the average country in Africa, half of the indicators point to a risk of conflict¹⁷. Women's experiences and roles during conflict often differ from men's experiences. Please see Annex II for elements of conflict situations and possible gender dimensions.

The Clingendael Institute's study¹⁸ sets out women's roles in conflict prevention, conflict resolution and post-conflict reconstruction, and outlines women's contributions through their specific experiences as victims of conflict, combatants, peace activists, peace negotiators, survivors, family heads and workers.

During conflict, women and children are the majority of war casualties and victims of sexual and gender-based violence, yet women also assume the key role of ensuring family livelihood in the midst of chaos and destruction and often act as head of household when the men are absent. Although women in conflict are most often 'only' victimized, their multifaceted role, resulting in a wealth of experience and knowledge, is increasingly recognized.

While gendered conflict patterns (e.g. men are more likely to be killed or wounded and women are more likely to be victims of sexual violence) must be taken seriously, "it is important to avoid the trap of stereotyping" (Luciak 2006; 19). Instead a realistic all-encompassing analysis must be undergone to avoid gaps and to ensure necessary actions are taken. It must be acknowledged, that e.g. women are also fighters and perpetrators or men victims of sexual violence (see next section). In a study collecting girls' involvement in fighting forces during 1990-2003, it was found that: "...girls were part of fighting forces in 55 countries and were involved in armed conflict in 38 of the 55 countries, all of them internal conflicts....Although female participation varies in armies, guerrilla forces, or armed liberation movements, generally they are between one-tenth and one-third of combatants" (Bouta 2005; 11). In Rwanda, "for example, an estimated 3,000 women (a total of 100,000 to 125,000 Rwandans were awaiting trial prior to January 2003) have been tried or are awaiting trial as perpetrators in the 1994 Rwandan genocide" (Luciak 2006; 19-20).

Men, presently still comprising the vast majority of decision-making positions, tend to mainly consider their own societal experience as the norm and might forget to include women's experiences when making political decisions. Due to a different set of specific experiences, there is therefore a greater chance that women will include issues, ask

¹⁶ http://www.unaids.org/html/pub/una-docs/q-a_ii_en_pdf.pdf

¹⁷ <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/0,,contentMDK:20266621~menuPK:537816~pagePK:146736~piPK:226340~theSitePK:258644,00.html>

¹⁸ Tsjeard Bouta and Georg Frerks (eds.), Women's Role in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstructions: Literature Review and Institutional Analysis, Netherlands Institute of International Relations Clingendael, 2005.

questions and address topics in political life that men might simply forget or ignore because it is outside of their realm of experience.

Examples include:

- Ø To stay with Rwanda as an example, after the genocide, the government needed to deal with a staggering number of landless female households caused by discriminatory property and inheritance laws. Women MPs lobbied for the establishment of a Gender Desk in parliament, to support the fight for women's right to inherit property and for the widow's right to claim property from their deceased husband's male relatives.¹⁹
 - Ø With regard to Demobilization, Disarmament and Reconstruction (DDR) efforts, women who are part of irregular armies, making it difficult to prove active participation, or women who are not combatants and do not carry a weapon required to be handed in to receive DDR assistance, will not receive DDR assistance. Special consideration must also be given because "female ex-combatants face a number of additional issues such as health, raising children from rape, ostracism, and domestic violence" (Bouta 2005; 17). MPs' task is to ensure the needs of all women who joined armies during conflict, whether they too had an active combatant role or not, are met in reconstruction efforts²⁰.
 - Ø "Women are estimated to represent 80% of internally displaced persons and refugees", and women ex-combatants and refugees face particular gender-based challenges (counter-traditional gender roles during war seen as threat to traditional gender-relations; stigmatization of victims of sexual violence) (Luciak 2006; 16).
 - Ø Measures to combat domestic violence after conflict are often overlooked. "Whereas gender-based crimes committed during war have been recognized as war crimes. 'little attention has been given to the way in which conflict-related circumstances influence the continuation of violence within the home' following the cessation of hostilities. The application of a gender lens helps parliamentarians to appreciate the importance of addressing domestic violence in the wake of conflict. A gender lens is important to recognize the impact of post-war stress experiences by male ex-combatants, while needs for treatment and therapy for men and boys who have been forced to commit atrocities have been recognized" (Luciak 2006; 26).
- In order to facilitate societal healing, MPs must address violence-related issues and take necessary steps to prevent its downward spiral. Returning fighter for instance, need to learn how to solve conflict peacefully to avoid an increase in domestic violence. "Domestic violence affects not only the victim – it damage the fabric of society, creating fear in women's lives and socializing children in a culture of violence, which undermines the social cohesion and transmits violence into the next generation" (UPEACE 2005; 38).
- Ø Sexual and gender-based violence is another area, where women's perspectives will help account better for necessary action.

Policy Options to advance the inclusion of women in decision-making and gender equality in peace accords include:

Table 10 Gender Aware Policy Options for Peace Accords

¹⁹ Unfortunately, while the process was successful in institutionalising support for women's rights, the new law has been difficult to implement and will not be effective without a nationwide educational campaign to sensitize women and men.

²⁰ In Bouta, the following definition of 'female combatants' is proposed to security and rehabilitation agencies to ensure that all female combatants are targeted with adequate assistance: "women who are part of an (ir)regular army in any capacity, including, but not limited to, cooks, porters, messengers, and the like, and including women recruited for forced sexual purposes and/or forced marriage" (Bouta 2004; 23).

- Ø Organizing training and information sharing events for politicians already in office or those involved in the peace talks
- Ø Developing wider processes of political consultation or representation, for example, with women's organizations
- Ø Increasing the number of female politicians by training women to run for political office, from village to local authorities to the parliamentary level
- Ø Fostering discussion within the public, the media and political bodies (including political parties) about women's involvement
- Ø Setting legislative or party quotas to ensure a minimum number of female candidates
- Ø Establishing indicators to assess the influence of female and male politicians on political outcomes and the political culture and process

Source: Bouta, 2005; 50

Gender-relevant topics that MPs must ensure to have integrated into peace accords include:

Table 11 Gender-Relevant Topics for Peace Accords

- Ø Human rights provisions in new constitutions
- Ø Equal participation in elections
- Ø It should be assured that women are included in all decision-making levels as requested in the UNSC²¹ Resolution 1325
- Ø Laws against sexual and gender-based violence
- Ø Prosecution of sexual and gender-based violence
- Ø Special measures to set up
 - gender-sensitive police forces and other key institutions, e.g. rape (survivor assistance)
 - access to land, property, housing and credit

Source: Bouta 2005; 52

2.3 Sexual and Gender-based Violence during Conflict

Due to the high prevalence of sexual and gender-based violence during conflict, including its history of being ignored by military and executive forces, an in-depth analysis of related issues is proposed for better comprehension, as MPs' role in the adoption and implementation of related policies and legislation is of paramount importance.

Today most conflicts in Africa are intra-state conflicts, and during conflict civilian casualties are not just a regrettable by-product of warfare. Gender-based and sexual violence of civilians has become a weapon of warfare and especially women and girls are targeted. Planned atrocities, such as e.g. the intentional spread of sexually transmitted diseases (STDs), including HIV/AIDS, are integral elements of these new forms of conflict and primarily target women and girls. Also, when men are away fighting, women are solely responsible for their family's well-being. Standing at their centre, holding the family together, they become the most vulnerable intended target, as with their loss, the family and societal fabric disintegrates even further.

As can be seen when analysing sexual and gender-based crimes committed in former Yugoslavia (see below), but also e.g. in Rwanda, Central Africa, Sudan, DRC, attacks against women such as rape and sexual violence can not only be seen as a personal physical violence. Women are under attack, precisely because of their role as guardian of community and society values.

"Women – as symbolic bearers of caste, ethnic, or national identity – are systematically violated. From a cultural perspective, the whole community

²¹ UNSC (United Nations Security Council)

is affected.... '[The] goal [of sexual and gender-based violence] is not to maim or kill one person, but to control an entire socio-political process by crippling it. It is an attack directed equally against personal identity and cultural integrity'" (Bouta 2004; 35).

It also has to be acknowledged that 'men are not always perpetrators of violence, but also victims of violence and conflict'. Boys for instance can be killed to reduce future soldier capacity in a given country, while sexual violence and rape against men is used in an attempt to 'feminizing' the men by giving him the status of a woman, with the intent of humiliation. "The taboos of patriarchal society contribute to making sexual violence against men invisible. In particular male rape is commonly not reported" (Luciak 2006; 20).

In parliamentary work, women MPs are more likely to address issues of sexual and gender-based violence, therefore making these crimes visible as well as advancing gender analysis.

"The forms of violences used and the ways in which perpetrators carry out violent acts – genocide, torture, rape, mass rape, sexual slavery, enforced prostitution, enforced sterilization, enforced abortion, custodial violence, forced displacement, attacks on civilian populations, mutilations, and so on – all correspond to gender: the gender and sex of the victim, the gender of the perpetrator, and gender relations in the society and culture(s)" (Mazurana 2005; 4).

This leads to the improvement of parliamentary action in conflict management and peacebuilding. Human rights abuses such as sexual and gender-based violence, had traditionally not been acknowledged as serious crimes under international law, yet recent developments in International Law include: 1) In the statute of the new International Criminal Court (ICC), definitions of war crimes, crimes against humanity and genocide outlaw many acts of systematic sexual violence: rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, and other acts of similar gravity; and 2) At the Special Court in Sierra Leone, forced marriage can now be prosecuted as a crime against humanity.

Not only have milestone judgments been issued, e.g. by the International Tribunals for Rwanda (ICTR) and the former Yugoslavia (ICTY) in this regard, but these can be traced back to women's participation as investigators, researchers, judges, legal advisors, and prosecutors.

"[T]he only woman judge on the ICTR, was instrumental in questioning witnesses in the Akayesu case²² and evoking testimony of gross sexual violence... [eventually leading] to the defendant's conviction for genocide due to those acts, the first time an international tribunal has found that rape and sexual violence can constitute genocide. Indeed, Judge Navi Pillay, the only woman judge on the ICTR, was instrumental in questioning witnesses in the Akayesu case and evoking testimony of gross sexual violence, resulting in additional charges being added to the indictment. Judge Pillay observed recently: 'Who interprets the law is at least as important as who makes the law, if not more so.... I cannot stress how critical I consider it to be that women are represented and a gender perspective integrated at all levels of the investigation, prosecution, defence, witness protection and judiciary.'²³"

It is due to their specific sets of experiences, that women are more likely to introduce the related agenda items for discussion. Moreover, in Bouta (2005), it is emphasized that

²² On October 2, 1998, the International Criminal Tribunal for Rwanda sentenced former mayor Jean-Paul Akayesu to three life sentences for genocide and crimes against humanity and to 80 years for other violations including rape and encouraging widespread sexual violence.

<http://www.ichrdd.ca/english/commdoc/publications/women/akayesuSentencing.html>

²³ Barbara Bedont and Katherine Hall Martinez, Ending Impunity for Gender Crimes under the International Criminal Court, The Brown Journal of World Affairs, 1999. http://www.crlp.org/pub_art_icc.html

women's participation (as politicians, informants, negotiators, or representatives) enhances the chance that major gender issues will be discussed during peace talks and incorporated in peace accords.

Women's participation in peace processes and political reconciliation include:

...in addition to placing gender issues more frequently on the peace agenda than men, women often do introduce other conflict experiences and set different priorities for peace-building and rehabilitation. They tend to be the sole voices speaking out for women's rights and concerns, often forging coalitions based on women's shared interests that transcend political, ethnic, and religious differences, and bringing a better understanding of social justice and gender inequality to peace negotiations. They are often regarded as less threatening to the established order, thus having more freedom of action. Although there has been little systematic research, anecdotal evidence suggests that women may unite around such issues as motherhood or on the basis of their family responsibilities, whereas such 'bridging' elements seem less important to men. Addressing women's concerns need not be equated with notions of feminism, but as primary caretakers, women tend to prioritise education, health, nutrition, childcare, and human welfare needs. Without a voice, women's concerns are neither prioritised nor resourced (Bouta quoting Naraghi Anderlini and Porter 2005; 52).

The inclusion of sexual and gender-based violence into international law are revolutionary advances for women's rights and gender issues, although much remains to be done as, in reality, perpetrators of sexual and gender-based crimes are very rarely brought to justice. It is therefore extremely important to examine more closely the integration of these elements of international law into international legal frameworks, and to examine the role of women leaders in the process. MPs have an important contribution to make in this regard.

3. Starting to Track National and Regional Milestones of Women's Leadership in Africa

Although most women have been marginalized from peace talks, there have been notable exceptions. Concrete examples at the national level include²⁴:

- Ø In Liberia, the Liberian Women's Initiative (LWI) was grassroots based and while it never gained official status at the peace talks, it played an immensely important advisory and counseling role. LWI organized workshops and seminars for the warlords, helped with disarmament, trained, registered and encouraged women for elections, made the establishment of a women's ministry possible, always advocating for peaceful negotiations and mutual approaches for problem solving.
- Ø In South Africa, the Women's League of the African National Congress (ANC) played a critical role in ensuring women's full and equal participation in the negotiations and transformation process and managed to secure 50% participation within the ANC's team. The participation of women in the drafting of the South African Constitution led to important advances that reflect the nation's diversity: there is specific recognition of women's economic, political and reproductive rights; equality, human rights and the freedom to choose are key principles; women attained a 25% quota in parliament.
- Ø In Burundi, a high-profile delegation of African women politicians, MPs included, was invited to the peace negotiations in Burundi to speak about gender and women's issues to all parties. Subsequently an All-Party Burundi Women's

²⁴ Many of these examples are taken from Bouta (2005) and Gounden (2003).

Conference was held to discuss and formulate recommendations to include the protection of women and women's rights in the peace accords, and 23 of the recommendations were incorporated in the final peace accords, including the legalization of women's right to inherit land and property and girl's access to education.

- Ø In Rwanda, many women elected to local Women's Councils in 1998 had previous experience as leaders or members of women's or mixed organizations. Women's Councils are elected at a local level to provide women with the opportunity to voice issues that affect their communities. Women's grassroots activism and government and donor encouragement for women's organizations opened this political space.
- Ø In Sierra Leone, women have played a critical role in the reintegration of former combatants, particularly those excluded from official programs. In the study *Women Waging Peace* (2004), 55% of the respondents indicated that women in the community played a significant role in helping them reintegrate, compared to 20% from traditional leaders and 32% from international aid workers.
- Ø The women's network on the Mano River Union countries of Liberia, Guinea, and Sierra Leone had a similar role in West Africa, and women in Sudan are at the forefront of social change.

As noted in *Women, Peace and Security* (Conflict Trends #3; 2003), women from Liberia and South Africa, among others, were successful in getting to the negotiations and making a difference by more generally:

- Ø Changing the dynamics of the talks and fostering greater inclusiveness and trust during talks
- Ø Introducing a more holistic approach to peace and security and infusing concerns of the wider society into talks
- Ø Integrating issues of women's rights into the agreement and demands for the inclusion of women in long-term decision-making processes

Concrete examples at the regional level: Since the 4th World Conference on Women in Beijing (1995), AWEPA has been working to ensure that countries would include at least one but preferably 50% of women in the delegations that parliaments are sending to regional conferences, and it has also become clear that the topics AWEPA addresses in its work need to include a gender perspective and that women's leadership needs all the attention and support possible.

AWEPA has had a prominent role in supporting parliamentary capacity building in general, including women parliamentarians and women's caucuses at national and regional levels, especially regional women's networks such as the Réseau des Femmes Parlementaires d'Afrique Centrale (RFPAC) and SADC Parliamentary Forum Regional Women's Parliamentary Caucus (SADC PF RWPC). AWEPA also assists in the development of a women's network in the East African Legislative Assembly and supports women and gender issues at the Pan-African Parliament (PAP).

The Réseau des Femmes Parlementaires d'Afrique Centrale²⁵ (RFPAC), was initiated by women parliamentarians from Africa and Europe, and was constituted during a regional AWEPA conference in Kinshasa, Democratic Republic of Congo (DRC), 6-8 March 2002. The Kinshasa conference was the outcome of efforts that were started during the AWEPA conference on poverty, in Brazzaville (March 2001) and the AWEPA conference on refugees and displaced persons, in Kinshasa (October 2001), where parliamentary women from different African countries worked together on peace and poverty action plans. Women parliamentarians approached AWEPA with the request to assist them in the setting up of a women's network and AWEPA began to support this initiative.

As stated in their statutes, RFPAC's aim is to contribute to the political, economic and social promotion of women, to the building of a true democracy, and to the maintenance

²⁵ Angola, Burundi, Cameroon, Republic of Congo (RC), Democratic Republic of Congo (DRC), Central African Republic, Gabon, Equatorial Guinea, Chad and Rwanda.

of peace and the promotion of impartial justice. In order to achieve this aim, the network's objectives are:

- Ø To reinforce women parliamentarian's capacity
- Ø To preserve peace in Central Africa
- Ø To support women's NGOs and other organizations and women candidatures during electoral campaigns
- Ø To mobilize women voters
- Ø To follow the implementation of the conventions and recommendations of international conferences
- Ø To develop a partnership with men for the development of African society
- Ø To establish relations with information and communication networks in order to mainstream gender issues

The representatives of the different countries, members of the RFPAC, plan to meet at least once a year, but in fact they have met twice or even three times a year to exchange expertise and information and to support each other's efforts. Strategic workshops have taken place to assist women in specializing their skills for their work as Members of Parliaments and in order to maximize the impact they can have. In addition, representatives of the network are frequently invited to international conferences as experts or participants.

RFPAC's first meetings were quite technical as the functioning of the network (the statute, work plan, secretariat, financial resources, etc.) needed to be discussed, agreed and put into place. Since March 2004, the meetings have focused on more specific issues such as: participation of women in elections, the fight against HIV/AIDS and protection of vulnerable children, and peace and democracy. RFPAC successfully managed to create a network for the women involved, from which they have gathered support and strength through regional cooperation. When Rwanda achieved 48% of women representation in the national parliament for instance, the know-how and experience was used to successfully influence legislation improving women's leadership in the Parliaments of Burundi, where elections took place in 2005 and of the Democratic Republic of Congo, where elections will take place in 2006.

The resources for RFPAC (as stated in article 23 of the statutes) have not yet resulted in the financial independence of the network, yet RFPAC, supported by AWEPA, has approached several sponsors such as UNIFEM, UNFPA, UNICEF, in order to sustain their activities.

The necessity and relevance of the RFPAC network are clear and the results are impressive. Some of the most important results of the various meetings that have taken place are:

- Ø Solidarity between the women parliamentarians
- Ø Exchange of experiences and strengthening of their capacities
- Ø Cooperation with the civil society
- Ø Obtaining 30% of women in the Parliament of Burundi and strong efforts in the DRC

Another example of regional women's network support is the South African Development Community Parliamentary Forum Regional Women's Parliamentary Caucus (SADC PF RWPC), which was established to accelerate the transformation of parliament and dismantle the structural barriers and institutional practices that make it difficult for women MPs to become effective legislators. Together with developing women MPs' skills and capabilities as gender advocates, it is important in this effort to actively create formal and informal networks of women MPs. In this regard the SADC Regional Women's Parliamentary Caucus seeks to organize women in parliament on matters of common interest by playing a leading role in placing gender equality on the agenda of SADC parliaments. SADC PF RWPF members are drawn from the Women's Caucuses in national parliaments in the SADC Region.

"There is no doubt that the Caucus is a defining development in the history of the SADC region in accomplishing the objectives of the 1997 SADC

Declaration on Gender and Development. The Parliamentary Forum believes that complementary targeted initiatives such as the Caucus have a key role to play in accelerating the gender agenda and women's empowerment within parliaments in the SADC region. The Caucus will be a catalyst, supporting and sustaining gender sensitive practices among policy makers" (Dr. K Mutukwa, Secretary General of the SADC Parliamentary Forum in a communication sent to AWEPA).

AWEPA supported the development of an informal network of women MPs in the SADC region since 1996, formalized in the Windhoek Agenda on Gender Equality. Gradually the informal network emerged as a formal Caucus. Consultative meetings about purpose, form and modus operandi of such a Caucus, were held in Johannesburg, South Africa 29-30 July 2001, and in Lusaka, Zambia 18-19 October 2001, where a Plan of Action for the SADC Regional Women's Parliamentary Caucus (SADC RWPC) was developed.

As stated in the proposal founding the SADC RWPC, the objectives of the network are:

- Ø To monitor and follow up the domestication and implementation of regional policies and declarations on the advancement of women and gender equality by SADC countries (specifically the SADC Declaration on Gender and Development)
- Ø To strengthen the capacity of National Women's Parliamentary Caucuses, networking and support among women MPs on gender issues in SADC parliaments
- Ø To improve the participation and role of women MPs in electoral processes, conflict prevention, resolution and management
- Ø To lobby for the increased representation and effective participation of women in politics and decision-making structures to a "critical mass" of at least 30% women in policy-making bodies by 2005
- Ø To improve the allocation of resources towards programs and activities on HIV/AIDS

In 2004, the SADC PF RWPC was formalized as an institution within SADC PF. This enables RWPC members to participate in the SADC PF biannual plenary sessions, thereby making inputs into the overall agenda and carrying out their separate meetings at the same time.

AWEPA is also active in eastern Africa, notably with supporting the East Africa Legislative Assembly (EALA). Currently, no formal women's network exists in the EALA, yet with the upcoming elections, there are strong indications that gender-related capacity building will be required for new MPs, and support will be necessary for the setting up of a strong women's Caucus. A similar support program is under consideration for the ECOWAS Parliament women members. AWEPA is working in partnership on a support program for the Pan-African-Parliament (PAP), where women membership is already required in each delegation and caucuses are being developed. Capacity-building of women MPs at the PAP will have an impact across the African continent, as members are also parliamentarians in their own countries.

Parliaments are key to building a sound democratic future in Africa, and women must play a central role in the development of this troubled continent, particularly by facing such challenges as post-conflict reconstruction and containment of the HIV/AIDS pandemic. It is of utmost importance that donors realize the need to support gender mainstreaming and gender equality efforts within and around parliaments through capacity building for women and men MPs and through support in setting up women and gender networks. Regional gender networks have a double impact: gender capacity-building influences national and regional parliamentary work, and regional exchange of women MPs strengthens regional cooperation, which enhances peaceful cooperation.

4. Conclusion

While the African continent faces enormous challenges, especially due to the high prevalence of HIV/AIDS and conflict, it is encouraging to also notice the wealth of

experiences generated by the African peoples working towards surmounting them. The reconstruction of the societal fabric after conflict has been identified as a pivotal moment for the advancement of gender issues, as old patterns can be changed, and Africa through her considerable achievements has many lessons to offer to the rest of the world when it comes to increasing women participation in conflict and post-conflict societies and in introducing gender issues in conflict management and peacebuilding.

Substantial experience and expertise have been generated with regard to dealing with the fight against the impunity of sexual and gender-based crimes (e.g. International Criminal Tribunal of Rwanda (ICTR) and the Gacaca, the Truth and Reconciliation Commission (TRC) in South Africa, the Special Court for Sierra Leone and Sierra Leone TRC) and the lessons learned must be tracked and shared among MPs so that they can actively work towards incorporating the necessary measures in their national legislation and budgets. Ongoing violence against women must be acknowledged, as the worst sexual and gender-based crimes (now accounted for as war crimes, crimes against humanity and genocide in International Law) are manifestations of an ongoing problem of violence against women, a problem prevalent in most societies that might peak during conflict situations, but that is or remains high in pre and post-conflict settings. MPs must take an active role in reforming legislation concerning issues of sexual and gender based crimes. One lesson learned is that MPs also must take a close look at legislation concerning domestic violence and push towards a revision of their justice system to fight the impunity of these crimes.

Women in conflict are victims, but conflict also opens up opportunities for them, that should not be lost in the peacebuilding process. "War in all of its complexity, can [also] be 'a positive catalyst vis-à-vis women and gender relations, as women's groups are often among the new civil organizations that arise to challenge conflict and promote peace and rights'" (Bouta 2005; 17). Many women activists engage in important work that can lead to political and parliamentary involvement in a post-conflict reconstruction phase. Women's enriching role in the political process must be taken seriously. The danger is that the return of peace also means the return to prevalent social structures. Many women might withdraw from political and public life, which can lead to a temporary dip in female participation. Fortunately, this dip can be reversed by international donor pressure and support, as international community involvement in conflict prevention and management can increasingly advocate equal participation by women and men from an early stage in negotiation through to post-conflict reconstruction. Special efforts must be made to maintain and develop the leadership and peacebuilding skills the women have built up, and to direct them into political and parliamentary accomplishments.

For the mainstreaming of gender issues in all areas and an inclusiveness of women's experiences and needs, women should not be expected to just 'assimilate' into power structures dominated by men, but must be given a chance to also introduce different working cultures. This will guarantee a more equal role between men and women and make room for both to introduce gender specific experiences, concerns and needs. Parliamentary gender mainstreaming can therefore best be advanced with the creation of gender caucuses.

"Women's space is best protected within traditional parliamentary networks [women's caucuses], while gender caucuses that include women and men send the important signal that gender is not a synonym for women and that societal transformation has to be a joint endeavour of both sexes" (Luciak 2006; 40-41).

The first step towards gender mainstreaming often is the creation of a women's caucus, to assist women in strengthening each other in a 'safe space'. Eventually, it can change into, or be supplemented by a gender caucus, where MPs, men and women together, can work on the advancement of gender issues.

A main tool MPs can use for the advancement of women's rights is the African Women's Protocol, adopted by African Heads of State in 2003, at the Maputo Summit of the African

Union. The protocol entered into force on 25 November 2005 with its 15th ratification²⁶. The Protocol is groundbreaking in several ways, as it supports women confronting problems that were not addressed in either CEDAW (the 1979 Convention on All Forms of Discrimination Against Women), or the African Charter of Human Rights:

- Ø It calls for equal representation in decision-making and political life reinforcing CEDAW and improving on the 30% target for women's representation that was set by the Beijing process.
- Ø For the first time in international law, it explicitly sets forth the reproductive right of women to medical abortion when pregnancy results from rape or incest or when the continuation of pregnancy endangers the health or life of the mother.
- Ø In another first, the Protocol explicitly calls for the legal prohibition of female genital mutilation, and prohibits the abuse of women in advertising and pornography.
- Ø The Protocol also sets forth a broad range of economic and social welfare rights for women. The rights of particularly vulnerable groups of women, including widows, elderly women, disabled women and "women in distress," which includes poor women, women from marginalized populations groups, and pregnant or nursing women in detention are specifically recognized.

Oxfam GB (Great Britain) has analyzed its experience in supporting the development and ratification process of the Protocol and concluded that:

"on the whole, the level of public awareness about the African Women's Protocol is woefully low. Unfortunately it is lowest among people working with the media, and community organisations. These are the two groups who are crucial for to its implementation" (Gawaya; 47).

MPs have the power to change this trend by using and raising awareness of the document. If ratified, MPs must strive towards its implementation, otherwise a strong push is necessary for its ratification as first step.

For the long-term increase and securing of women's participation and gender-mainstreaming in parliament, tailored capacity building for women and men must remain a major focus.

Women's and gender caucuses at national and regional levels need targeted support to achieve greater impact. The international community has considerable potential for contributing to the realization of a greater role for women in peace and security decision-making. In addition to the support of women MPs and of national and regional women's and gender caucuses, donors can link equal participation and gender-mainstreaming criteria to aid conditionality²⁷ and incorporate this into mutual accountability mechanisms as called for in the Paris Declaration on Aid Effectiveness, Harmonization, Alignment, Results and Mutual Accountability. Particularly in the context of harmonization, alignment and mutual accountability, there are international guidelines, such as the Guidelines for the International Community: Parliaments, Crisis Prevention and Recovery (UNDP; 2006), which also especially address women's issues and call on MPs to:

"Actively support women's political participation: Often, post-conflict transitions present a good opportunity to introduce mechanisms to enhance women's participation. International mediation initiatives should encourage participation of women's political leadership in negotiations and post-conflict political processes. External assistance should also target women's parliamentary groups with a view to improving their ability to caucus and negotiate in the parliamentary setting..." (UNDP (2006; 6). Parliaments, Crisis Prevention and Recovery: Guidelines for the International Community).

²⁶ The countries that have ratified the Protocol as of 5 January 2006 are Benin, Cape Verde, The Comoros, Djibouti, The Gambia, Lesotho, Libya, Malawi, Mali, Mauritania, Mozambique, Namibia, Nigeria, Rwanda, Senegal, South Africa and Togo.

²⁷ Naturally double standards should be avoided by the international community's commitment to support the same development in their own regions.

While it is clear that women leaders are playing an increasingly useful role in the area of peacebuilding, it is also not sufficiently documented and given recognition. This research points to a large gap, where research and ongoing monitoring of women's leadership achievements is urgently needed. Seen in this light, the current paper will hopefully act as a catalyst for future research.

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IV. Annexes

Annex 1: Glossary of Gender-Related Concepts and Terms

Ø Sex

Sex refers to the biological characteristics which define humans as female or male. These sets of biological characteristics are not mutually exclusive as there are individuals who possess both, but these characteristics tend to differentiate humans as males and females. (WHO)

Ø Gender

Gender refers to the array of socially constructed roles and relationships, personality traits, attitudes, behaviours, values, relative power and influence that society ascribes to the two sexes on a differential basis. Whereas biological sex is determined by genetic and anatomical characteristics, gender is an acquired identity that is learned, changes over time, and varies widely within and across cultures. Gender is relational and refers not simply to women or men but to the relationship between them.

Ø Gender Equality

Gender equality entails the concept that all human beings, both men and women, are free to develop their personal abilities and make choices without the limitations set by stereotypes, rigid gender roles, or prejudices. Gender equality means that the different behaviours, aspirations and needs of women and men are considered, valued and favoured equally. It does not mean that women and men have to become the same, but that their rights, responsibilities and opportunities will not depend on whether they are born male or female.

Ø Gender Equity

Gender equity means fairness of treatment for women and men, according to their respective needs. This may include equal treatment or treatment that is different but considered equivalent in terms of rights, benefits, obligations and opportunities. In the development context, a gender equity goal often requires built-in measures to compensate for the historical and social disadvantages of women.

Ø Gender Analysis

Gender analysis is a systematic way of looking at the different impacts of development, policies, programs and legislation on women and men that entails, first and foremost, collecting sex-disaggregated data and gender-sensitive information about the population concerned. Gender analysis can also include the examination of the multiple ways in which women and men, as social actors, engage in strategies to transform existing roles, relationships, and processes in their own interest and in the interest of others.

Ø Gender Mainstreaming

Gender mainstreaming is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in any area and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres, such that inequality between men and women is not perpetuated.

Ø Gender Mainstreaming Principles

Gender mainstreaming means:

- o forging and strengthening the political will to achieve gender equality and equity, at the local, national, regional and global levels;
- o incorporating a gender perspective into the planning processes of all ministries and departments of government [and parliament], particularly those concerned with macroeconomic and development planning, personnel policies and management, and legal affairs;
- o integrating a gender perspective into all phases of sectoral planning cycles, including the analysis development, appraisal, implementation, monitoring and evaluation policies, programmes and projects;
- o using sex-disaggregated data in statistical analysis to reveal how policies impact differently on women and men;
- o increasing the numbers of women in decision-making positions in government and the private and public sectors;
- o providing tools and training in gender awareness, gender analysis and gender planning to decision-makers, senior managers and other key personnel;
- o forging linkages between governments, the private sector, civil society and other stakeholders to ensure a better use of resources.

Ø Gender-Neutral, Gender-Sensitive, and Gender Transformative

The primary objective behind gender mainstreaming is to design and implement development projects, programmes and policies that:

- o do not reinforce existing gender inequalities (Gender Neutral)
- o attempt to redress existing gender inequalities (Gender Sensitive)
- o attempt to re-define women and men's gender roles and relations (Gender Positive/Transformative)
- o The degree of integration of a gender perspective in any given project can be conceptualized as a continuum:

Gender Negative	Gender Neutral	Gender Sensitive	Gender Positive	Gender Transformative
Gender inequalities are reinforced to achieve desired development outcomes	Gender is not considered relevant to development outcome	Gender is a means to reach set development goals	Gender is central to achieving positive development outcomes	Gender is central to promoting gender equality and achieving positive development outcomes
Uses gender norms, roles and stereotypes that reinforce gender inequalities	Gender norms, roles and relations are not affected (worsened or improved)	Addressing gender norms, roles and access to resources in so far as needed to reach project goals	Changing gender norms, roles and access to resources a key component of project outcomes	Transforming unequal gender relations to promote shared power, control of resources, decision-making, and support for women's empowerment

Source: instraw. <http://www.un-instraw.org/en/index.php?option=content&task=view&id=37&Itemid=76>

Annex 2: Elements of Conflict Situations and Possible Gender Dimensions

Elements of conflict situations and possible gender dimensions	
Pre-conflict situations	
<i>Elements of conflict situations</i>	<i>Possible gender dimensions</i>
Increased mobilization of soldiers	Increased commercial sex trade (including child prostitution) around military bases and army camps.
Nationalist propaganda used to increase support for military action	Gender stereotypes and specific definitions of masculinity and femininity are often promoted. There may be increased pressure on men to 'defend the nation.'
Mobilization of pro-peace activists and organizations	Women have been active in peace movements – both generally and in women-specific organizations. Women have often drawn moral authority from their role as mothers, but they have also been able to step outside traditional roles during conflict situations, taking up public roles in relief and political organizations.
Increasing human rights violations	Women's rights are not always recognized as human rights. Gender-based violence may increase.
During conflict situations	
Psychological trauma, physical violence, casualties and death	Men tend to be the primary soldiers/combatants. Yet, in various conflicts, women have made up significant numbers of combatants. Women and girls are often victims of sexual violence (including rape, sexual mutilation, sexual humiliation, forced prostitution and forced pregnancy) during armed conflict.
Social networks disrupted and destroyed – changes in family structures and composition	Gender relations can be subject to stress and change. The traditional division of labour within a family may be under pressure. Survival strategies often necessitate changes in the gender division of labour. Women may become responsible for an increased number of dependents.
Mobilization of people for conflict. Every day life and work disrupted.	The gender division of labour in workplaces can change. With men's mobilization for combat, women have often taken over traditionally male occupations and responsibilities. Women have challenged traditional gender stereotypes and roles by becoming combatants and taking on other non-traditional roles.
Material shortages (shortages of food, health care, water, fuel, etc)	Women's role as provider of the everyday needs of the family may mean increased stress and work as basic goods are more difficult to locate. Girls may also face an increased workload. Non-combatant men may also experience stress related to their domestic gender roles if they are expected, but unable, to provide for their families.
Creation of refugees and displaced people	People's ability to respond to an emergency situation is influenced by whether they are male or female. Women and men refugees (as well as boys and girls) often have different needs and priorities.
Dialogue and peace negotiations	Women are often excluded from formal discussions given their lack of participation and access in pre-conflict decision-making organizations and institutions.

Elements of conflict situations and possible gender dimensions (cont.)	
<i>Elements of conflict situations</i>	During reconstruction and rehabilitation <i>Possible gender dimensions</i>
Political negotiations and planning to implement peace accords	Men and women's participation in these processes tends to vary, with women often playing only minor roles in formal negotiations or policy making.
Media used to communicate messages	Women's unequal access to media may mean that their interests, needs and perspectives are not represented and discussed.
Use of outside investigators, peacekeepers, etc.	Officials are not generally trained in gender equality issues (women's rights as human rights, how to recognize and deal with gender-specific violence). Women and girls have been harassed and sexually assaulted by peacekeepers.
Holding of elections	Women face specific obstacles in voting, in standing for election and in having gender equality issues discussed as election issues.
Internal investments in employment creation, health care, etc.	Reconstruction programmes may not recognize or give priority to supporting women's and girls' health needs, domestic responsibilities or needs for skills training and credit.
Demobilization of combatants	Combatants are often assumed to be all male. If priority is granted to young men, women do not benefit from land allocations, credit schemes, etc.
Measures to increase the capacity of and confidence in civil society	Women's participation in community organizations and NGOs is generally uneven. These organizations often lack the capacity and interest in granting priority to equality issues.

Source: UNDP 2001; 5-6.

Annex 3: Gender Aware Policy Options for Peacebuilding Efforts

Disarmament, Demobilisation and Reintegration	<p>1. Target all women and men in (ir)regular armies with post-conflict assistance:</p> <ul style="list-style-type: none"> • Recast the definition of female combatants; • Track and identify female and male ex-combatants well in advance of the DDR program; • Consider targeting female dependents of ex-combatants in their own right and separating them from their male counterparts; and • Use women-favored communication channels to disseminate information on upcoming DDR programs. <p>2. Gender-sensitize demobilization activities and facilities:</p> <ul style="list-style-type: none"> • Support new forms of social organization for women and men that return home; and • Consider potential gender differences in encampment facilities, predischage information, and other relevant areas. <p>3. Anticipate male and female soldiers' different economic, social, and psychological reintegration:</p> <ul style="list-style-type: none"> • (Economic) Consider female soldiers' limited access to land, relatively few skills, restricted mobility, and the strict labor divisions that they may face; • (Social) Prepare communities for male and female soldiers' return; • (Social) Assist female soldiers in dealing with the often unequal gender relations at home compared to the army; • (Social) Combat negative stigmatization of female soldiers and soldiers' wives; • (Social) Establish separate veterans' groups for male and female soldiers; • (Social) Rely on and support existing informal community efforts, that are often women-led, to support social reintegration; and • (Psychological) Ensure the presence of female counselors who know how to work with GBV survivors.
Gender-based and Sexual Violence	<p>4. Raise GBV awareness, involving both women and men.</p> <p>5. Provide psychological assistance to all actors involved in GBV:</p> <ul style="list-style-type: none"> • Support local counseling capacities, including both female and male counselors; and • Where possible, adopt local counselling techniques, while ensuring that female counselors are present and that local counselling techniques are women-friendly. <p>6. Incorporate support to GBV survivors in medical assistance programs.</p> <p>7. Build the institutional capacity of actors involved (such as the police, judiciary, and border patrols):</p> <ul style="list-style-type: none"> • Involve women's organizations in GBV training; and • Establish special GBV units within the police and other relevant institutions. <p>8. Consider providing assistance to male GBV survivors.</p>
Formal Peace Processes	<p>9. Encourage the incorporation of gender issues into peace accords and political rehabilitation activities:</p> <ul style="list-style-type: none"> • Provide gender awareness training to women and men in office; and

	<ul style="list-style-type: none"> • Develop wider processes of political consultation and representation such as women's organizations. <p>10. Support women's and men's equal participation in decision-making structures and elections:</p> <ul style="list-style-type: none"> • Train and recruit women and men to stand as political candidates at all levels; • Foster discussion about women's and men's political participation; • Carefully use quotas and other affirmative action to increase the number of women in politics; and • Assess impact of a more gender-balanced political participation.
Informal Peace Processes and Rebuilding Civil Society	<p>11. Strengthen women's organizations and other CSOs to bridge the gap between informal and formal peace processes:</p> <ul style="list-style-type: none"> • Provide capacity building and training to women's organizations; • Support women's organizations to increase their visibility and exposure; • Encourage interaction between women's organizations and actors in formal peace processes; and • Support female civil society leaders to enter formal politics. <p>12. Assist women's organizations and other CSOs during and after conflict and consider them as the foundation for a post-conflict civil society:</p> <ul style="list-style-type: none"> • Ensure long-term support to women's organizations; • Promote the organizational skills of women's CSOs; • Integrate women and women's organizations in longer-term rehabilitation and development efforts; and • Improve donor coordination within a longer-term strategy.
Legal Framework	<p>13. Increase commitment to existing international legislation.</p> <p>14. Gender-sensitize the constitution and other laws at the national level:</p> <ul style="list-style-type: none"> • Ensure women's and men's involvement in drafting new legislation; • Inform and train women and men on their legal rights; and • Encourage the judiciary to enforce gender sensitive laws. <p>15. Provide for the establishment of national machinery for gender equality.</p> <p>16. Encourage judicial mechanisms to acknowledge, condemn, and prosecute all crimes against women and men in conflict situations.</p> <p>17. Facilitate the process of survivors and witnesses sharing and reporting experiences.</p>
Work (General)	<p>18. Ease household burdens that may limit participation outside the home.</p> <p>19. Anticipate women's parenting tasks.</p> <p>20. Target women and men equally without reinforcing gender-stereotypical labor divisions.</p> <p>21. Develop a long-term, integrated approach toward gender and employment.</p>
Agricultural Work	<p>22. Short-term: provide women and men with the means to survive.</p> <p>23. Medium and longer-term: ensure equal access to land and other productive assets.</p> <p>24. Gender-sensitize agricultural support services.</p> <p>25. Revive self-help groups, often including women's CSOs.</p>
Informal Urban Work	<p>26. Deal critically with microcredit programs.</p> <p>27. Set up vocational training programs on the basis of a proper market research and gender analysis.</p> <p>28. Stimulate the improvement of labor conditions and rights.</p>

Formal Urban Work	<p>29. Encourage women's employment in "traditional" women's sectors.</p> <p>30. Certify women's and men's newly acquired skills and experiences.</p> <p>31. Undertake positive action to involve women in rehabilitation and development activities.</p> <p>32. Improve basic employment conditions for women and men.</p>
Rehabilitating Social Services	<p>33. Restart public education and health services:</p> <ul style="list-style-type: none"> • Value professionally women's/men's efforts in education and health; • Take community-based or home-based education and health systems as a starting point for rehabilitating the education and health sectors; and • Employ women and men in reconstruction efforts. <p>34. Gender-sensitize health and education services:</p> <ul style="list-style-type: none"> • Broaden the focus beyond primary education; • Encourage everyone (women, men, boys, and girls) to participate in education; • Prioritize rural girls' education; and • Develop gender-balanced education systems and training.
Community Driven Development	<p>35. Increase women's participation and empowerment in CDD projects.</p> <ul style="list-style-type: none"> • Adopt CDD approaches in post-conflict reconstruction, while mobilizing the support of men and communities for women's participation; • Invest in (gender) training community leaders and local gender facilitators; • Adapt timing of community meetings to meet women's needs and time constraints and consider facilitating transport so more women can attend meetings; • Organize separate women's meetings to help them prepare for presentations to the wider community or council meetings; • Encourage local innovation and experimentation on ways to improve women's participation; and • Develop strong gender monitoring and evaluation components in project design.

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Annex 5: Case Studies

Congo-Brazzaville

Renforcement des capacités du parlements en situation de conflit et post-conflit

Introduction

Depuis l'accession du Congo à l'indépendance, le pouvoir législatif s'est exercé selon certains schémas adaptés au contexte de l'histoire de la manière suivante :

- Ø de 1959 à 1963 : constitution d'une Assemblée Nationale sur la base des élections pluralistes ;
- Ø de 1963 à 1991 : période dominée par le Parti unique . Succession de législatures mises en place sur la base d'une liste unique élue par le peuple ;
- Ø de 1991 à 1992 : avènement de la démocratie. Mise en place du premier Parlement de Transition (le Conseil Supérieur de la République) ;
- Ø de 1992 à 1997 : mise en place d'un Parlement bicaméral (Assemblée Nationale et Sénat) sur la base des élections pluralistes ;
- Ø en 1997, (l'ère démocratique est mise entre parenthèse) suite à une guerre particulièrement meurtrière et destructive ;
- Ø Depuis 2002, retour à l'ère démocratique à la suite des élections pluralistes à l'issue desquelles un Parlement bicaméral a été mis en place.

Les périodes susmentionnées ont été émaillées de quelques conflits d'ordre politique, notamment en 1959 et pendant la période allant de 1992 à ce jour caractérisée par :

- Ø la dissolution en novembre 1992 de l'Assemblée Nationale issue des élections pluralistes ayant engendré la guerre de 1993 (par le fait que le Parti congolais du Travail ancien Parti unique
- Ø la guerre du 5 juin 1997 ;
- Ø la rébellion armée dans certains départements du pays (1998 - 1999 – 2000).

Quel rôle les Parlements qui se sont succédés ont-ils joué pendant et après les conflits ?

- 1- Prise de position du Parlement face à la situation conflictuelle :

La persistance des conflits opposant les bandes armées aux Forces loyalistes a conduit le Parlement à exhorter le Gouvernement à mettre en œuvre des mesures d'ordre politique tendant à apaiser le climat social et à garantir le retour de la paix.

- 2- Mise en place des Groupes parlementaires pour la paix

Des Groupes parlementaires constitués des élus issus des départements touchés par des conflits ont été mis en place pour aller à la rencontre des populations. Ces occasions ont permis aux Parlementaires desdits Départements directement concernés par les affrontements armés à tenir collectivement des meetings populaires de paix sur l'ensemble de leurs circonscriptions. Un train dit de la « paix » sillonna les gares du Pool, de la Bouenza et du Niari pour appeler les populations à l'unité et à la concorde nationale.

En conséquence, ces interventions d'ensemble ont constitué un tournant majeur dans la mission et les modes d'action qui ont fait du Parlement un véritable pompier prêt à éteindre le feu des conflits politiques.

Prélude à ces descentes parlementaires dans les Départements, le Parlement organisa un large débat au cours duquel les modes d'action opératoires furent minutieusement arrêtés.

- 3- Rencontres bilatérales et multilatérales (au niveau national)

En vue d'aider le Gouvernement à faire face à la crise, le Parlement avait entrepris des rencontres avec les partenaires bilatéraux (Ambassades) et multilatéraux (Organismes internationaux) pour conduire le Congo vers le consensus de la paix. L'Ambassade de France et le Programme des Nations Unies pour le Développement étaient très sollicités au cours du conflit et pendant la période post-conflit.

- 4- Contacts avec les exilés politiques

A la fin de la guerre, le Parlement avait pris des initiatives pour organiser le dialogue avec les dignitaires du régime déchu regroupés au sein de l'Espace Republicain pour la Défense de la Démocratie et de l'Unité Nationale (ERDDUN), particulièrement avec ceux qui s'étaient démarqués de la violence pour créer les conditions de leur retour au pays. Aussi des délégations parlementaires furent-elles envoyées en Belgique, en France, au Gabon, en Afrique de l'Ouest, etc.

Ces rencontres ont contribué à la décrispation du climat politique et au retour de nombreux exilés au pays.

- 5- Plaidoyer au plan international

Face à l'insécurité et aux opérations de sabotage récurrentes perpétrées par les milices armées, le Parlement, au terme d'un débat public, recommanda entre autres au Gouvernement de :

- Ø mener une rigoureuse campagne d'explication dans les capitales africaines et occidentales sur les événements dont le Congo était le théâtre depuis la fin de l'année 1998 ;
- Ø créer au sein des ambassades une structure permanente chargée d'informer, au jour le jour, l'opinion internationale sur la situation réelle qui prévaut au Congo à partir de divers supports dont l'Internet ;
- Ø signer avec les pays ayant une frontière commune avec le Congo, des accords bilatéraux de bon voisinage de non agression à l'instar de celui conclu avec la République Démocratique du Congo et mettre en place des comités de suivi de l'exécution de ces accords.

On a noté après la mise en œuvre de ces mesures, la réouverture de nombreuses ambassades (U.E, France, Italie, Russie, Belgique, Cuba, Angola, Gabon, RCA, etc.), le retour des compagnies aériennes internationales (Air Afrique, Air France, Cameroon Airlines, Air Gabon, TAAG, etc.) et la reprise de la coopération avec le FMI et la Banque Mondiale.

6- Contribution à la signature des Accords de cessez-le-feu et de cessation des hostilités

Le parlement s'était impliqué pour faciliter des contacts directs entre les factions armées et les Forces Armées Congolaises. Ces efforts de facilitation aboutirent à la signature des Accords de cessez-le-feu et de cessation des hostilités le 16 novembre 1999 à Pointe Noire et le 29 décembre 1999 à Brazzaville.

Pour faire aboutir les termes de ces accords, un organe paritaire de suivi dénommé Comité de Suivi des Accords de cessez-le-feu et de cessation des hostilités en République fut mis en place par décret présidentiel n°2004/4 du 14 février 2000.

Un Haut Commissariat chargé de la prise en main des ex-combattants fut mis en place.

7- Institution d'un Comité parlementaire paritaire de paix

Composé des élus des deux Chambres du Parlement, ce Comité a participé à toutes les initiatives en faveur du renforcement de la paix, notamment dans les zones touchées où il s'est impliqué pleinement pour la restauration, l'organisation des concertations permanentes sur la paix, la réconciliation et l'unité nationale.

8- Adoption d'un arsenal juridique tendant à apaiser et à assainir le climat socio-politique

Afin de garantir le retour des exilés au pays, de consolider la paix et de donner suite aux différents accords conclus, plusieurs lois ont été votées. On retiendra entre autres:

- Ø la loi n°20-99 du 15 août 1999 portant adhésion de la République du Congo à la Convention contre la torture et les autres peines ou traitements cruels, inhumains ou dégradants ;
- Ø la loi n°21-99 du 20 décembre 1999 portant amnistie des faits de guerre découlant des guerres civiles ;
- Ø la loi n°4-2000 du 1^{er} février 2000 portant création du Tribunal Militaire de Brazzaville ;
- Ø la loi n°5-2000 du 1^{er} février 2000 portant création du Tribunal Militaire de Pointe Noire ;
- Ø la loi n°9-2000 du 31 juillet 2000 portant orientation de la Jeunesse ;
- Ø la loi n°10-2000 du 31 juillet 2000 portant création d'un Fonds d'appui à la Jeunesse ;
- Ø la loi n°14-2000 du 20 novembre 2000 autorisant l'adhésion de la République du Congo à la Convention sur l'interdiction de l'emploi, du stockage, de la production et du transfert des mines anti-personnel et sur leur destruction ;
- Ø la loi n°3-2001 du 1^{er} juillet 2001 approuvant un Accord de crédit de démobilisation et de réinsertion d'urgence des ex-combattants ;
- Ø la loi n°4-2001 du 1^{er} juillet 2001 approuvant un Accord de crédit de redressement économique post-conflit ;
- Ø la loi n°15-2001 du 31 décembre 2001 relative au pluralisme dans l'audiovisuel public.

Conclusion

Au sortir de la guerre particulièrement meurtrière comme celle du Congo qui en 150 jours de combats aura déstabilisé toute l'existence d'un pays, le retour à l'ordre institutionnel non seulement n'est pas facile mais nécessite un effort particulier des autorités en place. La stratégie consiste à mettre en place les institutions qui peuvent remplir les tâches nécessaires, c'est à dire voter les lois, contrôler l'Etat et représenter le peuple.

L'institution législative congolaise s'est confrontée, à l'issue de la guerre, à plusieurs problèmes qui ne lui ont pas permis d'assurer pleinement son rôle. Les besoins ont concerné presque tous les domaines du fonctionnement parlementaire : l'administration parlementaire, la procédure législative, la documentation, l'infrastructure, le manque de contacts entre les parlementaires et leurs électeurs etc...

Aussi, le soutien au pouvoir législatif en situation de conflit et post conflit devrait être un élément clé dans la stratégie globale de la Communauté internationale. Il s'agit essentiellement ;

- Ø de soutenir l'institution afin de la ramener à l'ordre démocratique c'est à dire capable d'analyser de façon critique, de faciliter et de contrôler les objectifs nationaux de développement afin que le pays puisse mettre en marche son agenda de programmes économiques et sociaux.
- Ø de l'aider à mieux jouer son rôle de véhicule pour la réconciliation nationale
- Ø de renforcer les capacités des parlementaires afin qu'ils accomplissent pleinement leurs fonctions législatives,
- Ø de mettre à la disposition de l'institution des ressources documentaires et de matériel nécessaire à son bon fonctionnement.
- Ø de faciliter pour échange d'expérience, les contacts entre les différents Parlements dont les pays sont en situation de conflit et de post-conflit.
- Ø de renforcer les capacités du personnel de l'administration parlementaire.
- Ø de mettre en place et de former des groupes d'experts des Nations Unies spécialisés dans l'encadrement des Parlements en situation de conflit et post-conflit.

Lesotho

A State Emerging from Crisis

Background: Towards the First Multi-Party Parliament in Lesotho

Lesotho is one of the smallest political units of Africa: It has an estimated population of 2.2 million people, spread over an area of 11,720 square kilometres. Its population is almost homogeneous - 98% of the population is known as Basotho people. Lesotho was a British colony for 98 years, and it was granted independence on 4 October 1966. After independence Lesotho had a relatively stable period of five years. The nation-state was ruled by the Basotho National Party (BNP) until the election in 1970, producing a political crisis. The election was won by the opposition Basotho Congress Party (BCP), but this outcome was not accepted by the BNP. The head of BNP, Leabua Jonathan, decided to suspend the Constitution and launched a political coup, leading to a dictatorial regime of 16 years. In 1974, the BCP attempted an unsuccessful coup, whose failure introduced the beginning of a reign of oppression. Some party members founded the Lesotho Liberation Army (LLA) and tried to destabilise the BNP government for several years.

In the 1980s, Lesotho became a training area for the South African National Congress (ANC) and Pan Africanist Congress (PAC), leading to a temporary closing of the Lesotho borders by the South African apartheid regime, which had immense economic impact and intensified the level of conflict in Lesotho. In 1986 the national army (Lesotho Defence Force) forced Leabua Jonathan to retire. This military coup brought a jubilant public to the streets. It was more a celebration of the fall of the BNP than it was an embrace of military rule. The next five years the country was ruled by a military regime that had the King at its helm. During this regime all political activity was suspended. Several disagreements within the regime ended the military-monarch alliance, and a second military administration, which dethroned the King Moshoesoe II, rose and fell again within not much more than one year. The regime's success in convening the Constituent Assembly, whose brief was to produce a new Constitution and in dethroning the King camouflaged an impending crisis. The King was an easy scapegoat for the political unrest. He was officially accused of resisting efforts of returning the country to civilian rule. There was discontent among civil society and the army was becoming restless again. The result was a third takeover by another military administration. The new leader, Colonel P. Ramaema, finally led the country to the long promised elections. After 23 years without democracy, elections were finally held in 1993, yet this was not the end of the political struggle. Because of the majoritarian constituency-based electoral system, the Basotho Congress Party won all the 65 parliamentary seats in the election. The BNP alleged electoral fraud, but the 180 international observers pronounced the elections as free and fair. The election results intensified the tensions between the two political sides in Lesotho.

In January 1994, the country's army of 2000 soldiers split into two rival factions which ended up in a gun battle for twelve hours. In April 1994, S. Baholo, Minister of Finance was killed by 'army rebels' and other politicians were detained. This combined with a strike by the Lesotho Mounted Police caused a highly insecure situation in the country. Ironically the army, which had seemingly been a major threat to the BCP regime because of their loyalty to the BNP, took over police functions of maintaining law and order. The 'weak governance' of the BCP government led to the overthrow of the government by King Letsie III. This royal coup was again characterized by several years of social and political unrest which led to skirmishes between rebel and army troops. Because of political pressure from Zimbabwe, Botswana and South Africa, the King was forced to reinstate the BCP government. The government then reinstalled the dethroned King Moshoeshoe II (Makoa, 1996).²⁸ Due to internal tensions the BCP broke up in two rival factions in 1997. The BCP leader Mokhehle took the unprecedented step of resigning from the BCP and with a majority of 42 BCP members he effectively became the government. This government takeover is known as the Parliamentary coup.

In 1998 Mokhehle's new party, the Lesotho Congress for Democracy, won the elections with the remarkable result of 79 of 80 seats in parliament. The LCD had won only 60% of the votes, and once again the first-past-the-post (FPTP) constituency system seriously disadvantaged the losing parties (see table 1). Again there were protests against the results of the elections. The protests started peacefully but became violent soon and Lesotho faced another four dark years. The unrest in Lesotho made South Africa, by invitation of the LCD, decide to intervene in the crisis. They were later joined by troops from Botswana. Together they formed the SADC Peacekeeping Force and crossed the borders of Lesotho in September 1998 (Rule, 2000). With SADC assistance, talks on changing the electoral system and holding new elections were held. Finally, all parties concluded a Memorandum of Agreement. It was agreed that the parties that contested the elections would form an Interim Political Authority (IPA). All parties were relatively satisfied and this led to the first stable political period since decades.

Elections were held on 23 May 2002 with a new electoral system. The IPA had agreed a new system that was a mixture of the old FPTP system and a proportional representation (PR) system. This included that voters had two ballots, one for a local candidate, another for one of the 19 parties running in the elections. The election result ended up in the first multi-party parliament in Lesotho (see table 1). Although the opposition was again unsatisfied with the election process and rejected the results, the 2002 election was relatively more acceptable because of the following reasons: the collaboration of different parties in the IPA; the growing confidence in the Independent Electoral Commission (IEC) owing to constant discussions between the political parties and the IEC; the changed electoral system and the fatigue with the endless political chaos. The general outcome of the 2002 elections gives hope for optimism, peace and stability in Lesotho (Doxtader and Villa-Vicencio, 2003).

²⁸ King Letsie III gave up the crown so his father, returned from exile, could reassume it in 1995. But Letsie III was put back in line for the monarchy when his father died in a January 1996 car accident.

Election Results in Lesotho

Party	1970		1993		1998**		2002***	
	% Votes	Parl. Seats	% Votes	Parl Seats	% Votes	Parl. Seats	% Votes	Parl. Seats
BNP	42	36	23	0	24	1	22	21
BCP	50	23	75	65	10	0	3	3
LCD * ²⁹	-	-	-	-	60	79	55	77
Others	8	1	2	0	3	0	20	19

Relationship between Lesotho and AWEPA

AWEPA's activities in Lesotho started in 1993. A team of observers was sent to the elections that year. After that, AWEPA has been directly involved in the process of parliamentary capacity building. This included the following activities:

- Assistance in passing legislation on a new electoral system
- Pre-election training of women candidates
- Civic education workshops with the Lesotho Council of NGOs
- Election observation mission in 2002
- Post election Needs Assessment and Member training in cooperation with UNDP
- Assisting the Parliamentary Reform Committee

Parliament in Transition: Recommendations and Proposed Actions

The period towards the new elections in 2007 is crucial for strengthening democracy in Lesotho. Participation, collaboration and confidence are needed to work towards a culture of political tolerance on which the Lesotho people can rely on. To achieve this political environment the Parliament and its MPs have a lot of challenges to face.

Recommendations and Proposed Actions

Problem	Goals and Opportunities	Means
Political tension and intolerance	<ul style="list-style-type: none"> • Build confidence • Fight political exclusion 	<ul style="list-style-type: none"> • Facilitate dialogue • Fight corruption • Increase transparency
Weak democracy	<ul style="list-style-type: none"> • Political modernization • Deepening of democracy 	<ul style="list-style-type: none"> • Strengthening opposition • Empower women • Introduce gender specific policies • Institutionalize Parliamentary committees • De-patronage electoral process • Educate MPs • Strengthen link with population and civil society
Vulnerable Society	<ul style="list-style-type: none"> • Reduce social-economic conflict generating factors 	<ul style="list-style-type: none"> • Fight Poverty/inequality • Fight HIV/AIDS • Introduce reliable and accountable security apparatus • Improve civil service and de-link it from political interests • Hold perpetrators of crimes responsible through justice procedures

* LCD was founded by the breaking up of BCP

** Parliamentary seats increased from 65 to 80

*** Parliamentary seats increased from 80 to 120

Mozambique

Post-Conflict Parliamentary Development in Mozambique

Background

When Mozambique gained its independence from Portugal in 1975, a one-party Marxist state was established by Frelimo, the Front for the Liberation of Mozambique, which had been leading an armed struggle for more than a decade. In the late 1970s, Frelimo offered support to the Zimbabwe African National Union (ZANU) in its liberation struggle against the white minority regime in neighboring Rhodesia. In response, the Rhodesian government established and supported Renamo, the Mozambique National Resistance, which conducted attacks on ZANU bases in Mozambique. Following Zimbabwe's independence in 1980, the apartheid regime in South Africa became Renamo's main sponsor, as part of the destabilization campaign against the Frontline States. The result for Mozambique was a bloody civil war that destroyed most important infrastructure and made dire enemies of the two main political forces in the country.

By 1990, it was clear that significant changes were underway. Frelimo adopted a new constitution to end the one-party monopoly and initiated a multi-party electoral process. Renamo, which had gained support from those alienated by Frelimo policies, began to shape itself into a political party. A peace process emerged in Mozambique in parallel to regional developments (Namibian independence, South Africa unbanning the ANC and releasing Nelson Mandela from prison) and the end of the Cold War. With regional and international sponsorship dried up, and the prolonged drought literally drying up local food and water resources, both sides agreed to sign a Peace Accord in October 1992. Two years later the first multi-party general elections were held in Mozambique.

AWEPA's Preliminary Support: Civic Education Efforts

This Case Study, based on desk research, personal interviews and programme evaluations, leans heavily upon the experiences of AWEPA, the Association of European Parliamentarians for Africa, which was the first and primary partner of the Mozambican National Assembly in its institutional development process. AWEPA established an office in Maputo in late 1992, and began an extensive training programme for civic educators, as part of a nation-wide effort to prepare for the general elections. In a situation where very few people were aware of the latest developments in any detail, and no one had hands-on experience of multi-party democracy, an enormous civic education effort was needed. AWEPA published and distributed key documentation, such as the Peace Accord, the Electoral Law, the Constitution, training manuals, election observation regulations, and the Mozambique Peace Process Bulletin, which became the most respected and trusted source of regular information on the march to democracy.

One of the key features of AWEPA civic education programming was its outreach to the provincial and municipal structures and key umbrella NGOs. Among the main forces of civil society closely engaged in this process, the following can be listed:

- Ø the Christian Council of Mozambique (CCM)
- Ø the Mozambique Women's Organisation (OMM)
- Ø the Mozambican Youth Organisation (OJM)
- Ø the Mozambican Worker's Organisation (OTM)
- Ø the National Journalists Organisation (ONJ)

Through an intricate process of training of trainers at regional level, followed by civic education educators seminars at provincial level and then local level outreach, a vast majority of the population was exposed to the content of training kits and manuals. The shortage of information extended to such areas as the meaning of democracy, the implications of multi-partyism, the interpretation of the constitution, and the manner in which two sworn enemies (Frelimo and Renamo) were supposed to work together under the new dispensation. Under the coordination of the UNDP, an international Monitoring Group supported and observed the electoral process. The 1994 elections were a great success, with over 88% turnout in a peaceful and orderly way, and with the ¾ illiterate population well informed on the new voting system. The true test of the new democratic system would be whether a well-functioning parliament could keep the peace process on track.

Early Parliamentary Development

Following the October 1994 elections, AWEPA met with all parties in the new National Assembly to discuss their training needs. The preliminary needs assessment led to the development of support programmes for both the political and the administrative arms of the Assembly, funded by the EC, the Netherlands and at a later stage other donors and supplemented by implementation carried out by SUNY. The main activities in the political support programme included national seminars, decentralized provincial seminars, study visits abroad, exchange of delegations with other parliaments and publication of key documents. Topics included all areas of parliamentary endeavour. Administrative support included seminars for parliamentary staff, training courses, staff study visits to other parliaments and provision of computers and other basic equipment.

The lack of experience with multi-party democracy, complicated by the fragile peace arrangements, was evident from the start of the first session. Renamo was ill prepared for its role as the main opposition party, and the party had trouble accepting the majority basis decision-making in the Assembly, which worked against them. Disagreement emerged on the first issue, election of the Speaker, which was settled by a vote won by Frelimo. The subsequent walk-out of Renamo MPs led to a stalemate, paralysis of parliamentary work, and a threat of return to hostilities. AWEPA then organized a study visit to Europe (Netherlands, Belgium and Portugal) for the parliamentary leadership of both parties and key Assembly staff. The activity marked a turning point in inter-party relations, as new former combatants were thrown unto the same team, as it were, in a joint delegation and given the opportunity to interact and form bonds of trust that would not have been possible in the highly charged political atmosphere of the capital and within the Assembly.

Immediately prior to the opening of the second session of the National Assembly, AWEPA organized an all-party training seminar on the nature of parliament and the roles of members, using a combination of role-playing and plenary presentations. Some 200 of the 250 members attended, from all parties, effectively breaking through the barriers of the previous session and consolidating the gains of the leadership mission abroad. The main parties later agreed that this was the moment that enabled the parliament to proceed with normal operations. There remained enormous problems of both a political and a practical nature, but the legislative work of the Assembly could begin. Subsequent exposure visits, fact-finding missions and capacity building seminars served to strengthen inter-party relations even further. The Permanent Commission of the National Assembly established a Training and International Cooperation Group, with multi-party membership, which subsequently guided a more comprehensive institutional capacity building process.

Deepening Democracy

Even while the functioning of the National Assembly continued to improve, it became clear that the fledgling democratic structures in the provinces were poorly understood. The vast rural territory that had been so devastated by the civil war was in need of attention, particularly in relation to the role played by parliamentarians. Some members got into difficulties by overstepping their authority at the provincial level. AWEPA organized its first provincial seminar in Cabo Delgado, with 19 of the 22 MPs from the province in attendance, along with representatives of the provincial government, district administrations and NGOs. Key to the success of this effort was also the presence of parliamentary leaders from other African countries, the Deputy Speaker from Namibia and an opposition leader from Zambia, who shared their experiences and discussed approaches to emerging issues.

The AWEPA capacity building programme in Mozambique developed from seminars and visits along general themes to more specialized topics identified in needs assessments. Specific target groups within the Assembly were supported, such as chairpersons or individual committee members, and sector-specific topics were addressed, such as defense, EC/EU relations, health, and gender equality. Gradually, AWEPA developed a more comprehensive programme in Mozambique, encompassing support to parliament, political parties (e.g. preparation of candidates for future elections), local municipalities and research/documentation.

This Case Study illustrates how a trusted external implementing agency can effectively support democratic development and peace-building in a post-conflict environment. The National Assembly of Mozambique has been, and continues to be, a place where grievances are openly tabled for discussions and solutions worked out. The skills of its members and staff have been enhanced by interaction with parliamentary colleagues in the region and abroad. The dialogue within country (national/provincial) and externally (regional/global) continues to enhance Mozambique's ability to face its democratic and development challenges and enables it to share its lessons learned with others. Mozambican MPS are now also engaged with AWEPA in sharing their experiences with colleagues in the Great Lakes region of Africa, in order to enhance parliamentary participation in and engagement with the process around the International Conference for the Great Lakes region.

République Démocratique du Congo (RDC)

De l'histoire parlementaire de la RDC, du processus de paix, de son rôle et du travail d'AWEPA

Les relations entre la République Démocratique du Congo et L'AWEPA

Pendant la période Mobutu, l'AWEPA n'a jamais accepté d'entrer en contact avec les autorités du Zaïre. En 1995, nous avons été approchés par un parlementaire du Zaïre, Lambert Mende, qui envisageait, ensemble avec des collègues Burundais, Rwandais et Kenyans, de constituer une Association de Parlementaires d'Afrique (AMPA, Association de Membres de Parlements d'Afrique). La question était de préparer une coopération éventuelle entre la future AMPA et l'AWEPA. Les événements dans la Région des Grands Lacs ont empêché la création effective de L'AMPA. Après le changement du régime politique, en mai 1997, les instances de L'AWEPA ont estimé opportun de nouer des liens d'amitié et de solidarité pour autant qu'il y ait une structure parlementaire. La situation sécuritaire qui prévalait à cette époque n'a pas permis aux autorités d'organiser à court terme, des élections législatives. Néanmoins une Commission Constitutionnelle, qui comptait 44 membres et qui était présidée par Anicet Kashamira, ancien ministre du gouvernement Lumumba, a été constituée. Nous avons considéré cette commission comme « précurseur » d'un vrai parlement et, à partir de ce moment, un modeste programme de coopération a vu le jour.

L'installation de l'Assemblée Constituante et Législative, Parlement de Transition (ACL/PT)

L'installation de l'Assemblée Constituante et Législative, Parlement de Transition (ACL/PT), en août 2000, a déclenché une collaboration plus intense. Le Président de la République, L.D. Kabila, ainsi que le bureau de l'ACL/PT ont insisté pour que l'AWEPA envoie une délégation pour assister à l'ouverture officielle de l'Assemblée à Lubumbashi. Nous avons dû déclencher cette invitation pour plusieurs raisons et notamment parce que l'Europe, et donc la Belgique, n'avaient pas reconnu cette institution. En effet, les conditions politiques et militaires étaient telles que les 302 membres de l'ACL/PT n'avaient pas été élus mais désignés par une commission mixte. Le ministre des Affaires Etrangères belge, Louis Michel, a demandé à L'AWEPA de signer un accord de coopération avec l'ACL/PT, et le ministre a octroyé une subvention à l'AWEPA dans le cadre du Dialogue inter-congolais. Suite à cette décision, une série d'initiatives a vu le jour. Dans le but de renforcer la capacité parlementaire, plusieurs ateliers et séminaires ont été organisés spécifiquement pour les commissions du parlement et pour les femmes parlementaires.

Il est important de faire remarquer que l'ACL/PT, pendant les deux à trois ans de son existence, a discuté et a approuvé un grand nombre de lois. Par exemple :

- | | |
|---|---|
| Ø loi portant organisation et fonctionnement des partis et groupements politiques (16/05/01) | Ø loi relative à la constitution, à l'organisation et au fonctionnement de la Banque Centrale du Congo (04/01/02) |
| Ø loi portant dispositions générales applicables aux associations sans but lucratif et aux établissements d'utilité publique (25/05/01) | Ø code des mines et des carrières (15/06/02) |
| Ø loi portant création, organisation et fonctionnement des tribunaux de commerce (25/05/01) | Ø loi sur la poste (27/06/02) |
| Ø loi portant Code des investissements (25/06/01) | Ø loi sur l'élargissement du champ d'activité de la Régie des voies maritimes (21/06/02) |
| Ø loi portant ratification des contrats de gestion déléguée des comptes entre la RDC et d'autres organismes (27/06/01) | Ø ratification de l'acte constitutif de l'Union Africaine (7/07/02) |
| Ø loi-cadre sur la santé (29/12/01) | Ø loi portant le Code Forestier (14/08/02) |
| Ø loi budgétaire pour 2002 (29/12/01) | Ø loi portant le Code du travail (26/08/02) |
| | Ø loi portant Tribunal du travail (26/08/02) |
| | Ø loi portant statut des Réfugiés en RDC (02/09/02) |
| | Ø loi portant Code Pénal militaire (/09/02) |

Ce tableau, non exhaustif, indique que des problèmes combien importants et éminemment politiques ont été traités et solutionnés par l'ACL/PT. Comme signalé plus haut, les parlementaires avaient été désignés et non élus. Une partie significative du territoire du pays était occupée par des forces militaires étrangères. Les Autorités avaient invité les partis politiques à faire connaître des candidatures. La procédure, qui a finalement été adoptée, consistait en la création d'une commission mixte, ayant comme mission de faire la sélection parmi les candidats qui s'étaient présentés.

Il est clair que le caractère démocratique de cette institution était dès lors plus que douteux. En réalité, différentes tendances politiques étaient représentées parmi les 302 parlementaires. Plusieurs d'entre eux étaient originaires de l'Est du Congo, s'étant enfui à cause de la guerre. Les multiples contacts avec des membres du gouvernement nous ont appris que ces ministres se plaignaient du fait que le parlement n'acceptait pas les projets de loi tels quels, mais y apportaient des modifications significatives. Pour nous, c'était la preuve que l'ACL/PT jouait pleinement son rôle de législateur et instance de contrôle du gouvernement.

L'AWEPA a assisté le parlement dans cette tâche primordiale, en organisant des sessions d'information.

L'AWEPA a également accompagné le parlement dans sa mission de pacificateur : la diplomatie parlementaire.

Ainsi le Réseau des Femmes Parlementaires d'Afrique Centrale³⁰ (RFPAC) a été créé à Kinshasa le 8 mars 2002. Les conférences, organisées deux fois par an, permettent aux femmes parlementaires de prendre des initiatives en matière de lutte contre la pauvreté, contre le SIDA, de promotion de la paix, du leadership féminin, de la participation de la femme, Nous invitons une délégation des parlements avec lesquels nous avons des contrats de coopération, chaque fois que nous organisons une conférence parlementaire internationale. A l'occasion d'une telle Conférence organisée à Libreville (Gabon) en avril 2002, l'AWEPa a insisté pour que les délégations congolaise et rwandaise se rencontrent en marge du programme de cette conférence. Nous avons eu besoin de patience et de diplomatie pour les convaincre. Le début de cette rencontre a été pénible mais le résultat a malgré tout été encourageant. Les délégations se sont rencontrées une deuxième fois en novembre 2002 à Bruxelles, avec à l'issue de ces pourparlers, une Déclaration Commune dans laquelle on insistait sur la nécessité d'entreprendre des initiatives en commun pour la promotion de la paix en Afrique Centrale. Avant la fin de l'existence de l'ACL/PT, une troisième rencontre a eu lieu et le terrain était déblayé pour des projets très concrets, réalisés par le parlement de Transition constitué dans le contexte de l'Accord de Pretoria.

Le Parlement de Transition

Ce parlement a été installé en août 2003. Un accord bilatéral de coopération entre le Parlement et l'AWEPa a été signé à Bruxelles, le 20/10/2003. Peu de temps après, un accord avec le PNUD Kinshasa a sensiblement augmenté les moyens nécessaires à la réalisation des initiatives pour lesquelles nos partenaires insistaient. A titre d'exemples, quelques initiatives : atelier sur les institutions parlementaires, la séparation des pouvoirs, le système parlementaire, le bicaméralisme

- Ø atelier sur les organes politiques et administratifs du Parlement
- Ø atelier sur la bibliothèque parlementaire
- Ø séminaire sur les procédures légales, le contrôle parlementaire, les relations entre le parlement et les services publics de contrôle (Cour des Comptes, services d'inspection, Comptabilité.)
- Ø la gestion des conflits
- Ø le rôle des femmes et la participation de la femme
- Ø le code électoral
- Ø les problèmes d'ordre international : le NEPAD- Cotonou
- Ø la bonne gouvernance
- Ø la Cour Pénale Internationale (Statut de Rome)

Diplomatie parlementaire

Sur base du dossier préparé par l'ACL/PT, le parlement de Transition a accepté l'invitation de l'AWEPa, à prendre des initiatives dans deux domaines :

- Ø la lutte contre le trafic d'armes légères et de petit calibre
- Ø la relance de la Communauté Economique des Pays des Grands Lacs

Inutile d'insister sur l'importance de ces dossiers pour une bonne entente dans la région.

Trafic d'ALPC

Dans le cadre de la Déclaration et du Protocole de Nairobi en matière d'ALPC, les Nations Unies, en concertation avec les pays de l'Afrique Centrale et de la Corne d'Afrique, ont sollicité l'AWEPa à organiser une Conférence Parlementaire Régionale pour impliquer les parlementaires dans l'application concrète des mesures préconisées. Une Conférence a été organisée à Mombasa en novembre 2003.

L'AWEPa a saisi cette opportunité pour inviter les délégations du Burundi, de la RDC et du RWANDA à se concerter sur une approche commune pour l'harmonisation de leur législation nationale respective. Suite à leur accord, des ateliers ont été organisés à Lubumbashi, à Bruxelles, à Kigali et à Kinshasa, pendant lesquels des experts de réputation internationale (le GRIP - le PNUD) ont assisté les délégations parlementaires à préparer des amendements.

³⁰ Ce réseau comprend dix des onze pays de la Communauté Economique des Etats d'Afrique Centrale (CEEAC) : l'Angola, le Burundi, le Cameroun, la RCA, la RC, la RDC, le Gabon, la Guinée Equatoriale, le Rwanda, le Tchad. La présidente de l'ACL/PT, Philomène Omatuku, a signé les statuts au nom du parlement congolais.

Somalia

AWEPA support for the Somali Transitional Federal Parliament (TFP)

The Somali TFP has 275 members. The members of the new TFP have been chosen by the four major clans who have nominated 61 members each and a consortium of smaller clans, which has nominated 31 members. The Transitional Federal Charter of the Somali Republic requires that 12% of the total members will be women members although this has yet to be fulfilled³¹. The TFP is unicameral and will have a life of five years.³² As mentioned the new Parliament will be Federal.

The functions of the TFP are as delineated in the Charter and are:

- Ø Election of the President of the Transitional Federal Government
- Ø Election of Speaker and Deputy Speaker
- Ø Making Legislation
- Ø Approval and adoption of the annual budget
- Ø Considerations of motions of confidence in the Government
- Ø Making of internal parliamentary regulations
- Ø Investigate any matter of public interest
- Ø Hold public hearings
- Ø Ratification of international agreements and treaties³³

The TFP has the power to amend the draft charter by motion supported by not less than 1/3 and passed by not less than 2/3 of the members of Parliament. It is important to note that the TFP will play a key role in the development of a future constitution for Somalia a draft of which shall be developed within 2.5 years and adopted by popular referendum.³⁴

The dispute between the factions that resulted in the Mogadishu-Jowhar split had the effect of arresting any real development of a Parliamentary structure. With the Aden declaration in January 2006 however and the subsequent re-convening of the full Parliament in Baidoa in late February of 2006, work had, until recently, recommenced.

The defeat of the warlords by the Islamic Courts in Mogadishu has had the effect of dramatically changing the political landscape. The two sides (the Transitional Federal Government on the one hand and the Islamic Courts on the other) have very recently agreed in Khartoum, to a cessation of hostilities and have in effect recognized each others' presence. It should be noted that the Islamic Courts is not a unified structure and that there are many interests represented within its ranks.

It remains to be seen what the outcome of further talks between the two sides will be. Changes in both the composition of the government and the Parliament are both possible if the talks continue and so the outcome of this process cannot be predicted.

AWEPA, with support from the European Commission in the main, but also from UNDP Somalia and UNPOS, has been engaged in support of the Transitional Federal Parliament since late 2004 and has carried out a number of capacity building activities with the membership in general as well as with the Leadership, Committees, women members and staff. Support for the development of infrastructure and equipment has also been part of this support. A regularly structured engagement however, remains elusive as the security situation in Baidoa is fluid and can change from day to day. Similarly as there are no regularly scheduled commercial flights to Baidoa, transport continues to be difficult and together with a changeable security situation, has made it difficult to engage as fully as might have been desirable.

The formation of the TFP and TFG can be viewed as achievements in a difficult and highly charged situation. The positive role that can be played by the TFP in this respect should not be underestimated as debate involving all clan interests is very much preferable to the constant fighting that has been a hallmark of the Somali environment for too long. AWEPA is doing its best to support the Parliament in this difficult but worthwhile endeavour.

³¹ Transitional Federal Charter of the Somali Republic, Art. 29

³² Ibid, Articles 28(2), 32(1)

³³ Ibid, Art. 33

³⁴ Ibid, Article 71(9)

The Sudan

Sudan: Relationship between Conflict and State-Failure

Background

Sudan's independent history has been dominated by violent and escalated conflict, for since its independence in 1956 it has experienced peace for only ten years. The conflict in Sudan is dominated by the North-South conflict, but this is by far not the only conflict the people of Sudan have faced. The conflict in the Sudan is one of Africa's longest lasting wars, and has been described as an 'intractable conflict'. What distinguishes Protracted Social Conflicts from more traditional conflicts, is 'the prolonged and often violent struggle by communal groups for such basic needs as security, recognition and acceptance, fair access to political institutions and economic participation'. PSC's are thus long-term conflicts, over deeply rooted group-based inequalities. From this perspective, the role of the state is to satisfy or to frustrate basic needs, and thus to prevent or promote conflict. Conflicts are thus not primarily fought over more traditional issues such as territory, power or economic resources.³⁵ The protracted social conflict of the Sudan was however complicated by the dynamics of the Cold War and the discovery of the oil fields in the south-eastern part of the country in the late 1970s. The second civil war (1983 – 2005) has intensified in complexity the longer it has been fought. Since the early 1990s there has been, what can be best described as internal spill-over, resulting in a network of civil conflicts within sub-regions and between people's.³⁶ Sudan is however not merely faced with a history of protracted conflict. Sudan is one of Africa's failed states: there is large scale violence, societal disintegration, institutional breakdown and lack of deliverance of (non-politicized) political goods in terms of security, representation and welfare.³⁷ Although state failure and conflict are often intertwined and closely related processes, it must be understood that both have their own dynamics and need their own strategies for finding a solution. State failure can not be dealt with only in the context of conflict, nor must the conflicts be perceived as mere results of state failure.

The North-South conflict in Sudan is rooted in northern economic, social and political domination of the non-Muslim and non-Arab Southern Sudanese. Although a peace agreement between the Government of Sudan and the Sudan People's Liberation Movement / Army (SPLM/A) has been reached in January 2005, the situation is still very tense, grievances are not solved yet, and peace has to be built. Because Sudan is a failed state, its institutions and political actors have at best been malfunctioning, and at worst been non-existent. Both the National and Southern Government and Parliament are expected to be installed in August or September 2006 earliest.³⁸ This assessment is therefore based on the power sharing provisions made in the Comprehensive Peace Agreement (CPA), and reflected against the functioning of the pre-CPA Parliament. This parliament sits since the December 2000 elections, which were held after Al-Bashir suspended parliament in 1999. The suspension of parliament in 1999 was a result of the breakaway of Al-Turabi from National Islamic Front (NIF). Al-Turabi later founded the Popular Congress (PC), and became Al-Bashir's main political opponent. The elections of 2000 were the first under the constitution of 1998, which allowed political "associations". Political parties and the like were banned since Al-Bashir's power seizure of 1989. The elections were boycotted by the main opposition parties³⁹. Most of the ruling party candidates ran unopposed, and many MP's, especially from the South, were directly appointed by President Al-Bashir. As a result, the parliament has become a pro-government institution reduced to serving as a rubber stamp role for National Congress Party (NCP) actions. Parliament unanimously passed the Interim Constitution on July 7, 2005, after which the interim government could be installed. A power-sharing⁴⁰ formula arranges the representation of political parties in national institutions and in North / South institutions during the interim period⁴¹. Elections are scheduled for 2009. On the national level, SPLM and NCP together hold 80% of seats in the National Assembly. This does not reflect real support, which is estimated much lower. During the elections in 1986, NCP gained only 15% of the votes, while the "other Northern parties", mainly Umma Party (UP) and Democratic Unionist Party (DUP), received 75% of the votes.⁴² The domination of SPLM and NCP in the National as well as the Southern Executive and Legislature in relation to both their real support provide for a low legitimacy of the institutions. The people of Sudan will have to wait until 2009 before their voice will be reflected, based on elections, within government institutions. Due to a complete absence of a democratic culture, as a result of the dictatorial

³⁵ H. Miall, O. Ramsbotham and T. Woodhouse, *Contemporary violent conflict resolution. The prevention, management and transformation of deadly conflicts* (Polity Press, Cambridge etc, 2000) 68 – 72.

³⁶ D.H. Johnson, *The root causes of Sudan's civil wars* (2nd impression, Oxford etc, 2004) 127.

³⁷ I.W. Zartman (ed.), *Collapsed states. The disintegration and restoration of legitimate authority* (Boulder, London 1995); R.I. Rotberg (ed.), *When states fail. Causes and consequences* (Princeton 2004).

³⁸ International Crisis Group, *The Khartoum-SPLM Agreement: Sudan's uncertain peace* (July 2005) 1 – 2.

³⁹ Popular Congress (PC), Umma Party (UP), Democratic Unionist Party (DUP) and Sudan People's Liberation Movement (SPLM).

⁴⁰ Within the National Legislature and Executive, National Congress Party (NCP) is granted 52%, SPLM 28%, other Northern parties together 14% and other Southern parties together 6%. NCP is granted 70% of positions at Northern State level, while SPLM is granted 70% of positions at Southern State level and Southern regional level (GoSS). There are other peaceful tools that would be complementary to a power sharing formula and that would involve MPs: e.g. trust and confidence building measures, coalition building and mediation.

⁴¹ Protocol between the Government of Sudan and the Sudan People's Liberation Movement on Power Sharing – Naivasha, Kenya, May 26, 2004.

⁴² J. Young, 'Sudan: a flawed peace process leading to a flawed peace', in *Review of African Political Economy*, No 103 (2005) 99 – 113; 105 – 107.

regime, in combination with the war, and the current political sphere in Sudan, it can be expected that both the National Assembly as well as the Southern and state level legislatures will not be able to play their full "given" role in democratic governance. However, the new parliament will have members from parties that were previously excluded (SPLM, DUP, UP, PC) and it can therefore be expected that Parliament will no longer be just a rubber stamp.

Support Programmes for Democratisation Efforts

So far, there have been few programmes from parliamentary capacity builders in Sudan.⁴³ AWEPA plans to offer support to the Southern Sudan Legislative Assembly⁴⁴. More generally, the Canadian Parliamentary Centre conducted a needs assessment in March 2005, to assess the current state of parliamentary and governance structures and to assess the needs for strengthening those structures within both north and south Sudan.⁴⁵ USAID runs a governance programme for the period 2004 – 2006, which, among other things, pays attention to technical assistance, training, office rehabilitation and commodities for the establishment of the legislative branch of government.⁴⁶ On state level, UNDP supports the Khartoum state with the four year 'Support to Local Governance Project'.⁴⁷ The United Nations has not included any support activities directly targeted at parliament in its work plan for the Sudan.⁴⁸ The programme of the Joint Assessment Mission, and initiative by GoS, SPLM, the World Bank and the UN does not include support to or capacity building of National, Southern or State level parliaments.⁴⁹ The installation of the new interim national parliament and Parliament of Southern Sudan may be the starting point for more programmes on parliamentary capacity building from other donors.

Recommendations and Proposed Actions

Parliament and Members of Parliament potentially have an important role in the rebuilding of the state in Sudan and in the management of future conflict. One can think of legislation, developing strategies for improvement of the above mentioned issues, and guarding the democratic process. Democratisation needs to be built at grass-root level, all the way up to the highest political levels. MPs can play an intermediary role between communities and the political sphere at local level, state level or national level. They therefore have the important responsibility to make the democracy work from their part by representing all the Sudanese people and allowing their voice to be heard at the political level and holding government accountable. MPs could draw attention to issues often perceived as lower priority, such as reconciliation, transitional justice, the fate of ex-combatants and returnees and the tensions that their reintegration often causes at community level. Special attention should be paid to marginalised people from Beja, Darfur, etc. These groups are underrepresented in the National Parliament, but that should not withhold MPs to take note of their issues. By taking up grievances of marginalised people, and making their voices heard, MPs can play an important role in the prevention of renewed violent conflict. Parliament should hold the government accountable for its policy concerning marginalised areas and how grievances are dealt with.

The 2009 elections and the 2011 referendum⁵⁰ are two interesting landmarks for Parliaments and Parliamentary Capacity Building programmes to work forward to. Of specific interest is the building of the Parliament of Southern Sudan. Evidently, progress in general can only be made when parties remain committed to CPA and to its implementation. Especially when it comes to the elections in 2009 and the referendum in 2011 spoiler behaviour from the side of the NCP becomes a potential threat. However, commitment from SPLM/A and NCP is not enough. Although elections have been held regularly, Sudan lacks a democratic tradition and a democratic culture in general. Both SPLM and NCP have to transform into democratic political parties. In terms of spoiler management it is necessary to broaden the support base of CPA beyond the two partners. Democracy is highly desirable, but the road to democracy is dangerous, especially when many issues remain unresolved. Attempted democratization must not be allowed to accelerate the process of disintegration and state failure, as Sudan experienced in the failed democratization process of the 1980s.

⁴³ The following organizations were consulted: NDI, SUNY, USAID, Worldbank, IDEA, UNDP, AWEPA, Friedrich Ebert Foundation, IPU, CPA, CIDA, Parliamentary Centre.

⁴⁴ At the time this research was done, the Southern Sudan Legislative Assembly (SSLA) had not yet come into existence. On 25 August 2006, a Memorandum of Understanding, covering the period 2006-2009, was signed with AWEPA, with the agreement "to cooperate on the development of a program to support the new SSLA as an institution, as well as skills development for groups, individual Members and staff depending on the subject...".

⁴⁵ 'Canadian support for legislative development in Sudan: the need for action', on www.parlcent.ca. Unfortunately, a full report has not been made available.

⁴⁶ USAID Governance Program Sudan on Democracy, Conflict and Humanitarian Assistance, 2004 – 2006.

⁴⁷ www.slgp.org

⁴⁸ United Nations and partners Work plan for the Sudan (2005).

⁴⁹ United Nations and partners Work plan for the Sudan. Supporting the Joint Assessment Mission (2005); Rogier, Designing an integrated strategy for peace, security and development in post-agreement Sudan, 42 – 44.

⁵⁰ The basic deal of the Comprehensive Peace Agreement (CPA) was that the South was granted a referendum on self-determination after a six-year interim period (i.e. 2011).



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