



THE ROLE OF PARLIAMENT IN CONFLICT PREVENTION AND MANAGEMENT IN WEST AFRICA



Regional Conference organized jointly by
the National Assembly of Côte d'Ivoire and the Inter-Parliamentary Union

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Summary Record presented by Mrs Laurette Andrée Yacé De Mel, Conference Rapporteur

Recurrent breaches of the peace by conflicts or other crises have plunged West Africa into a profound instability, compromising efforts to consolidate the rule of law and socioeconomic development in that subregion. While there have been initiatives to restore lasting peace, parliaments, which have a leading role to play in such efforts, have been virtually absent from the peace process.

In seeking to fill this gap, we, as members of the parliaments of Burkina Faso, Côte d'Ivoire, Gambia, Ghana, Mauritania, Senegal and Togo, as well as of the Inter-Parliamentary Committee of the West African Economic and Monetary Union (WAEMU), of the Parliament of the Economic Community of West African States (ECOWAS), and of the East African Legislative Assembly (EALA), have taken part in a regional parliamentary conference on the role of parliament in conflict prevention and management in West Africa, organized jointly by the National Assembly of Côte d'Ivoire and the Inter-Parliamentary Union.

The conference was organized as a forum for discussion on how, and with what means parliaments can participate in efforts to end recurring cycles of conflict and crisis.

We cannot define such efforts without first identifying the causes of conflict and the different forms it has taken. Discussion during the conference enabled us to identify such causes, direct as well as indirect, in the political, economic and sociocultural spheres. While all of the causes identified received our attention, discussion focused in particular on a few recurring themes:

- weak governance – violation of human rights, non-respect for the law, irregular democratic alternation, institutional weaknesses;
- a lack of visionary leadership;
- corruption;
- popular alienation vis-à-vis political elites and the decline of civic morality;
- patronage/cronyism;
- poverty;
- unequal distribution of resources and wealth;
- illiteracy;
- the exclusion of minorities;
- discrimination of all kinds and the manipulation of ethnic and religious sentiments.

Contrary to the conventional wisdom that executive branch authorities bear sole responsibility for all potential sources of conflict, we have noted that parliaments have an essential role to play by virtue of their place within the structure, functioning and activities of the State. As representatives of the people, parliaments also enjoy legal, political and social legitimacy. We have

therefore agreed that parliaments should be mindful of this legitimacy in determining the scope of their activity.

In terms of how they can contribute to conflict prevention and management, we have stressed that parliaments need to develop a vision, formulate strategies, devise structures and marshal resources for the primary objective of consolidating peace – peace being not one goal among others but the goal!

As a matter of good governance, in their efforts to prevent conflicts and other crises, depending on the causes alluded to above, we believe that parliaments should:

- exercise heightened vigilance as to the rule of law, as part of their government oversight mission;
- ensure that human rights legislation is in place, up-to-date with prevailing international norms, effectively enforced and disseminated to constituents;
- ensure that their own governance provides a model that adheres to democratic principles, respects the rights of minorities and the underprivileged and reflects a pluralistic, inclusive society;
- ensure accountability and transparency, for parliaments themselves as well as other institutions, to reduce the risk of corruption;
- ensure that institutions are strengthened so as to regenerate public confidence (we consider it indispensable to provide leadership that can rally the public behind efforts to build a democratic society); and
- ensure democratic alternation by establishing a transparent electoral system and reordering political party culture to accommodate increased participation by women, youth and minorities, with mechanisms to facilitate regular elections. To make the system more operational we have recommended that political parties attempt to instil amongst their members a spirit of tolerance, discipline, and respect for electoral verdicts, and to keep them well informed on issues of national interest and potential causes of conflict.

We have also recommended economic measures to meet the needs of our populations, including the allocation of adequate budgetary resources for vulnerable groups, the education of children, the equitable distribution of national wealth and the development of policies to promote youth employment.

We have studied various possibilities for parliamentary action in post-conflict situations. Discussions focused on how parliaments can adapt to meet the challenges of such a context.

Parliaments are regarded as one of the mechanisms offered by the new institutional and political landscapes of countries emerging from conflict. Efforts to adapt them have included the establishment and operation of coordinated structures and programmes. The structures need to be designed so that parliaments can deal with the issues of reconstruction and the restoration of peace.

In a post-conflict context, it is imperative for parliaments to reflect on the composition of society as a whole. Their rules of procedure must provide for the equal treatment of all members and ensure that they are represented in all parliamentary bodies. The rules also need to specify new arrangements for interacting with other institutions – the executive and judicial branches in particular – as required for inter-institutional collaboration in pursuit of harmonized policies. They must also cover Parliament's relations with civil society.

Newly established parliaments need to be competently staffed to contend with post-conflict challenges.

Given the budgetary restrictions new parliaments often face, we are calling for the mobilization and support of international institutions to help meet their financial, material and infrastructural needs.

We consider parliamentary diplomacy to be another means for parliaments in post-conflict situations to get them known (in the context of international conferences, for instance), to express their opinions on regional and international issues, to exchange good practices and, above all, to initiate partnerships in order to strengthen the parliamentary institution.

In the processes of reconstruction and the establishment of lasting peace we believe parliaments should undertake the following institutional, constitutional, administrative, economic and social reforms:

- the drafting of a new constitution, reflecting lessons learned from the conflict or crisis;
- a redefinition of relations with leading societal actors;
- the establishment of credible mechanisms to facilitate the process of national reconciliation, such as a truth and reconciliation commission, resourced at levels sufficient to ensure effective administration of justice, compensation and psychological support for the victims of conflict, as part of the processes for their reintegration into society;
- the establishment of a credible judicial system resourced at levels commensurate with the importance of an effective judiciary;
- compensation and psychological care for the victims of conflict in the context of processes for their socio-professional reintegration;
- the implementation of disarmament, demobilization and reintegration programmes; and
- the implementation of courageous land policies facilitating a more equitable redistribution of land.

In the spirit of the recommended reforms, we have placed particular emphasis on the issue of security, in view of the dangers posed by dysfunction in that sector.

The circulation of firearms, especially small arms and light weapons, is clearly detrimental to a peaceable society and to lasting peace, heightening the risk of renewed conflict.

Having heard the opinions of experts on this issue, and to help the State safeguard citizen security, for which it is solely responsible by virtue of its sovereign powers, we believe it is indispensable to reform this sector through strict legislation on the circulation of small arms and light weapons and to provide for a significant allocation of resources to respond to the new challenges in this area. We recommend that oversight of this sector be entrusted to civilian authorities. The reforms to be undertaken in this regard must form part of a strategic rethinking of security arrangements to meet these new requirements and encourage transition from the classic security framework to a more humane approach to security issues.

We have also addressed the issue of refugees and displaced persons. We were informed about the difficult and complex situation faced by such persons, often over extended periods of time, in utter disregard of the international and regional texts adopted to protect them. As parliamentarians we need to give particular attention to such persons in distress and ensure that specific measures are taken to provide relief until they can return to their countries, or their cities and villages.

In addressing these issues, we need to ensure that the major conventions and other relevant texts in this regard are ratified and incorporated into national legislation. These include the

Convention on the Status of Refugees (1951), its Protocol (1967), and the African Union Convention Governing the Specific Aspects of Refugee Problems in Africa (1969).

We have discussed strategies for involving women in conflict management. We have learned with consternation that more than 75% of displaced persons are women and children, a figure that may rise to 90% in certain cases. This has created a situation of extreme vulnerability for women during periods of crisis or conflict.

In terms of normative provisions, on the other hand, we were pleased to learn that significant steps have been taken at the international level over the last two decades in the fight to ensure that specific issues affecting women are taken into account within the framework of conflict resolution and peacebuilding. The relevant international texts include:

- the United Nations Convention on the Elimination of All Forms of Discrimination against Women (1979);
- the Beijing Declaration and Programme of Action (1995); and
- UN Security Council resolutions on women, peace and security, and in particular resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1960 (2010).

The relevant regional texts are as follows:

- The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003);
- the Solemn Declaration on Gender Equality in Africa (2004); and
- the ECOWAS Regional Policy on Gender (2004).

In terms of women's contribution to reconstruction and peacebuilding, we have learned about a number of good practices, including:

- the Mano River Women's Peace Network, formed during the 1990s to develop peace-making strategies in their respective countries;
- the role of women in resolving the current conflict in Casamance; and
- the important contribution of women to recovery from the genocide in Rwanda.

On the question of women's representation in Parliament, we consider quotas a temporary measure, to be eliminated over time, designed to correct imbalances and provide a springboard for greater women's participation in decision-making processes.

To strengthen such participation, we recommend:

- increased representation for/designation of women parliamentarians, through the use of quotas where appropriate;
- increased representation for women parliamentarians in committees dealing with security and defence issues;
- cooperation with women's parliamentary caucuses in the drafting of laws and the oversight of matters pertaining to women, peace and security;
- the establishment of parliamentary "gender" caucuses;
- reforms of the judicial system to combat sexist violence;
- the promotion of political education for women as well as schooling for young girls; and
- the sharing of IPU information on the unequalled responsibility borne by parliamentarians toward their constituents, a point requiring particular emphasis.

Lastly, we have developed the following specific recommendations for ECOWAS, its Parliament, national parliaments, national governments and civil society:

ECOWAS

- Strengthen conflict prevention mechanisms and improve their responsiveness.
- Apply a policy of zero tolerance in punishing soldiers and rebel insurgents responsible for acts of violence against women.
- Exert pressure on nondemocratic governments.
- Promote support for good governance.
- Improve the effectiveness of security policy.
- Get the regional community more involved in national electoral processes, from start to finish.

ECOWAS Parliament

- Oversee the proper functioning of the ECOWAS Early Warning System (ECOWARN).
- Ensure that national parliaments implement conflict prevention measures.

National parliaments

- Strengthen parliamentary capacity to promote better governance.
- Organize annual forums enabling parliamentarians to meet with other actors in society.
- Synchronize national laws with relevant protocols, conventions, frameworks and decisions pertaining to security and conflict prevention, in the most timely fashion possible.

Governments

- Put in place national systems and mechanisms to eliminate or reduce all forms of discrimination.

Civil society

- Provide support to Parliament at all stages of the conflict prevention and management process, by:
 - raising public awareness about peacebuilding efforts;
 - promoting and ensuring respect for human rights;
 - overseeing the implementation of peace accords;
 - developing mechanisms for the restoration of peace, including demobilization, disarmament and reintegration programmes; truth and reconciliation commissions; and programmes for the return and reintegration of refugees and displaced persons.
 - providing training and technical assistance for specific issues; and
 - disseminating the texts adopted.

The recommendations highlighted above represent a starting point for our involvement in conflict prevention and management. We would therefore welcome support from our partners, and the Inter-Parliamentary Union in particular, in facilitating other meetings of this kind, enabling us to reflect further on the various means available for action in this area.

To conclude, we express our sincere gratitude to Mr Guillaume Soro, President of the National Assembly of Côte d'Ivoire, for arranging such a successful meeting; to the parliamentarians of Côte d'Ivoire, for their warm welcome; and to the Inter-Parliamentary Union, for its constant efforts to strengthen parliamentary capacity.

Done at Abidjan, 30 October 2013,

The Conference