

THE CONTRIBUTION OF PARLIAMENTS TO LONG-TERM PEACE IN THE EXTENDED GREAT LAKES REGION

Co-organized by the National Assembly of Kenya, the Inter-Parliamentary Union and the Geneva Centre for the Democratic Control of Armed Forces

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Conclusions and recommendations of the Rapporteur Hon. Ekwee Ethuro, Member of the National Assembly of Kenya

From 7 to 9 December 2009, the National Assembly of Kenya hosted, in cooperation with the Inter-Parliamentary Union and the Geneva Centre for the Democratic Control of Armed Forces, this regional seminar which examined major challenges to implementing effectively a security agenda in the extended Great Lakes region. We looked more closely at the contribution of parliaments and their members to addressing these challenges through increased parliamentary oversight of the security sector at the domestic level, including drawing inspiration from good parliamentary practices, and through increased regional cooperation between parliaments.

All the delegates agreed that conflicts and violence that have characterized the Great Lakes region have thwarted efforts to achieve meaningful economic growth and development in the region despite abundant natural resources. The seminar brought home the advantages of an integrated regional approach involving all stakeholders in finding solutions to long-term peace and security in the region.

The seminar also exposed the participants to the concept of human security and democratic control of security urging for the involvement of communities in the wider security agenda. In particular, the participation of women was noted essentially in the efforts aimed at peace-making and peace-building process since they are most vulnerable to impacts of conflicts.

The presentations by experienced resource persons, including members of parliament, covering aspects of security issues, especially relating to human security, parliamentary oversight, respect for human rights, violence against women and illicit trade in small arms and light weapons, helped to enrich and add value to the seminar discussions. Case studies of regional security strategy policy for ECOWAS and South Africa were presented in greater detail for the participants to debate on how the concepts could be applied to the Great Lakes situation.

The discussions focused on the need for a comprehensive regional security approach, especially in view of the frequent conflicts within the Great Lakes region which are a constant threat to peace and stability. Participants emphasized home-grown approaches which are democratic, diplomatic and proactive rather than reactive approaches to conflicts which have failed to yield desirable results in restoring peace and security. The role of Amani Parliamentary Forum and the Secretariat of the International Conference on the Great Lakes region in promoting dialogue in the strategies to address conflicts in the region attracted praise from the participants.

We all agree that Parliament has a central role to play in the area of security, both state and non-state controlled. However, this is often a challenge for Parliament due to lack of information, specialized knowledge, inadequate staff, material and financial resources. Underlying much of the discussions was that parliamentary legal powers in the security field are not always very strong. Even when they are, they are not fully exercised in practice. Often this situation is the result of politicisation, lack of cooperation from the Executive, the latter's dominance over the Parliament and the secrecy surrounding security matters.

Let me now turn to ten key recommendations that I hope we can take away from this seminar.

ONE

We should all work towards ensuring that our parliaments are equipped with adequate legal and other parliamentary tools to carry out our key functions effectively. We should help ensure that security policies are framed not as policies from a majority party or executive branch perspective but rather on the basis of strong and rigorous inter-party consensus with a high degree of civil society involvement. Parliaments need to ensure political will and commitment to work along these lines.

TWO

We should ensure that vibrant defence and security committee(s) and public accounts committee(s) are in place with adequate human, financial and other resources to effectively monitor the security sector and its budget.

THREE

We should strengthen parliamentary capacity in order to enable parliamentarians to grasp fully the ramifications of the human security concept, the functioning of the security sector and the powers and tools of Parliament to carry out effective oversight, particularly in the area of budget control. We should help develop training module(s) to facilitate capacity for parliaments and relevant parliamentary committees. This should include the training of parliamentary staff so as to ensure in-house institutional research and technical capacity. We should make full use of specialized research institutions that monitor trends and good practices in security sector governance by feeding their findings into parliamentary debate and action. We should also forge strong partnerships with civil society organizations in this respect.

FOUR

Parliamentarians should refrain from incitement to hatred and violence. Parliamentarians are role models and as messengers of peace should call for dialogue rather than force in addressing conflict.

FIVE

Parliaments should promote strategic reviews of the security sector in order to ensure that it is accountable, affordable, adequate and appropriate and that its actions promote human security rather than a narrow national traditional security agenda.

SIX

We should help establish a conducive national environment for oversight of the security sector. This requires well-resourced statutory bodies such as Auditors-General to ensure accountable management of public resources, the existence of Ombudspersons or independent bodies empowered to investigate complaints against security officers, independent and effective Human Rights Commissions to promote and protect human rights, an effective and independent judiciary and plural and vibrant media. In addition to this institutional framework, a conducive environment also requires us to promote a strong economy, including through youth employment schemes, as a means of mitigating and preventing conflict.

SEVEN

A number of barriers exist to women's full inclusion in security policy formulation and implementation. Women's needs and conflict experiences are still insufficiently taken into consideration. Too often, crimes affecting women, in particular sexual violence, are not penalized, and little is done to tackle the stigma which they suffer when coming forward to denounce their plight. Parliament has a clear role to play in removing these barriers, including facilitating the participation of women in political decision-making, and to help ensure that gender issues permeate security sector governance.

EIGHT

We should encourage parliaments and their members to promote and make full use of the International Conference on the Great Lakes Region and the Great Lakes Parliamentary Forum on Peace - Amani Forum in order to share experiences and find solutions to common challenges. Parliaments should ensure that the legal documents that are adopted in the framework of these initiatives are domesticated and get full legal and practical meaning at the national level. Parliaments should put pressure on the Executive to pursue ratification and sanction government officials who delay the process of ratification and implementation. Parliaments should help mobilise adequate political and financial support for the work of these regional initiatives. We should also make use of the assistance and expertise available in the IPU and at DCAF to build capacity and facilitate exchange of best practices to ensure informed parliamentary oversight of the security sector.

NINE

We should initiate, support and fast track measures to control the proliferation, manufacture and transfer of small arms and light weapons which are the primary tools with which crime, human rights violations and other unconstitutional acts are committed. Effective control of these arms and weapons requires efforts to harmonize laws and initiatives at the national, regional and

international levels. We should help ensure that national action plans and focal points are in place to translate regional efforts into action.

TEN

Awareness and accountability in the area of human rights and, with respect to times of armed conflict, international humanitarian law is essential to ensure that the security sector effectively complies with international standards. Participants should ensure that human rights treaties are ratified and integrated into national law by adopting the necessary implementing legislation. Parliaments should ensure that the security sector is fully inculcated with the principles of human rights and international humanitarian law. Parliament should ensure that effective mechanisms are in place to investigate alleged abuses and punish perpetrators of violations. It is crucial that parliamentarians can visit the premises of the security sector to enquire about compliance with human rights standards. Parliamentarians should hold ministers to account when there are serious concerns about the conduct of the security services. In the aftermath of conflict, a particular challenge is to eliminate the prevailing culture of impunity. Parliament has to ensure that security officers that are guilty of violations are dismissed from their positions and properly sanctioned and should advocate a comprehensive overhaul of the security sector to ensure its capacity and integrity and thus prevent a repetition of abuses.

I am convinced that if we make these recommendations a priority we will enhance parliamentary oversight of the security sector, ensure a better and more effective security apparatus and ultimately serve our people in their desire to be free from fear and free from want.