

Notes from seminar on strengthening parliamentary democracy in SADC countries:
Mozambique Country Report, 2nd December 2005, Maputo Vip Hotel.

- I) Tim Hughes presentation: Introduction, background and objectives of the project**
- II) Carlos Shenga presentation: Draft of Mozambique country report (João Pereira & Carlos Shenga)**
- III) Comments from two MPs (Frelimo and Renamo-EU)**
- IV) Marcelo Mosse presentation on role of the media on parliament**
- V) Comments from two OSC representantes**
- VI) Opened discussion**

Mário Sevene, member of Committee of Juridical Issues, Human Rights and Legality (CAJDHL), Frelimo Party.

About Tim Hughes presentation, he said that:

1. There is an interaction between the MP and electorate. The participation in public affairs and political events do not end only with elections. After elections MP from Frelimo group contact electorate in their constituencies when the parliament is not working. In this contact there is consultation about different issues of daily life. This interaction is permanent and continuous.
2. With regard to stratification in Frelimo side in the parliament the stratification reach age, and gender. These are the criterion for the election inside of the party for party list candidates. For instance, Mozambique parliament occupies 3rd position in SADC region and 9th position in the world in terms of women representation.
3. There is also contact between Frelimo MP with media. During the breaks of parliament session Frelimo MPs provide interviews in the media about what is going on. Also they provide to media what is going on when they are in contact with the electorate in their constituencies.

Regarding to Carlos Shenga presentation:

4. The Mozambique parliament organs are defined by its law (law no 6/2001). Thus parliament organs are those defined by its law.
5. The study lacks its actuality when it focuses on data from 1997 (CEP, 1997), which reveal “low level of tolerance to criticise the government”.
6. Mozambique parliament is not weak like the way that the study is showing.
7. With regard to the recommendation, which advice the introduction of educative programmes at schools about the roles and functions of the parliament he highlighted that Children Parliament can substitutes that recommendation. Abel Mabunda, Deputy Chairman of Plan and Budgeting Committee, from Renamo-Electoral Union, also supported this position.

It is important to see that most of the questions were not able to respond during the seminar and workshop due several comments raised.

It is true that legally parliament organs are those defined by law 6/2001. We said that, and just added that theoretically parliamentary groups and parliament technical support were also its organs.

We do not think that the study lack its actuality with regard to source of data that use as evidence. As researchers we were asked to bring aspects of Mozambique young democratic parliament. This is the first published work about parliament in Mozambique. Thus, we guess that was important to focus on parliament from 1994 to now (2005). In this way bring data from 1997 (CEP, 1997) do not mean that it lack its actuality. This data is crucial for this study.

Although MP Mário Sevene said that Mozambique parliament is not weak this tell was not followed by its argumentation. Our comments on the last part of this note explain and reforce how Mozambique parliament is weak.

The relevance of introduction at school of educative programmes on parliamentary democracy, its roles and functions is that cover all students of the country compared to children parliament, which is representative children organ. It is important to refer that formal education offer skills to process information from other cognitive arena like media, help people to play out their roles, and to understand the world. Introduce

educative programmes about parliament functions and roles at schools will help much than bet in children parliament since it school will provide skill to carry out children parliament. School can have more likely educative effects on children parliament that the reverse.

Abel Mabunda, Deputy Chairman of Plan and Budgeting Committee (CPO), from Renamo-Electoral Union.

8. Stressed that the study does not focus on the function of the parliament, such as representation, law making, administration and management, and controlling.
9. The parliament work is very limited since it meets twice a year in 45 days each.
10. The committees are limited since there is lack of legislative capacity and ability of the parliament support service (SGAR).
11. Beyond 90 days of parliamentary sessions there are also 30 days for representation work in the constituencies when the parliament is nor working. Totting parliament has now 120 days of work.
12. Also the parliament controls the state institutions or public administrations in different geographic areas of the country. For that and to visit different provinces and districts MPs from committees¹ have more 10 days.
13. There are no resources for MPs like offices and cars (transport) to carry on their work.
14. These problems reflect the level of development of the country. If 54 percent of population live bellow the poverty line we (MPs) cannot have modernized/better conditions to do our work effectively.
15. The administration and management of the parliament is made outside parliament. For instance, the budget is made outside between international donors and Ministry of finance, according to the country GDP. It is the Ministry of Finance that determine the budget limits for the parliament.
16. With regards to opposition parties what was told here do not reflect the Renamo party, for instance, when the study argue that the party never took clear position in favour of political pluralism in Mozambique.

¹ Those MPs who are not member of committee do not do the work of control state institutions. In other words, there is no payment for that for them.

17. Supporting the idea of Children Parliament said that he was impressed when met a child from rural area saying that was representing other children about parliament and spoke about the idea of democracy. The assumption underlying this idea was that children parliament was important for awareness about roles and functions of parliament against our recommendation of introduction of educative programmes about parliament at schools.
18. The last tell raised by MP Abel Mabunda was a question of parties focus: Why the study focuses only on the opposition parties and nothing is told about the ruling party, Frelimo?

The purpose of the opposition parties' focus was to evaluate the critique role played by them in democratic process in terms of providing check and balances on the operations of the incumbent party, preventing abuse of power and ensuring *inter alia*, that the incumbent does not neglect the public interest. The strengths of democracy depend on the capacity of the opposition parties as a viable alternative to the incumbent party.

The role of media on parliament (paper available – presented by Marcelo Mosse, journalist)

Comments from two OSC representatives

a) From *Grupo Moçambicano da Dívida* (Debt Mozambican Group) – is a network of CSO with representations not only in Maputo but provincial and district levels. Deals with poverty reduction and debt management.

19. There is a gap between the Mozambique parliament and CSO. It looks like that it is the civil society organizations who go to the parliament than the parliament to CSO.
20. It is clear from the study that people do not get information about parliament activity. It is clear also that there is no link from the parliament to CSO.
21. The parliament might find other strategies to involve civil society organization. CSO are working too much to integrate the interests of different groups but this work can only be effective if the parliament work close to the organizations that represent them.

b) From *Sindicatos Livres e Independentes de Moçambique* (Free Trade Unions²)

22. In the same tells from the previous CSO representative argued that the relationship between parliament and CSO is still weak.

Opened discussion

MPs Lutero Simango, Chairperson of Committee of Economic Issues and Services (CAES), from Renamo-EU.

23. It is important to look at the model of democracy to follow, the party composition or representation in the parliament, and the bias on the debate inside parliament when we are talking about strengthening parliamentary democracy in Mozambique.
24. Since 1994 until now (2005) we had three general elections, presidential and legislative without alternance of power. Frelimo is the ruling party with majority of the seats in the parliament.
25. The Frelimo government supported by its majority group in parliament determine the way that the debate follows. It decides about all issues. Mozambique parliament represents an extension of government to just stamp the drafts of bill proposed by the government.
26. In these situation we can ask weather it is possible to strengthen parliamentary democracy in Mozambique?
27. We must revisit what we are doing by looking at the organization of the three powers of Mozambique state.

Amílcar Pereira, Parliamentary Assistant and Lecturer at Eduardo Mondlane University (FLECS)

28. The media have been focusing only on those 90 days of parliament work to say that it is weak. It does not look at those periods that the parliament is not in

² Refers to those not linked to the central trade unions. Free Trade unions are independent.

meeting in its palace in Maputo. By doing that it is easier to tell that parliament is weak.

29. With regards to one of our evidence to conclude that the Mozambique parliament is weak Amílcar said that by looking at the parliament from the amount of proposed draft of bills comparing with the executive we would say that all the parliament in the world are weak. Executive submits more draft of bill than the proper parliament. This is worldwide tendency. Thus, this is not good argument to arrive to the conclusion of weakness of parliament.
30. Another our argument on weakness of parliament denied by Amílcar was related to the control function of the parliament. The existence of legal spaces of manoeuvres of the chief of the executive to not respond to the parliament when the executive is called to do that in parliament was also considered as not relevant by him.

We did not have time to respond him during the seminar due shortage of time about this issues. However, our conclusions on weakness of the parliament were driven by the roles and functions of the legislative power. We still think that we are in right direction.

Parliament functions are controlling the executive branch of state, legislate and above all represent those who delegate MPs. By controlling the executive MPs do not only travel across the country to see government performance at province and local level, but also ask the executive to come to parliament to respond about what is going on about this or that issue of public affairs and political events. In Mozambique the chief of executive that also is chief of state normally do not appear in the parliament to respond about what his government is doing or not doing when MPs demand it. Most of the time the chief of executive delegates the prime minister³ to do that, given that the constitution allow him for that. Thus, this figure legally dodge parliamentary questioning going to parliament only as chief of the state where just present the state of nation's information and MPs are not allowed to ask questions. Since transition to multiparty politics the chief went to parliament only once or twice. Although even with prime minister the government refuse sometimes to respond the MPs questions, this figure is not able to respond how the government left the country to reach the current

³ Since all power are concentrated on the President the prime minister in Mozambique carry out irrelevant role in the government. The president is the chief of executive and preside it.

higher level of corruption. Only the figure in charge in government that is the chief of executive can respond that. In a political system where the rule is by the people, of the people and for the people the parliament ask the figure in charge in government, which is the government to respond about his government. Given that in Mozambique that do not happened we argued that the parliament is weak with regard to the controlling function of executive.

Regarding to legislation function it is important to see that parliament is the highest legislative organ in the republic of Mozambique. Although there is international tendency of executive to legislate more than legislative this tendency weakens highest legislative organ since this function might highly correlated with the major parliament role – representation. How can the parliament represent if the executive is invading its legislative function? This tendency has been said as the decline of the parliament. This another evidence to conclude Mozambique parliament weakness. Despite this international legislative weakness Mozambique parliament do not strength on other parliament roles and functions, like representation and controlling.

The inexistence of a programme that orient public debates and public hearing like that one supported by SUNY in 1995-2001 do not evolve public and CSO in parliament decision making process. Our report also mentions factors like lack of capacity and ability of parliament stuff in terms of expertise, limitation in dissemination of information, and ineffective contact with the public. For instance, the existence of spaces for petitions does not translate into its effectiveness. 90 percent of Mozambique people say according to Survey (CEP, 1997; CEP, 2001) that never exercised petition right or contacted the parliament. This because either the parliament is too far from people or people does not trust on parliament. This weakness leads also to the weakness of representation role.

In sum, taken together these factors contribute for the weakness of the Mozambique parliament. Parliament weakness and strengths might be evaluated from parliament roles and function and not more.

With regard to the question on media Amilcar said that it just limit to look at the period that the parliament is working in Maputo. Thus, it is easier to say that parliament is

weak. Media do not concentrate their work on other work of parliament different from that that happened in Maputo.

We argue that parliament do not have much work outside plenary sessions. If have media cannot catch that. As MP Abel Mabunda pointed out during the seminar Mozambique parliament work totalise 120 days. 90 days for plenary sessions plus 30 days for representation work in MPs constituencies. We can add for only those who are member of Committees 10 to 20 days for controlling state institutions carried out by specialized committees in different provinces. What about media coverage about these? MP do not present to parliament the report of the 30 days of representation work and media do not have other alternative of parliament work that from plenary sessions information. Moreover, comments from CSO representantes were that MPs do not do any work in their constituencies and are demanding more involvement with the public. This tells can be supported by no orientation in public hearing like that programme supported by SUNY. Overwhelming majority saying that never contacted parliament (CEP, 1997; CEP, 2001) may also support the idea that MPs do not do any work in their constituencies.

It is only from plenary sessions where media understand and report about parliament and conclude what Mozambique parliament is? Regarding to the period of controlling state institutions made by those half who belong to committees it is important to say that the information about that are collected by media during plenary sessions. On the other hand, even if parliament would do so much outside plenary sessions, by accompanying plenary session it is possible to catch accurate state of parliament work.