

## **PARLIAMENTARY OVERSIGHT, HIV AND AIDS**

### **Recommendations and decisions of the regional meeting**

### **Johannesburg, February 2006**

#### **BACKGROUND**

In 2004 / 2005, Idasa's Governance and AIDS Programme (GAP) and the Canadian Parliamentary Centre conducted a baseline study on parliamentary oversight of HIV and AIDS in Botswana, Ghana, Kenya, Mozambique and South Africa. The findings of this study informed the objectives of the meeting which were:

- To contribute to effective parliamentary oversight of the HIV and AIDS response in selected African countries.
- To identify strengths, weaknesses and opportunities for effective parliamentary oversight of national HIV and AIDS responses using the baseline research findings.
- To continue the process of learning and exchange for parliaments and MPs on oversight of the HIV and AIDS response commenced at the Senegal consultation of African MPs.
- To identify specific roles for the Parliamentary Centre and Idasa in support of parliamentary oversight of the response to HIV and AIDS.

The meeting convened from 22 – 24 February 2006 in Johannesburg brought together MPs from the following African countries: Ghana, Kenya, Malawi, Mozambique, Namibia, Zambia, Tanzania and Zimbabwe. Deliberations at the meeting centred around three major themes related to parliamentary oversight of HIV and AIDS and these themes were: Firstly, the challenges and opportunities relating to the parliamentary structures and environment facing MPs; secondly, the extra parliamentary partnerships that could strengthen parliamentary oversight of HIV and AIDS such as partnerships with civil society and the media; and thirdly, the benefits of networking at regional and Pan African level.

#### **ACTION PLAN**

The meeting agreed on an action plan, attached below, that incorporates initiatives at national and at Pan African levels.

#### **1. Pan African collaboration for parliamentary oversight of HIV and AIDS level activities: Pan African Coalition of African parliamentarians on HIV and AIDS (CAPAH)**

##### **1.1 Establishment of CAPAH**

The meeting resolved to establish a Coalition of African Parliamentarians on HIV and AIDS (CAPAH). This will be an independent network of parliaments dedicated to work together on HIV and AIDS efforts. CAPAH will collaborate with existing institutions and regional bodies such as SADC-PF and ECOWAS in order to ensure that the response HIV and AIDS is prioritized and monitored at national, regional and Pan African levels of governance.

## 1.2 Objectives of CAPAH

The following objectives were agreed upon:

- ⓧ Build capacity of MPs to effectively undertake oversight role on all HIV and AIDS matters
- ⓧ Resource mobilization from governments and the donor community at international and local levels in order to implement CAPAH activities
- ⓧ Collaboration with similar national, regional, Pan African and international coalitions

## 1.3 Activities of the Network

- ⓧ Initiate projects that will enable the coalition to achieve its objectives
- ⓧ Identify and share regional lessons learned in the parliamentary response to HIV and AIDS
- ⓧ Convene regional exchanges for MPs and other/relevant stakeholders to share experiences on parliamentary responses to HIV and AIDS
- ⓧ Through national representatives, lobbying for increased budgetary allocations for HIV & AIDS

## 1.4 Membership and governance structure of CAPAH

All MPs present at this meeting will form part of the CAPAH and would on return to their individual parliaments, raise awareness about the network and bring in other MPs irrespective of party political affiliation. However, one MP from each country will be designated as the main contact person to liaise with the Interim Chairperson on behalf of their parliament


An interim committee was established with the primary objective of providing CAPAH with strategic direction during this initial phase. The Interim Committee members are as follows:

- ⓧ Interim Chairperson – Hon. Lediana Mngongo, Parliament of Tanzania and Chair of TAPAC
- ⓧ Interim Vice chairperson – Hon. Justin Malewezi, Parliament of Malawi
- ⓧ Secretary – Hon. Akua Dansua, Parliament of Ghana
- ⓧ Vice secretary – Hon. Blessing Chebundo, Parliament of Zimbabwe

## 1.5 Technical assistance

The meeting requested that the Canadian Parliamentary Centre provide technical assistance during formative stages. In respect of the immediate and long term future of CAPAH, both the Parliamentary Centre and Idasa's Governance and AIDS Programme will provide support to ensure the sustainability of CAPAH and the outcomes of this meeting.

## 1.6 Issues for further discussion / investigation

- 1.6.1 Investigate and agree on the nature of membership to ensure that CAPAH is not weakened by the changes in national parliaments as a result of elections.
- 1.6.2 Consider membership to ex-MPs given their expertise and their availability.
- 1.6.3 Incorporate the AU objectives and scheduled activities into the CAPAH rationale and workplan as it provides additional rationale for existence of a Pan African Network.
- 1.6.4 Meetings  APAH to include representation of relevant regional institutions.

## 2. National parliamentary oversight of HIV and AIDS: Suggested actions for individual MPs and parliaments

The second set of activities is geared at MPs and parliaments at national level and specifically, activities or initiatives that can be implemented immediately and without additional resources.

## **2.1 Effective use of existing provisions and mechanisms for oversight**

- 2.1.1 Funding for HIV and AIDS: MPs and parliamentary committees should scrutinize how funds allocated are spent; what are the reasons for under-spending funds for HIV and AIDS as well as investigate the total amount, within the Health budget, earmarked for HIV and AIDS programs.
- 2.1.2 As a follow up on the previous issue, MPs should lobby for budgets to include a specific line item for HIV and AIDS in the health Budget and MPs should lobby for this reform to the Health budget as this will assist MPs in monitoring spending on HIV and AIDS.
- 2.1.3 In light of governments' implementing a multisectoral approach, MPs may have difficulties identifying all the various actors involved in the HIV and AIDS response. MPs and parliamentary committees should ask government for a list of all HIV and AIDS focal points in various ministries and departments to improve the interaction between the executive and parliament.
- 2.1.4 MPs who are members of CAPAH can act as a focal point to monitor whether HIV and AIDS oversight and reforms are being implemented in a given Parliament.
- 2.1.5 All Bills, motions, laws, etc. introduced into parliament should be analyzed to assess whether there is a need for an HIV and AIDS component and if so, MPs should ensure that this addition is incorporated. MPs may ask civil society organizations for technical assistance with this kind of work. (See 2.2.5 below)

## **2.2 Partnerships for effective oversight of HIV and AIDS: civil society and the media**

- 2.2.1 Parliamentary Committees can request civil society organizations to testify in budget hearings particularly in relation to level and extent of expenditure on HIV and AIDS programs. Initiatives in Malawi (MEJN) and Zimbabwe are examples of this process.
- 2.2.2 MPs should work with other organizations such as traditional leaders, religious groups, PLWHA, women's groups. This collaboration can achieve at least two objectives, (1) through parliament, provide greater information and knowledge to these groups on government policies and programmes; and (2) MPs can receive feedback from these groups on government policies and programmes thereby improving oversight of HIV and AIDS.
- 2.2.3 MPs can request that a non-partisan NGO assist with the coordination of a Parliamentary network / association on HIV and AIDS in order to ensure non-partisanship in the network/association. (See recommendation 2.3.2 below.)
- 2.2.4 Parliament should undertake an audit of existing organizations working on HIV and AIDS. This information can be used to inform discussions with the ministries and government and act as an additional resource available to Parliament in the exercise of oversight of HIV and AIDS.
- 2.2.5 MPs should identify a relevant civil society organisation who can assist committees and individual MPs with analyzing bills, motions and draft laws with an HIV and AIDS lens in order to make relevant amendments. (Read together with 2.1.5 above.)

## **2.3 Intra parliamentary cooperation**

- 2.3.1 Every Parliament should strive to have a HIV and AIDS standing committee. Sub committees on HIV and AIDS should become full standing committees with the same status of such an ordinary standing committee.
- 2.3.2 MPs should facilitate the creation of interests groups or networks within national Parliaments focused on HIV and AIDS. Membership of these groups could include sitting MPs from any of the parliamentary committees, parliamentary staff and ex-MPs. This is useful in parliaments where there is as yet no Standing Committee on HIV and AIDS. It can also serve as a vehicle to mainstream HIV and AIDS across all committees in parliament.  
An example of such an association is TAPAC in Tanzania. This is an interest group within Parliament that addresses issues of HIV and AIDS in addition to more formal committees. TAPAC members include MPs from various standing committees who can easily provide information on how HIV and AIDS is being streamlined in the various ministries

**2.4 Issues and questions for further discussion / investigation**

- 2.4.1 MPs who are part of CAPAH to lobbying the appropriate budget specialists such as the Director of Budget and Minister of Finance, to increase the funds allocated for HIV and AIDS. As part of this exercise, MPs to should seek information and clarity on government priorities
- 2.4.2 Linkages to EQUINET and SEAPACoH
- 2.4.3 Technical support to MPs and Committees on specific HIV and AIDS issues.