PROMOTING GOOD GOVERNANCE: THE ROLE OF THE ECOWAS PARLIAMENT

BY

PHILIP MAWULI KUMAHIA
(10111727)

THIS DISSERTATION IS SUBMITTED TO THE UNIVERSITY OF GHANA, LEGON, IN PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE AWARD OF THE MASTER OF ARTS DEGREE IN INTERNATIONAL AFFAIRS

LEGON
OCTOBER 2013
DECLARATION

I hereby declare that this study was wholly undertaken by me under the supervision of Dr. Boni Yao Gebe. I also declare that all sources of information and data have been duly acknowledged and no part or whole of it has been previously presented for any other purpose.

PHILIP MAWULI KUMAHIA
(STUDENT)

DR. BONI YAO GEBE
(SUPERVISOR)

DATE: ......................

DATE: ......................
DEDICATION

I dedicate this work to the memory of my late mother Margaret Afi Kumahia. Thank you very much for the good work done.

To my lovely wife Eleanor for the inspiration, unflinching support and encouragement in this eventful journey.

And to my son Dzidzor may this serve as an encouragement to you to aspire for academic success.
ACKNOWLEDGEMENTS

I would like to express my profound gratitude to the Almighty God for his divine guidance and protection throughout this endeavor. My sincere thanks go to my entire family, especially my father Godson K. Kumahia for his encouragement and financial support which has made it possible for me to complete this course. I am grateful to my siblings (Annie and Garnet) for their continuous support in diverse ways throughout my course.

I am forever grateful to Dr. Boni Yao Gebe who agreed to supervise me despite his tight schedule and Prof. Henrietta Mensa-Bonsu, the Director of LECDI for the encouragement. To all Research Fellows, staff and librarians at LECDI especially Mr. Philip Attuquayefio and Mr. Eric Amartey, I would like to express my heartfelt gratitude for their genuine advice and support during the difficult and good times of the course.

To my friend Mr. Anthony Gator of Parliament House (Ghana) and Mr. Ebenezer Appreku of the Ministry of Foreign Affairs and Regional Integration, I thank you very much for your help. And finally to my friends especially Soste and all course mates, I am eternally grateful for your support, friendship and encouragement which made the academic year a good one. I appreciate and adore you all. May God Bless you.
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<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>ACP</td>
<td>African Caribbean Pacific</td>
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<tr>
<td>APRM</td>
<td>African Peer Review Mechanism</td>
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<td>AU</td>
<td>African Union</td>
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<td>CP</td>
<td>Community Parliament</td>
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<td>CPA</td>
<td>Commonwealth Parliamentary Association</td>
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<td>EALA</td>
<td>East African Legislative Assembly</td>
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<td>ECOMOG</td>
<td>ECOWAS Monitoring Group</td>
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<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>EU</td>
<td>European Union</td>
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<td>GIABA</td>
<td>Inter Governmental Action Group against Money Laundering</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<td>IPU</td>
<td>Inter-Parliamentary Union</td>
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<tr>
<td>LURD</td>
<td>Liberian United for Reconciliation and Democracy</td>
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<tr>
<td>MDG</td>
<td>Millennium Development Goals</td>
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<tr>
<td>NEPAD</td>
<td>New Partnership for Africa’s Development</td>
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<td>OAU</td>
<td>Organization for African Unity</td>
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<td>UNDP</td>
<td>United Nations Development project</td>
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<td>UN</td>
<td>United Nations</td>
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<td>USSR</td>
<td>Union of Soviet Socialists Republic</td>
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<td>WACSOF</td>
<td>West African Civil Society Forum</td>
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<td>WANEP</td>
<td>West African Network for Peace Building</td>
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<tr>
<td>WANSED</td>
<td>West African Network on Security and Democratic Governance</td>
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# CHAPTER THREE: THE ECOWAS PARLIAMENT AND GOOD GOVERNANCE IN WEST AFRICA

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ABSTRACT

Good governance has become a major determinant for the achievement of sustainable development and the march towards successful regional integration. In promoting good governance within the sub-region, institutions are central. This study discusses the role of the ECOWAS Parliament in promoting good governance. To investigate this, the study set three objectives, namely to give an overview of the ECOWAS Parliament, to identify and discuss the role of the ECOWAS Parliament in promoting good governance, and to examine the challenges the ECOWAS Parliament is facing in its attempt to promote good governance among member states. Using a combination of secondary and primary data, the study revealed that the ECOWAS Parliament achieved some great successes in the areas of ensuring democracy, popular participation, human rights, and peace and security. The parliament, however, lacks legislative power to make laws for the Community. Again, the mode of recruitment of members to the parliament which is only through indirect election from national parliaments also raised questions about accountability and legitimacy of the parliamentarians. The study argues that without the candid efforts of the ECOWAS Parliament, adherence to good governance practices in the ECOWAS sub-region would have suffered great setback. The study concludes that ECOWAS’ success in improving good governance in West Africa is substantially due to the activities of the ECOWAS Parliament. Again, the failures of the parliament in achieving its set goals, especially its quest to promote good governance is due to the enormous challenges facing the parliament. On the basis of the findings, the study further concluded that for good governance to be entrenched in the sub-region, the Community Parliament needs to be strengthened with legislative power to make laws for the Community.
CHAPTER ONE

RESEARCH DESIGN

1.1 Background to the Study

The concept of governance has been variously defined. The United Nations Development Programme (UNDP) in 1997, for example, defined governance as the exercise of economic, political, and administrative authority to manage a country’s affairs at all levels. This is made up of various mechanisms, processes and institutions through which individuals and groups articulate their interest, exercise their legal rights, meet their obligations and mediate differences.\(^1\) A careful look at the definition above suggests that, how “good” or “bad” a nation’s governance system is can vividly determine the level of development of that nation.

In 1989, the World Bank in a report “Sub-Saharan Africa: From Crisis to Sustainable Growth,”\(^2\) indicated that underlying the litany of Africa’s development problem is bad governance. This is characterized by corruption, mismanagement of resources, poverty, high levels of illiteracy, poor infrastructure, diseases and coup d’états to mention just a few. These are major challenges to the continent. The World Bank then believed that the political system which prevailed in most African countries lacked respect for human rights and freedom. Furthermore, some people were criminalized for owning properties. Again, while bureaucratic inefficiencies were said to be crippling these nations, the prevalent unstable political structures became hostile to meaningful macroeconomic reforms.\(^3\) Apparently, the opposite of bad governance, “good governance” could be considered as the panacea for a nation’s socio-economic development.
The concept of good governance is used to illustrate how public institutions effectively and efficiently manage public affairs and resources and ensure that human rights of citizens within a state are protected and respected. The idea of good governance became imperative for structural market and economic reform in Africa since the late 1980s and the early 1990s. Thus, at the end of the Cold War, the demise of the Soviet Union left its member countries with very serious financial crises. The erstwhile Soviet Union, therefore, could no longer support the African countries that were, hitherto, dependent on it for financial and technical support. As a result, most Third World countries had to turn to the West and its institutions such as the World Bank and the International Monetary Fund (IMF) for assistance or support. In order for these developing countries to access financial assistance from the Breton Woods institutions, they were to fulfill certain conditionality, namely; to adapt to “good governance” practices. Invariably,

“...the rationale is that with good governance- that is, combating corruption, nepotism, bureaucracy, and mismanagement- and transparency, accountability, and proper procedures, aid will be effectively used to achieve the objective of reducing poverty.”

Today, good governance has become a major determinant towards the achievement of sustainable human development. It is an all-inclusive package which comes with fundamental ingredients without which it will be difficult, if not impossible, to attain the Millennium Development Goals (MDGs). The major ingredients of good governance may include the adherence to rule of law, accountability, probity, transparency, popular participation and other democratic values.

To ensure that states adhere to these democratic values, certain state institutions have been established. One of such powerful state institutions for this purpose is the parliament whose basic
roles are enacting laws, representation and checking the executive arm of government. Realizing the importance of a parliament in promoting good governance in a state, the West African sub-region, the Economic Community of West African States (ECOWAS), adopted a Community Parliament with advisory and consultative roles to the sub-regional community. The Protocol relating to the parliament was signed in Abuja on August 6, 1994 and came into force on March 14, 2001. Known as the Community Parliament, ECOWAS Parliament was established under the articles 6 and 13 of the Reviewed ECOWAS Treaty of 1993, as a forum for dialogue, consultation and consensus for representatives of the people of West Africa with the aim of promoting integration.

1.2 Statement of the Problem

Africa is a continent endowed with resources. Unfortunately, many of these resources have not been put to good use. This has brought untold hardships on its people-poverty, illiteracy, diseases, hunger, corruption, conflicts among others. Again, human rights of citizens on the continent are in most cases violated by people in authority. Conflict and corruption are so endemic in this part of the world that it has become very difficult to achieve the MDG by 2015. Africa is perhaps the only continent that is lagging behind. This is largely as a result of bad governance.

The European Union (EU) identifies five principles at the core of good governance. These are legitimacy and voice, direction, performance, accountability and fairness. But according to the United Nations Development Programme (UNDP), good governance includes the following principles: participation, rule of law, transparency, responsiveness, consensus building, equity,
effectiveness and efficiency, decentralization, accountability, and strategic vision. Good governance, therefore, involves the creation of effective partnership to ensure that political, social and economic priorities rest on broad consensus in society and ensures that the voices of the poor and most vulnerable are heard in the decision-making process.

In promoting good governance on the continent, institutions are key. One of such institutions is the ECOWAS Parliament or the Community Parliament (CP). This Parliament’s basic function is to give representation to the people of the sub-region and to perform an oversight responsibility over its member states. This role is however limited to making recommendations to the Organs of the Community but lacks the mandate of making binding laws thus, lacking the needed supra-national authority over member states.

Article 6 of the 1994 protocol, A/P2/8/94, relating to the Community Parliament, states that the ECOWAS Parliament has the competence to undertake issues concerning human rights and fundamental freedom of citizens, interconnection of telecommunications systems, increased cooperation in the area of radio, television and other intra and inter community media links, as well as development of national communication systems among others. Despite the parliament’s ability to carry out these functions, only a little has been achieved in the sub-region. In Africa today, issues of conflicts, poverty, political instability, corruption and mismanagement are still in their extremes. Surprisingly at the time of writing this dissertation it was reported that there was an attempted coup d’état in Guinea Bissau and recently in Mali where the military have overthrown the constitutionally elected government even though the ECOWAS and the African Union (AU) have outlawed coup d’états or unconstitutional regimes. A change of
government in itself is rare simply because it is mostly characterized by violence and conflicts, leading to the death of many civilians.

In the West African sub-region, features of “bad governance” in the areas of conflicts, political instability, corruption, poverty, mismanagement and the likes seem to be increasing by the day. The quest for good governance under the watchful eyes of the ECOWAS Parliament, however, seems to be lacking due to many factors. First, the very fact that the parliament lacks legislative powers to enact binding laws cripples the authority of the sub-regional parliament. Second, the parliament’s inability to employ a forceful supra-national authority over the member states leaves the parliament powerless and impotent. Again, resources available and the capabilities of the parliament to carry out its numerous functions appear to be insufficient for dealing with the myriad of challenges bedeviling the ECOWAS sub-regional Community. Is the case of the ECOWAS Parliament therefore a case of being a white elephant or is it simply a rubber stamp? This study, therefore, critically looks at the role of the ECOWAS Parliament in promoting good governance in the West African sub-region.

The study will address the following questions. Does the ECOWAS Parliament operate freely and without any political interference? What procedures are involved in the election of members of the ECOWAS Parliament? Does the ECOWAS Parliament have the resources required for its smooth functioning? What factors impede the smooth functioning of the ECOWAS Parliament? What concrete actions have been taken over the past 10 years by the ECOWAS Parliament to establish good governance in West Africa?
1.3 Objectives of the Study

The objective of this study is three fold. These are:

a) Give an overview of the ECOWAS Parliament.

b) Identify and discuss the role of the ECOWAS Parliament in promoting good governance.

c) Examine the challenges the ECOWAS Parliament is facing in its attempt to promote good governance among member states and how these can be addressed.

1.4 Scope of the Study

The purpose of this study was to examine the role of the ECOWAS Parliament in promoting good governance in the West African sub-region. The scope of the study, therefore, encompassed an investigation into the various legal instruments establishing the ECOWAS Parliament, the nature, composition and the functions of the parliament. It also covered the meaning and the concept of good governance and its various tenets. It then examined the varied roles of the ECOWAS Parliament in ensuring the maintenance and the practice of good governance, the successes chalked so far and the various challenges the parliament faces in pursuing this worthy course. The study finally proposed certain recommendations, which when adhered to, may accelerate the achievement of the set objectives put forward by the ECOWAS Parliament.

1.5 Hypothesis

The ECOWAS Parliament is critical to the governance aspirations of countries in the sub-region.
1.6 Rationale for the Study

The issue of good governance has become necessary for Africa because it is the only way to put Africa on to the path of sustainable development. The continent has experimented with several economic programmes chief among them is the Structural Adjustment Programme which largely has been unsuccessful. Good governance therefore is a sine qua non for Africa’s development. This study is to serve as the basis for future academic research. It is expected that it will fill a lacuna in the literature of institutions such as that of the ECOWAS Parliament in promoting good governance in the sub region in particular and Africa as a whole.

This study may also serve as a reference point for policy makers to guide them in their policy deliberations and policy formulations. It could also serve as reference to other academics and students who may want to further investigate into the role of parliaments in ensuring good governance.

Finally it is in partial fulfillment for the award of Master of Arts degree in International Affairs.

1.7 Theoretical Framework

This study is underpinned by the theory of institutionalism. Typically, three types of institutionalism are identified. These, Edwin Amenta and Kelly M. Ramsey called sociological, historical, and political institutionalism. However, the basic similarity in all these institutional theories is the claims that factors, identified at a higher level is used to explain processes and outcomes at a lower level of analysis. Thus, institutionalists tend to avoid both individual-level explanations and explanations situated at the same level of analysis.
Other scholars also distinguish between “old” and “new” institutionalisms. In their review, Paul, J. DiMaggio and Walter, W. Powell indicated that the old institutionalism has to do with central issues such as influence, coalitions and competing values, along with power and informal structures. The new institutionalism, on the other hand, concerns itself with emphasis on legitimacy, the embeddedness of organizational fields, and the centrality of classification, routines, scripts, and schema.\textsuperscript{14}

In general, the theory of institutionalism believes in the multiplicity of actors in the international system. It also argues out that unity and friendliness is key to international cooperation. Thus, institutionalism sees all actors – whether individuals, organizations, or nation states – as affected by institutions built up in much wider environments. Individuals and organizations are affected by societal institutions, and nation-states by a world society. According to Ernst Haas, one of the proponents of this theory, international organizations are purposefully created to solve specific problems by their founders.\textsuperscript{15} There is therefore the need for unity among states in order to collaborate in finding solutions to these problems. Institutionalists also challenge the dominance of the state in the international system.\textsuperscript{16} This is because, given the nature of contemporary society, there are many technical issues ranging from economic, social, legal, and those that border even on terrorism. This requires institutions that are technical in nature to find solutions to the myriad of problems that emerge daily.

Similarly, Paul Viotti and Mark Kauppi also assert that institutions are important because they shape the behavior of states positively. This enables states to achieve mutually beneficial
The behavior of political leaders and their conducts are shaped through institutions or representative government which serves as a catalyst to good governance.

To the typical realists such as Burton R. Clark and Philip Selznick, there is a very strong notion of society as made up of bounded, purposive, sovereign, and rational actors. In the field of economics, these actors might be individuals or organizations, operating in market-like environments. In political science, they might be sovereign nation-states operating in an almost anarchic environment. To the realists therefore, institutionalism, in such schemes, involves the idea that some fundamental institutional principle must be in place before systems of such actors can effectively operate. Non-realists such as DiMaggio and Powell on the same subject, also agreed to the point that institutions, just like regimes, matter only to the extent that they cause states to behave in the ways they would not have otherwise behaved. In this view the non-realist also observes institutions as potent means for regulating actions and behaviours of states and their various actors. In this view, the ECOWAS Parliament comes in handy. The parliament as an institution seeks, among other things, to regulate the conducts of the member states of the ECOWAS region to conform to good governance practices. States, left alone without any regulation, may trample on the human rights of their members willingly or unwillingly.

The major proponents of sociological institutionalism include John Meyer, John Boli and George Thomas. Sociological institutionalism hold the view that the various actors are substantially empowered and controlled by institutional contexts, and these contexts go far beyond a few norms or network structures. Further, these contexts are by no means simply constructions built up by the contemporary actors themselves, but rather are likely to have prior and exogenous
historical origins. Institutions, in these conceptions are packages or programs of an expanded sort. Sociologists capture this idea by referring to societal sectors, or social fields, or arenas of action. Institutions, in these senses, are complex and often coherent mixtures of cultural and organizational material.  

Historical institutionalism, on the other hand, is an approach to political research that focuses on asking big questions, highlights the importance of institutions in explanations, and rejects functionalist explanations for why institutions emerge. Historical institutionalists, typically, focus on determinants at the macro-political or macro-economic level, though they rely on no particular type of institutional theory, and instead expect causation to be multiple and conjunctural and often involving time-order and path dependence. Authors including Karl Polanyi, Paul Esketein and Johnson McConnell are mostly regarded as historical institutionalists.

The major criticism of the institutional theory is that it tends to be static and legalistic in nature, lacking the ability to accept and explain change. For example, Stephen Krasner indicated that institutionalism is not able to explain the 'stickiness' and slowness of institutional change. Institutional life tends to emphasize the role of established rules, routines, taken-for-granted practices, policy legacies, sunk costs and path dependency. Similarly, Kathleen Thelen and Sven Steinmo also argued that “critical inadequacy of institutionalist analysis has been a tendency towards mechanical, static accounts that largely bracket the issue of change and sometimes lapse inadvertently into institutional determinism.” In this view, institutions are seen
as strong on inertia, resisting change until perhaps mounting pressures suddenly force change with a lurch.\textsuperscript{25}

The ECOWAS Parliament as an institution regarded as a tool for promoting good governance when situated in the theory of institutionalism is apt for many reasons. First and foremost, the Community Parliament as an institution is made up of representatives of states as actors in the ECOWAS sub-region. Second, individual members of the Parliament are mostly local representatives of their state parliaments or national assemblies who dully represent their local constituents. In such cases, individuals and ordinary citizens of these member countries are given a voice in policy making thereby promoting popular participation. Third, technocrats from various state parliaments are drawn together from various fields to deliberate on common regional challenges in order to provide advisory and consultative services to their various governments. Finally, the Parliament’s duties were to solve the myriad of social, economic and political problems that bedevil the ECOWAS Community as a sub-region and promote good governance in Africa. In view of the ECOWAS Parliament, individual citizens from member states, representatives of state parliaments and specialists from diverse institutions serve as actors. Again, the Parliament tries to find mutually beneficial solutions to common challenges of the Community and to provide advisory and consultative services to the member states.

1.8 Literature Review

The main institutions of the ECOWAS include the ECOWAS Commission, the ECOWAS Parliament and the Community Court of Justice, among others. The ECOWAS Parliament as one of the institutions of the ECOWAS is a forum for dialogue, consultation and consensus for the
representatives of the people of West Africa with the view of promoting integration in the sub-region.26

Boni Yao Gebe, in the book Ghana in search of Regional Integration Agenda, pointed out that the end of the Cold War brought about the emergence of civil liberties and rule of law globally.27 Africa as a region and West Africa in particular, have benefitted from this democratic wave with the emergence of democratic institutions and representative government across the whole of the sub-region.28 He asserts that though the end of the Cold War ushered in the development of democratic institutions, it unintentionally engendered ethnic, religious and nationalist tensions and disturbances in some countries. The result was the formation of opposition forces around the very vocal but popular political elites who rally the support of disgruntled youth who are willing to channel their productive energies on very destructive wars and conflicts.29 This results in the various conflicts that bedeviled the ECOWAS region notably in Liberia, Sierra Leone and recently La Cote d’Ivoire. In short, he opines that the end of the Cold War elevated the banner of insecurity in the sub-region and brought into focus the need to further develop and strengthen the culture of constitutional rule, democratic control of the security sector as well as harmonious civil- military relations.30 Put differently, good governance and democracy must prevail.

Gebe argued that it is against this background that efforts were made by the ECOWAS leadership to put in place institutional structures or policy initiatives that could enable the organization to achieve its goal towards the economic development and political integration of the sub-region. In combating the devastating conflicts that bedeviled the Community, the ECOWAS monitoring group (ECOMOG) was used as an ad hoc body to directly intervene in these conflicts that almost destroyed the gains of the sub-region.31 He maintained that despite the
weaknesses in the performance of ECOMOG in the Liberian civil war, and later in Sierra Leone and La Cote d’Ivoire conflicts, some useful lessons had been learnt.

The ECOWAS became aware of the weaknesses in the defence structure around which its operations were organized. This resulted in a new policy instrument to reduce the flaws in the 1978 and 1981 defence and security pacts. To this end, in 1999 a Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security was crafted. In December 2001, a supplementary protocol- the Protocol on Democracy and Good governance was signed.

The idea of a Community Parliament dates as far back as 1994, when the leadership of ECOWAS in Abuja, Nigeria committed itself to establish a Community Parliament. This was outlined in protocol number A/P2/8/94. It identified the need for a parliamentary forum for dialogue, consultation and consensus as an instrument to bring into action the declaration of political principles adopted by the Authority of Heads of State and Government earlier in July 1991. Since 2000, the Community Parliament has been operational simultaneously with the fifteen national parliaments of ECOWAS member states. It is therefore instructive to know that from the national parliaments, delegates are sent to the ECOWAS parliament to perform their advisory and consultative roles. Gebe’s work, however, did not address the question of how ECOWAS Parliament can be used to promote good governance which is the focus of this study.

Peter Koerner, in a book chapter captioned Regional and Sub Regional Integration, on the other hand, argues that the Cold War argument as the trigger for the formation of regional bodies is no
longer tenable especially after the demise of the Cold war. He contends that the main objective for regional integration in Africa, and for that matter West Africa, is for economic and social growth, coupled with political stability.\(^{35}\) This argument was supported by Julius Emeka Okolo that the formation of ECOWAS was as a result of the need for the sub-region to come out of economic stagnation, decline and decay perpetuated by external dependence on colonial powers. This assertion according to Koerner is amplified by the Organization of African Unity (OAU) summit declaration of 1973 and the Lagos plan of action in 1980.\(^{36}\) He puts forward that African countries are basically primary producers hence depend excessively on the global market for sale of their raw materials and services. The problem is further exacerbated by heavy borrowing. Koerner noted that West Africa has a record number of the world’s poorest countries based on the UNDP human development Index report. This therefore calls for a sub-regional integration so that resources and potentials can be pulled together to overcome the serious challenge to economic and social development since these are preconditions for political stability.\(^{37}\)

Koerner finally postulated that the formation of the ECOWAS Parliament as an institution to promote the integration process was hailed as a significant step towards broadening the base of decision-making in the sub-region.

On his part, Gilbert Keith Bluwey in a chapter captioned An ECOWAS Parliament: The Way Forward\(^ {38}\) in the book Regionalism and Integration in West Africa: The way Forward, argues that in spite of the challenges of ECOWAS on the economic and monetary fronts, it has achieved significant successes in the area of the maintenance of peace and security within West Africa. He indicates that the success of ECOMOG in restoring peace in Liberia after almost a decade of
civil war needs commendation.\textsuperscript{39} He further states that through the efforts of ECOMOG, ECOWAS was able to prevent civil war in Sierra Leone which was nearly triggered by the military overthrow of democratically elected President Ahmed Tejan Kabah in 1997 until the UN intervened. Bluwey asserts that the idea of regional economic integration has not been abandoned by ECOWAS member states. Individual states and their groupings within ECOWAS have put integration high on their national agenda and continue to affirm their belief in the ultimate realization of total economic integration in the sub-region.\textsuperscript{40}

It is against this background that scholars, experts on regional integration and other opinion leaders within the sub region constantly call for practical steps towards the achievement of that dream. He observes that the ECOWAS Parliament appears to have achieved this well-known support.

According to Bluwey, the ECOWAS ideal lacks legitimacy within the context of the national units which form the Community. A Community Parliament therefore will back the ECOWAS ideal with the needed legitimacy. He argues forcefully that when the ECOWAS was formed in 1975, majority of member states were then under military rule. Those countries that did not experience military coups such as La Cote d’Ivoire and Senegal lived under authoritarian regimes.\textsuperscript{41} Despite this remarkable work done on ECOWAS Parliament, Bluwey did not tell us the role of the ECOWAS Parliament in promoting good governance. This research therefore aims at addressing the gaps that could not be filled.
Barney Karuuombe on his part in the book Monitoring Regional Integration in Southern Africa, posits that parliaments cannot single handedly chart the paths towards integration though they have an important role to play in that process. He argues that generally regional parliaments and other parliamentary groups in Africa are aimed at playing legislative and democratic oversight functions of integration, yet they are still at a teething stage of organizational development. These regional parliaments are therefore short of playing the roles that mature parliaments play in democratic set up. He attributes this to two main reasons. According to Karuuombe, the first reason is that parliament’s role is undermined by the constitutional and legislative framework which gives preeminence to the Executive. He asserts that in many countries, the executive wields enormous powers and renders parliament subservient. His second argument is that parliaments are often ignored in the policy process and are only reduced to a rubber stamping body. In exceptional cases only a select committee or a few members are consulted.

He observes that for the past four decades of Africa’s Independence, parliament has been sidelined in regional integration. He pointed out that issues of development and regional integration was exclusively limited to the executive while parliament concentrated on domestic legislative issues. The marginalization of the legislature, according to Karuuombe, accounts for the slow integration process in Africa. He added that the call for the establishment of parliament within national units and regional parliaments as significant actors is partly due to the external development partners who have been calling for good governance, accountability and transparency.
Even though Karuuombe makes cogent analysis of the role of parliament in regional integration, his focus was more on the weaknesses of national and regional parliaments in general. Again, it could be seen that only a very little discussion was made on the ECOWAS Parliament and its role in promoting good governance. This study therefore focuses its attention on the role of the ECOWAS Parliament in the promotion of good governance in the West African sub-region.

On their part, Uyi Kizito Ehigiamusoe and Nnadozie Patrick Udefuna posit that there are several difficulties confronting the achievement of economic integration in Africa. These challenges range from political, administrative, geographical, and economic to trade diversion and uneven distribution of benefits. To them, it was against this backdrop, that the Economic Community of West African States (ECOWAS) was founded in 1975 to promote trading activities within the West African Sub-region.

Ehigiamusoe and Udefuna further noted that the beauty of democracy is predicated on the independence of the Executive, the legislature and the judiciary. In most cases, parliaments at the federal and national levels in functional democracies are endowed with the constitutionally guaranteed powers to make laws for the good governance of their people. The three principal functions of any national parliament include law-making, oversight and representation. The authors were of the view that dynamics of modern democracy have extended the scope and functions of parliaments to regional bodies seeking to improve inter and intra-border trade among member states.
Commenting on the nature and the works of the ECOWAS Parliament, Ehigiamusoe and Udefuna indicated that initially, the ECOWAS Parliament was mandated to serve only as a consultative and advisory body with additional powers to be granted later. However, twelve years later; despite a desire expressed by the Authority of Heads of State and Governments in 2006, to have an ECOWAS Parliament with directly elected members and exercising full legislative powers, the original mandate has remained unchanged. Contrasting the powers of the ECOWAS Parliament with that of the European Union Parliament, the authors pointed out that unlike the ECOWAS Parliament, the European Parliament shares equal legislative powers with the Council of the European Union. This empowers the EU Parliament to adopt European laws (directives, regulations, among others). It can accept, amend or reject the content of European legislation.\(^{50}\)

In their conclusion, the authors seem to suggest that twelve years after the Parliament’s establishment and despite a desire expressed by the Authority of Heads of State and Government in 2006, to have an ECOWAS Parliament with directly elected members and exercising full legislative powers, there seems to be lack of political will on the part of the executives and that the result is that the original mandate has remained unchanged. This is unlike what obtains in similar bodies across the world.\(^{51}\)

Despite the fact that many authors wrote on the activities of the ECOWAS and its organs in the efforts to achieve regional integration, not many worked in the area of the ECOWAS Parliament and its efforts in ensuring good governance in West Africa. Thus, apart from Ehigiamusoe and Udefuna who have done some work in the area, no other work directly deals with this all
important research area. This study therefore seeks to fill in this gap and raise certain questions on the efforts of the ECOWAS Parliament and the challenges it faces in the quest to ensure good governance in the West African sub-region.

1.9a SOURCES OF DATA

Data for this study was collected from both primary and secondary sources. Primary data was collected through in-depth interviews by administration of unstructured interviews with four Ghanaian parliamentarians who were members of the ECOWAS Parliament. The following Honourable members of the ECOWAS Parliament were interviewed:

- John Akologo Tia, a former Member of the ECOWAS Parliament interviewed at Parliament House Accra. Thursday 5\textsuperscript{th} July, 2012.
- Alfred Agbesi, Deputy Majority leader and a Member of the ECOWAS Parliament interviewed on Thursday 5\textsuperscript{th} July, 2012.
- Catherine Afeku, a former Member of the ECOWAS Parliament interviewed at Parliament House on Friday 6\textsuperscript{th} July, 2012.
- Elizabeth Sackey, a Member of the ECOWAS Parliament interviewed on Friday 6\textsuperscript{th} July, 2012.

Secondary data included books, journals, articles and internet sources. These kind of data was collected from the following sources:

- The ECOWAS Parliament, Lagos, Nigeria.
- The library of the Legon Centre for International Affairs and Diplomacy (LECIAD).
1.9b Research Methodology

The term methodology describes the choices researchers make about cases to study, how data is gathered, the types of data analysis among others in planning and executing a research study. The methods can be quantitative, qualitative or both techniques depending on the research objectives.\textsuperscript{52}

This study employed qualitative method in its data collection and analyses. Qualitative research emphasizes meanings (words) rather than frequencies and distributions (numbers) when collecting and analysing data. Primarily qualitative research seeks to understand and interpret the meaning of situations or events from the perspectives of the people involved and as understood by them. It is generally inductive rather than deductive in its approach, that is, it generates theory from interpretation of the evidence, albeit against a theoretical background. Thus qualitative measures are often binary in that they are interested in the presence or absence of phenomena, or they work implicitly with simple scales.\textsuperscript{53}

As such four members of the ECOWAS parliament were engaged in an in-depth interview to enable the researcher find a comprehensive answers to the questions raised in the study. In order to arrive at this aim, a well structured interview guide was developed and used to guide the conduct of the interviews. The variables explored and the questions asked during the interviews
were crafted based on the objectives of the study. Data generated from the in-depth interviews with the ECOWAS parliamentarians were dully transcribed and analyzed based on the various themes that emerged from the data. Since this approach is qualitative in nature, qualitative methods were used in their analyses. Colour coding as well as axial coding was done to enable the researcher easily identify similar themes. After several rounds of reading thorough through the texts, the analysis was done based mainly on the emerging themes. Notes taken as well as the facial and the body languages of respondents identified during the interviews were all factored into the analyses of data.

This approach to data collection and analyses led to many conclusions. It was concluded that the ECOWAS parliament was very instrumental in fostering good governance in the ECOWAS region and that it had chalked many great successes. However, there are also many great challenges that must be surmounted for the full realization of the parliament’s agenda of ensuring good governance in its entirety.

1.10 Arrangement of Chapters

This research is in four chapters. Chapter One is about the Research Design which includes the background to the statement of the problem, statement of the research problem, objective of the study, hypothesis, rationale for the study, theoretical framework, literature review, methodology and the chapter arrangement.

Chapter Two gives an overview of the Community Parliament. It looks at the Organs of the Community Parliament, its mandate as well as vision and mission of the Community Parliament. The chapter ends by examining the objectives and the core values of the Community Parliament.
Chapter Three, which is the thrust of the research, takes a look at the ECOWAS Parliament and good governance in West Africa. It also assesses the challenges of the ECOWAS Parliament in its attempt to promote good governance. Finally, Chapter Four summarizes the findings. It also draws conclusion and makes recommendations.
Endnotes

4 ibid., p. 6.
16 ibid., p.7.
17 ibid., p. 216.
19 Viotti, P. R., & Kauppi M., op. cit., p. 216.
22 Amenta and Ramsey, op. cit., p.1.
27 Gebe B.Y “Setting the Regional Integration Agenda in West Africa: The Role of Ghana’s Elected Representatives in Ghana in Search of Regional Integration Agenda, [Accra: Friedrich Ebert Stiftung, 2009], p. 41.
28 ibid., p. 43.
29 ibid.
30 ibid.
31 ibid.
32 ibid., p. 44.
ECOWAS protocol A/SP1/12/01.

Gebe, B. Y., op. cit., p. 44.


ibid.

ibid.


ibid., p. 86.

ibid.

ibid.

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ibid., p. 3.

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CHAPTER TWO

AN OVERVIEW OF THE COMMUNITY PARLIAMENT

2.0 Introduction

This chapter gives an overview of the Community Parliament. It gives a background of the Parliament, its aims and objectives; its structure, functions, achievements, challenges of the Parliament and promotion of good governance.

2.1 Background

The agenda of regional integration is not a recent one. It has a long history in the West African sub-region. The two main colonial powers in the sub-region namely, France and Britain, attempted to boost this idea but were unsuccessful. France made the effort to bring its colonies in the sub-region to form the Federation of French West Africa. The British, on the other hand, denied geographical contiguity of her colonies, nonetheless, administered a common currency regime and encouraged an inter-territorial collaboration in agricultural research and functional cooperation in selected areas of economic activities.\(^1\) This gesture of the colonial powers could be viewed as candid demonstration of their support for, or interest in regional integration. However politically, it is well known that the sub-region also witnessed inter-territorial cooperation during the beginning of the anti-colonial struggle. The activities of Ladipo Solanke of Nigeria, and the West African Students’ Union, Casely Hayford of the Gold Coast and Wallace Johnson of Sierra Leone in the Congress of British West Africa are clear testimonies of the nearest inter-territorial cooperation among British West African colonies in the sub-region.
The francophone countries also had a similar version which was then known as the African Democratic Rally.\(^2\)

It was however not until May 28, 1975 that the ECOWAS was given birth to at the behest of two Heads of States, namely President Gnassingbe Eyadema of Togo and General Yakubu Gowon of Nigeria.

Since its creation in 1975, the ECOWAS has undergone significant transformation. Prominent among these changes include the adoption of the ECOWAS monitoring group (ECOMOG) to directly intervene in the Liberia civil war in 1989 and later in the Sierra Leone and La Cote D’Ivoire.\(^3\) The difficult hurdles the ECOMOG had to cross in managing these conflicts exposed the weaknesses of the ECOWAS’ defence structure around which its operations were planned. This awareness, therefore led to the adoption of certain new policy instruments intended to assuage the shortcoming of the 1978 and the 1981 ECOWAS defence and security pacts. This culminated into the adoption of the 1999 Protocol relating to the Mechanism, for Conflict Prevention, Management, Resolution, Peacekeeping and Security. In addition to the 1999 Protocol, the Protocol on Democracy and Good Governance was also signed as a supplementary protocol in December, 2001.\(^4\)

Clearly, the original ECOWAS treaty was in many ways obsolete and could no longer meet the integration and developmental demands of the moment. There was therefore the need to revise its policies. In 1993, the ECOWAS treaty was revised and became known as the 1993 Revised Treaty signed in Cotonou, the Republic of Benin on July 24, 1993. This revised treaty called for
the creation of the Community Court of justice (Art.15), an arbitration tribunal of the Community (art 16), a committee of West African central banks (art.52), eight technical committees (art.22, 23, 24) and a Community Parliament (art.13). The Community Parliament as well as the other institutions of the ECOWAS have the duty to ensure that good governance practices are adhered to by all member states.

2.2 The Community Parliament

2.2.1 Background

The ECOWAS Parliament is one of the institutions of ECOWAS. Unlike many national parliaments whose roles include law making and oversight over the executive, this parliament has no such powers but rather, serves as a forum for dialogue, consultation and consensus for representatives of the peoples of West Africa with the aim of promoting regional integration. The Parliament was established in accordance with Article 6 and 13 of the ECOWAS Revised Treaty. The Protocol establishing the Parliament was signed in Abuja on August 6, 1994 and entered into force since March 14, 2002. The Community Parliament first met in May, 2002. The Parliament had 115 Members of Parliament (MPs) representing all member states except Mauritania. Mauritania was not represented because she had withdrawn her membership from ECOWAS in 2001 to join the Arab-Maghreb Union (AMU).

2.2.2 Vision of the Community Parliament

As a key institution of ECOWAS, the Community Parliament is seen as the deliberative arm for the integration and development process in the sub-region. The ECOWAS Parliament is positioned to play a vital role in the realization of ECOWAS Vision 2020 which is summed up as
“Creation of a borderless, prosperous, peaceful, and cohesive region built on good governance, where the people have the capacity to access and harness its enormous resources through the creation of opportunities for sustainable development and environmental preservation.”

The vision of the Parliament may, therefore, put the Parliament forth as a legislative body for the promotion of true democracy ensuring that people of the West African sub-region are at the centre of the integration process and are in full control of their destiny.

2.2.3 The Mission

The mission of the Parliament is essentially to issue opinions on all matters relating to regional integration through the promotion of democracy, human rights, solidarity, equity, peace, justice, and good governance. This simply dovetails into the mission of ECOWAS as defined in the Revised Treaty. The ECOWAS mission states that ECOWAS is

“To promote cooperation and integration within the perspective of a West African Economic union with a view to raising the standard of living of its people, maintain and increase economic stability, strengthen relations between member states and contribute to the progress and development of the African continent.”

2.2.4 Goals and Objectives of the ECOWAS Parliament

The ECOWAS’ desire for attaining sustainable democracy and good governance, credible regional integration and a people-centred regionalism in the sub-region is clearly stated and demonstrated in the overall goal and the specific objectives of the sub-regional body. The overall goal of the Community Parliament is:

“To promote the participation of West African citizens through democratic representation in the cooperation and integration process leading to the establishment of an economic union in order to raise the standard of living of the
people and increase economic stability, foster relations between member states and contribute to the advancement and development of the sub-region.  

The general and specific objectives of the Community Parliament are as follows:

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| i)  | To ensure a better representation of the entire population in the decision making process of the community with a view to promoting integration and development in the West African region. | a) Sensitize the populace on community programmes and improve and increase the involvement of the parliament in the community decision-making process.  
   b) Contribute to the acceleration of integration by taking into account the interests of the people.  
   c) Ensure monitoring of implementation of socio-economic policies and programmes of the community. |
| ii) | To strengthen the institutional role and powers of the ECOWAS parliament with a view to evolving from a consultative to a legislative parliament. | a) Enhance the capacity of the members of parliament.  
   b) Strengthen the capacity of the staff of the parliament to provide efficient support services through regular training.  
   c) Ensure visibility of the parliament through regular participation in community activities and constant communication of parliament’s activities.  
   d) Advance the interest of the people through exercising legislative powers. |
| iii) | To promote and defend human rights, justice, gender, democracy, peace and security. | a) Contribute to entrenching the principles and rules of good governance through regular monitoring of happenings in Member States.  
   b) Ensure the promotion of human rights and |
justice for the people. In presenting Country Report, each delegation is expected to give a briefing on Human Rights situation.

c) Monitor the implementation of Community texts and International conventions.

d) Strengthen participation in conflict prevention and resolution within the Community, through Parliamentary Diplomacy.

e) Work towards respect of gender issues in the implementation of Community programmes

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<td>a) Reinvigorate the formal framework for cooperation with National Parliaments and their constituents.</td>
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<td>b) Strengthen inter-institutional cooperation within the Community.</td>
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<td>c) Strengthen partnership with international organizations and development partners. Develop a communication strategy that will ensure a better visibility of the Parliament.</td>
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2.3 Structure of the ECOWAS Parliament

The Parliament, at its inception, had 115 Members of Parliament (MPs) representing all member states except Mauritania. Mauritania had withdrawn her membership from ECOWAS in 2001 to join the Arab-Maghreb Union (AMU). In order to ensure equitable representation of all citizens of the sub-region, the number of representatives from each member state was based on the size of each state’s population. For this purpose, Liberia, Cape Verde, Guinea Conakry,
Guinea Bissau, Republic of Benin, the Gambia, and Sierra Leone all have 5 parliamentarians each. Burkina Faso, Mali, Niger and Senegal have 6 parliamentarians each. La Cote D’Ivoire has 7 representatives, Ghana has 8 and Nigeria which has the largest is entitled to 35 representatives.\textsuperscript{11}

To be eligible to represent one’s country in the Community Parliament, it is required that one must first be a member of his/her National Parliament. In the event that one loses his/her seat in the National Parliament, one automatically loses his/her seat as well in the Community Parliament during the transition period. The out-going members of parliament are however, obliged to remain in office until new representatives from their respective member states take up their positions.\textsuperscript{12} The Community Parliament runs concurrently with the National Parliaments of member states and has a life span of four years. The ECOWAS Parliament is located in Abuja, the capital of Nigeria.

\textbf{2.3.1 Organs of the Community Parliament}

The ECOWAS Parliament is made up of the following organs:

- The Plenary
- The Bureau of Parliament
- The Conference of Bureaux
- The Standing Committees
- The General Secretariat
2.3.2 The Plenary

The Plenary is the highest deliberative body of the parliament. It is made up of the entire representatives elected to serve in the Community Parliament. It holds its meeting in session twice a year that is May and September. Other sessions may be convened to hold extra ordinary sessions if need be. This is done at the initiative of the Chairman of the Authority of Heads of States and Government on the request of the Speaker of the parliament or in response to a written request by a two-third majority of the members sent to the Speaker. The extra ordinary sessions are normally called to address particular issues.13

2.3.3 The Bureau of Parliament

This is made up of the Speaker and four Deputy Speakers of the Parliament. It is the organ that has an oversight responsibility over the activities of the Parliament. Its functions are to scrutinize and approve all programmes and activities of the technical or standing committees organized outside the headquarters of the Parliament; to approve the draft agenda and work programmes of the sessions of the Parliament. It is responsible for drawing up the general guidelines on the annual budget of the Parliament. The Bureau also reviews the draft budget before it is referred to the appropriate committee; it appoints the Secretary General and approves the recruitment of professional staff as well as supervises the administrative and financial management of the Parliament.14

2.3.4 The Conference of Bureaux

This is made up of the Speaker of parliament, the Chairmen, Deputy Chairmen and Rapporteurs of all the Standing committees. Basically, it is in charge of approving the annual programmes of
the Parliament to ensure that it is in tandem with the general community programmes. It also
works in partnership with the Bureau of parliament to approve the draft agenda and work
programmes of the sessions of parliament.\textsuperscript{15}

2.3.5 The Standing Committees

The basic function of the standing committee is to prepare reports on all matters within their
purview or relating to the Community for onward transmission to the plenary. Presently there are
thirteen Standing committees. These committees help the Parliament to work effectively. The
Bureau of each Standing committee is made up of a Chairperson, a Deputy Chairperson and two
Rapporteurs. The duties or functions of the Standing committees as stated in the ECOWAS
Revised Treaty shows the terms of office as a technical committee of ECOWAS. The protocol
also confers on parliament to create more standing committee as a gesture to fulfill its mandate.\textsuperscript{16}

2.3.6 The General Secretariat

The general secretariat is the administrative and technical arm of the Parliament. The General
secretariat is directed by the Secretary General and gives administrative and technical support to
the Members of Parliament.\textsuperscript{17}

2.4 Functions of the ECOWAS Parliament

Unlike national parliaments that have one of their major duties as enactment and amendment of
laws that are binding on all citizens, the role of the ECOWAS Parliament does not include the
employment of such legislative powers. This parliament serves as a forum for dialogue,
consultation and consensus building for representatives of the peoples of West Africa with the
aim of promoting regional integration. In this wise, it could be seen that the Parliament lacks the 
biting supra-national authority to compel member states to comply with the Parliament’s 
decisions. Article 6 (1) of the protocol relating to the Community Parliament clearly states the 
general function of the Parliament to the effect that,

"The Parliament may consider any matter concerning the Community, in 
particular issues relating to Human Rights and Fundamental Freedoms and make 
recommendations to the institutions and organs of the Community."

The Parliament is also empowered to advice on matters concerning the Community when 
consulted. In its advisory capacity, the opinion of the Parliament shall be sought in the following 
areas:

a. Inter-connection of communication links between Member States to promote free 
movement of persons and goods.

b. Inter-connection of telecommunication systems for the purpose of achieving effective 
community network with maximum extensions in the rural areas, in order to make the 
areas more accessible.

c. Inter-connection of energy networks.

d. Public health policies for the community.

e. Cooperation in areas of radio communication, television and other links within the 
community and between the community and the rest of the world.

f. Common educational policies and harmonization of existing system.

g. Youth and sports.

h. Scientific and technological research.

i. Community policy on environment.

j. Treaty review.
k. Community citizenship

l. Social Integration

m. Respect for human rights and fundamental freedoms in all its plenitude.

2.5 Achievements of the ECOWAS Parliament

Despite the numerous challenges confronting the ECOWAS Parliament, it has been able to chalk some notable successes. First of all, the ECOWAS Parliament succeeded in advancing the cause of democracy and good governance through its support, mediation, and diplomatic shuttles and peace missions to conflict zones in the sub-region. The Parliament’s early warning and proactive measures also forestall full blown crises through its shuttle diplomacy and country-specific collaboration in many countries within the sub-region. Furthermore, the Parliament’s critical engagement in election monitoring in many countries of the region like Nigeria, Benin Republic, Sierra-Leone, Liberia, Guinea, Togo, the Gambia and Ghana ensured some level of transparency in those elections.\textsuperscript{18}

Apart from contributing to democracy, the Parliament also provides a forum which enables the people of the sub-region to make their views on regional integration known. It also serves as a credible intermediary between the Community and the Community’s decision-making authorities. In addition to liaising between the Community and its decision-makers, the ECOWAS Parliament has also been able to widen the scope of participation of the ECOWAS people through its collaboration with the civil society and the bringing on board of many Non-Governmental Organizations and Community-Based Organizations, a very focal point and nexus of democratic integration process.\textsuperscript{19}
Since its formation, the ECOWAS Parliament has been able to carry out a series of seminars, training workshops, and working group initiatives to develop institutional mechanisms, individual and organizational capacities, institutional relationships and a strategic plan for conflict prevention and management. Similarly, the Parliament succeeded in raising awareness of the entire activities of ECOWAS and through the Mass Media and mobilized Media establishments within and outside the Community to support ECOWAS institutions and agencies.\textsuperscript{20}

On the score of maintaining peace and order in the sub-region, the Parliament was involved in restoring peace in the Mano River region, with the fragile peace in Guinea, Sierra Leone and Liberia. The Parliament was also involved in the resolution of the crisis in Liberia, especially, through its efforts in facilitating the negotiations with the LURD (Liberians United for Reconciliation and Democracy) rebels. It equally played an important role in the peace efforts in La Côte d’Ivoire, by dispatching a fact finding mission to that country.\textsuperscript{21}

One other potent and strategic activity the Parliament has been engaging in is the convening of parliamentary sittings in different countries of the region. This strategy is to bring the integration process closer to the people and build confidence; rather than holding all the sittings in Abuja, Nigeria; which is the seat of the Parliament.\textsuperscript{22}

One of the major functions of the Parliament is to deliberate on matters referred to it by the Commission and to make recommendations. In this vein, the Parliament has deliberated on many issues referred to it by the ECOWAS Commission. Out of these deliberations, various texts,
drafts, resolutions and amendment of protocols, and treaties in compliance with a people-oriented integration of the region had been produced. The Parliament, by these deliberations, also made key inputs in the administration of the ECOWAS institutions through timely sharing of experiences and feedbacks from member countries to the Parliament by the heads of such institutions or their delegates at the House Sittings.  

2.6 The Key Challenges of the ECOWAS Parliament

There are many challenges that bedevil the activities of the ECOWAS Parliament making it quite ineffective. The major hindrance to the Parliament has to do with its limited stipulated constitutional mandated role. The Parliament, unlike national parliaments which have the constitutional mandate to make legally binding laws, lacks such legislative powers. In terms of its powers, since the Parliament is considered to be in transition, it functions exclusively in an advisory capacity and at present, lacks binding powers, such as legislative, oversight or budgetary. In particular, it plays a consultative role on critical integration issues such as energy, communications, treaty review, community citizenship, human rights, amongst other areas. The opinion of the ECOWAS Parliament is to be sought only in specific areas, and the requesting organ is not under compulsion to accept and/or implement the recommendations of the Parliament. Also, the advice offered to the nations is not binding on the Executives. Since resolutions of the Parliament are not legally binding on member countries, the Parliament is regarded as a toothless dog barking but never biting.

One other challenge that is detrimental to the political health of the ECOWAS Parliament is its mode of recruitment of the members of the Parliament. Unlike the European Parliament where
members are elected based on direct universal suffrage in accordance with a uniform procedure in all member states and on broad party platform which cuts across national alignment, the members of parliaments of the ECOWAS are appointed from their national parliaments to represent their nations in the Community Parliament. The challenge with this issue is that since these parliamentarians are not directly elected through universal adult suffrage on any uniform procedure in all member states, they are not directly responsible to the people. Since the parliamentarians are not directly elected by the Community citizens based on stipulated uniformed procedures, they do not owe any direct accountability to the people. Such representatives cannot therefore claim to have the mandate of the entire people of the Community.\textsuperscript{25}

In addition to lacking full legitimacy in asserting any role in the basic parliamentary functions of representation and law-making, the ECOWAS Parliament also lacks power to make and control national budgets and exercising oversight over the executive. In fact, the budgeting and policy making powers of the Community lie firmly within the exclusive competence of the executive, the ECOWAS Commission. This practice is in direct contravention with the democratic principle of separation of powers. Due to its strictly proscribed legal authority to perform, and consequent weakness vis-à-vis other institutions of ECOWAS, the ECOWAS Parliament is relatively weak in delivering effective oversight role within the broader activities of the ECOWAS institutional framework.\textsuperscript{26}

Article 4(2) of the Supplementary Protocol states that, “The powers of the ECOWAS Parliament shall be progressively enhanced from advisory to co-decision making and subsequently to a law
making role in areas to be defined by the Authority.” However, not until that is done, the ECOWAS Parliament remains only an advisory and a consultative assembly lacking the needed supra-national capability to fully direct the affairs of the ECOWAS.

2.7 The ECOWAS Parliament and the Quest for Good Governance

Governance is widely defined as the system of values, policies and institutions by which a society makes a decision based on collective agreement and action related to socio political, economic, cultural and environmental issues through interactions of the state, civil society and the private sector. It is made up of some complex structures, processes and institutions through which citizens and groups express or articulate their interests, resolve their differences and exercise their legal rights and obligations. Fundamentally, the principles of good governance include political transparency, participation, tolerance, respect for human rights, administrative and bureaucratic capacity and efficiency. Good governance therefore involves the creation of effective partnership to ensure that political, social and economic priorities rest on broad consensus in society and ensures that the voices of the poor and most vulnerable are heard in the decision-making process. Good governance, therefore, becomes a very strong tenet and one of the pillars of any striving democracy in the world.

To be able to achieve good governance to any appreciable level, it requires that the government, civil society and the private sector work together to create an enabling environment for the promotion of these fundamental principles. To this end, decentralization and democratic governance have gradually become a prerequisite for the success of any developmental and regional integration initiatives.
The European Union (EU) identifies five principles at the core of good governance. These are legitimacy and voice, direction, performance, accountability and fairness. But according to the United Nations Development Project (UNDP), good governance include the following principles namely, participation, rule of law, transparency, responsiveness, consensus building, equity, effectiveness and efficiency, decentralization, accountability and strategic vision.\textsuperscript{31} Though the European Union’s principles are slightly different from the UNDP’s in terms of nomenclature both are basically pointing at the same direction. It is however important to state that the UNDP based principles have a claim to universal recognition because it reflects the values that need to be implemented in order to justify the governance framework.\textsuperscript{32} Among such values are the elimination of corruption, respect for fundamental human rights, transparent, free and fair elections, and the rule of law. Good governance as a concept needs to be protected and nurtured since its principles are the cornerstone for sustainable development.\textsuperscript{33} The ECOWAS Parliament seeks to ensure that all these principles of good governance are brought to light in member states of the ECOWAS through provision of consultative and advisory services to the governments of the sub-regional community.

An indispensable feature of good governance is decentralization. Decentralization aims at bringing decision-making closer to the people and encourages grassroots participation. It enables policies and services to be tailored to the well needs of the ordinary person. Such is the role the ECOWAS Parliament is expected to play given the fact that members of the Community Parliament represent the people of the sub-region. This therefore highlights ECOWAS vision 2020 which summarily moves away from the ECOWAS of Heads of States to an ECOWAS of People. It is important to state that in order to be successful in the decentralization process,
politicians and policy makers would have to integrate programmes to encourage citizen participation, promote civil society groups and involve women and the poor in the policy making process.\textsuperscript{34}

In addition to this, it is instructive to emphasize that participation, especially at the grass root, plays a major role in the sustainability of programmes and policies. Involving the people in policies and programmes boost interest and creates a sense of ownership amongst the people which is essential for the survival and sustainability of policies and programmes. In promoting dialogue and participation among civil society organizations, the parliament and the executive improve self-reliance among citizens in resolving their own challenges.\textsuperscript{35} This is needed to improve local capacity which is required to solve key development problems. Furthermore a culture of participatory democracy ensures accountability on the part of people in authority or position of trust. Again it promotes effective participation of the democratization process which is the cornerstone of good governance. The end result is equipping the ordinary person with adequate decision making skills socially, politically and economically.

The parliament in general has a vital role to play. It can contribute effectively by performing important functions necessary to sustain democracy in complex and diverse societies. Democratic societies require some political space to put across societal differences which emanate as a result of representative assemblies with vital ties to the people.\textsuperscript{36} Put differently parliamentary roles are relevant in strengthening democratic systems of government. Today, parliament has increasingly become a multi-functional institution playing different roles, many being inter-related and often crisscrossing one another. As the years unfolded, the functions of
parliament has significantly evolved from just a law making body to a multi-functional institution covering within its spectrum various roles such as developmental, social engineering and legitimization, representational, informational, financial and administrative surveillance, grievance ventilation and redressal, national and regional integration, conflict resolution, leadership recruitment, training and education.\textsuperscript{37}

The Millennium Development Goals 2015 can best be achieved if the sub-region experiences good governance. There is a close relation between the MDGs and good governance; without the latter, the sub-region will lag behind. The Parliament through its standing committees are trying to contribute vigorously towards the attainment of the MDGs.\textsuperscript{38} This is because the MDGs are crucial for sustainable development. They are the means to a meaningful life and the foundation of economic growth. Achieving the MDG will reduce hunger, ensure gender equality, improve health, education and access to potable water and sanitation which will improve the quality of life of people in the sub region.
Endnotes

2 ibid.
4 ibid.
5 Bluwey G.K., op.cit., p. 88.
7 “Mauritanian Parties Encourage Re-integration with ECOWAS” article available at www.westafricagateway.org accessed on Monday 16th July 2012.
12 ibid., p. 10.
13 ibid., p. 24.
14 ibid., p. 25.
16 ibid., p. 42.
17 ibid., p. 40.
19 ibid., p. 4.
22 Magbagbeola, N. and Onoja, P., op. cit., p. 3.
23 ibid.
24 ibid., p. 2.
28 ibid.
29 ibid.
30 ibid., p. 4.
32 ibid.
33 ibid.
35 ibid.
37 ibid.
38 ibid. p. 19.
CHAPTER THREE

THE ECOWAS PARLIAMENT AND GOOD GOVERNANCE IN WEST AFRICA

3.0 Introduction

This chapter discusses the ECOWAS Parliament and its role in promoting good governance in West Africa. It also assesses the challenges of the ECOWAS Parliament in its attempt to promote good governance.

The study generally made use of a qualitative method of data collection and analyses. Also, both primary and secondary sources were contacted for data collection. Basically, primary qualitative data was collected through in-depth interviews with some key informants (Both current and former members of the ECOWAS Parliament). Secondary data was mostly sourced from scholarly books, magazines, journal articles and certain published and unpublished materials.

To be able to better appreciate the role of the ECOWAS Parliament in ensuring good governance in the ECOWAS sub-region, some key variables were identified and interrogated. These variables include the concept of good governance; the various activities employed by the ECOWAS Parliament to ensure the practice of good governance among member states of the Community; the ECOWAS Parliament and democracy; conflict prevention, management and resolution; popular participation, capacity building and protection of human rights. The challenges faced by the ECOWAS Parliament in its quest to stamp its authority in ensuring that all states comply with the tenets of good governance, and remedies to these challenges were also considered.
3.1 Background

The idea to establish a Community Parliament was hailed as a laudable one by many in the sub-region. This gesture was seen as a symbolic march towards a democratic West Africa because many people held the view that ECOWAS lacked legitimacy within the national units since it was born out of a military regime.\footnote{This view holds that when ECOWAS was formed in 1975 majority of the states within the sub-region were under the shackles of military rule with the exception of Senegal and La Cote d’Ivoire that were not experiencing military rule at the time, nevertheless, were ruled by autocratic leaders.} The gesture, therefore, to create a Community Parliament was heralded as a refreshing one as it was also seen as a step towards the acceleration of regional integration in West Africa. The Community Parliament is critical to regional integration, democracy and good governance since these became the desire for the people of West Africa.

As legitimate representatives of the people of the sub-region, members of the Parliament serve as a reliable link between the people and the decision making authorities of the Community. In other words, the Parliament serves as a forum that enables the people of the sub-region to put across their views or opinions on issues relating to regional integration, democracy and good governance to the Community’s final decision makers. This invariably leads to the promotion of responsible and enlightened participation by the common people in decision making.

A parliament can be viewed from different angles considering its historical background, authority and the political system prevailing in that particular country; whether presidential or parliamentary system of government or a blend of both. The Commonwealth Parliamentary
Association (CPA) defines parliament as a law making assembly constituted under the laws of a nation at the national, state, province, territory or dependency level functioning within a parliamentary system. A parliament provides a forum for the aggregation of varied interests. It processes and translates those interests into policy decisions. The main functions of parliaments involve representation of the people, law making and carrying out oversight responsibilities over the Executive arm of government. Furthermore, in certain jurisdictions, parliament ratifies and incorporates international conventions into municipal laws as well as investigates sources of serious conflict in society and offer solutions. The execution of this role is rooted in the fact that freely elected parliaments serve as the building blocks upon which representative democracy is built and that parliamentary institutions are the heart of every representative system.

The ECOWAS Parliament, being a sub-regional parliament, does not perform most of the functions performed by national parliaments. Notable among the powers lacked by the Parliament is the ability to make binding laws. Even though the ECOWAS Parliament lacks the power of legislation, its role in ensuring democracy and good governance in the sub-region cannot be overemphasized. The Community Parliament provides a forum for dialogue and an opportunity for consultation and consensus for representatives of the peoples of West Africa with the aim of promoting regional integration. Inherent in the duties of the ECOWAS Parliament is the strong recognition of and desire to promote good governance. A serious look at the activities of the Parliament gives the indication that all of its works are aimed towards achieving good governance in the sub-region. Of course, without the practice of good governance, there cannot be any serious regional integration and development.
3.2 Duties of the ECOWAS Parliament and the Concept of Good Governance

In its quest to promote regional integration, the ECOWAS Parliament serves as a forum for dialogue, consultation and consensus for representatives of the people of West Africa. In addition to these roles, Article 6(1) of the protocol relating to the Community Parliament also states the other functions of the parliament. It is, for example, stipulated that

“The Parliament may consider any matter concerning the Community, in particular issues relating to Human Rights and Fundamental Freedoms and make recommendations to the institutions and organs of the community.”

The Parliament, as an advisory body, has the power to deliberate on and advice organizations such as may consult it for the Parliament’s opinion on technical areas as:

a. Inter-connection of communication links between Member States to promote free movement of persons and goods.

b. Inter-connection of telecommunication systems for the purpose of achieving effective community network with maximum extensions in the rural areas, in order to make the areas more accessible.

c. Inter-connection of energy networks.

d. Public health policies for the community.

e. Cooperation in areas of radio communication, television and other links within the community and between the community and the rest of the world.

f. Common educational policies and harmonization of existing system.

g. Youth and sports.

h. Scientific and technological research.

i. Community policy on environment.

j. Treaty review.
k. Community citizenship

l. Social Integration

m. Respect for human rights and fundamental freedoms in all its plenitude.

The goals of the ECOWAS Parliament were clearly intended to induce the practice of good governance in the West African sub-region by ensuring participatory democracy through a Community parliamentary system. The desire to ensure the protection of human rights and fundamental freedoms in all its plenitude; the call for collaboration in other salient technical areas for the betterment of the ECOWAS sub-region are attestation to the fact that the Parliament is in many ways aimed at ensuring good governance.

Good governance is thought of as comprising some complex structures, processes and institutions through which citizens and groups express or articulate their interests, resolve their differences and exercise their legal rights and obligations. Basically, the tenets of good governance may include among other things political transparency, popular participation, tolerance, respect for human rights, administrative and bureaucratic capacity and efficiency. Good governance, therefore, involves the creation of effective partnership to ensure that political, social and economic priorities rest on broad consensus in society and ensures that the voices of the poor and most vulnerable are heard in the decision-making process.²

Other views on the concept good governance are worth noting. The European Union (EU), for example, posits that the five core principles of good governance are legitimacy and voice; direction, performance, accountability and fairness.³ Similarly, the United Nations Development Project (UNDP), adds that good governance include principles such as participation, rule of law,
transparency, responsiveness, consensus building, equity, effectiveness and efficiency, decentralization, accountability and strategic vision. The ECOWAS Parliament seeks to ensure that all of these principles of good governance are adhered to in member states of the ECOWAS through provision of consultative and advisory services to the governments of the sub-regional community.

3.3 The ECOWAS Parliament and Ensuring Good Governance in West Africa

One very potent tenet of good governance in any form is the adherence to democratic practices. Among the principles of democracy are issues that have to do with adherence to rule of law, presidential and parliamentary elections; transparency, accountability and tolerance. To ensure that good governance gains root among member countries, the Parliament encourages member states to adhere to such practices. To put this resolve to work, the ECOWAS Parliament regularly sends election observer missions to monitor presidential and parliamentary elections in member countries such as Nigeria (April 2003), Togo (June 2003) and Guinea-Bissau (March 2004). This action is aimed at ensuring transparent free and fair elections.

To further interrogate the work of the ECOWAS Parliament in promoting good governance and ensuring democracy in the sub-region, the respondents interviewed were asked to say what measures they put in place as catalysts to promote good governance. A number of themes emerged from the data gathered from the interviews. The emerging themes include, first of all, working towards transparency and accountability in their own home countries through advocacy, ensuring rule of law and rejection of any form of unconstitutional change of government;
ensuring ethnic, gender and religious tolerance; and ensuring free and fair elections. An excerpt from one of the interviews posits that

“…as a Community Parliament, though we don’t make binding laws, we play very very important roles in ensuring democracy in the community…we members are encouraged to undertake various activities that will entrench democracy. We monitor elections in member countries,…we preach against coup d’états, advocate for tolerance …It will interest you to know that we literally ridicule members from any state that engage in unconstitutional removal of Heads of States and Government…we do a lot of things…”[A former Member of the ECOWAS Parliament, Accra, 5th July, 2012].

These findings confirm the views of N. Magbagbeola and P. Onoja when they indicated that the ECOWAS Parliament advanced the cause of democracy and good governance through its support, mediation, and diplomatic shuttles and peace missions to conflict zones in the sub-region. They also commented on the Parliament’s critical engagement in election monitoring in many countries of the region like Nigeria, Benin Republic, Sierra-Leone, Liberia, Guinea, Togo, the Gambia and Ghana to ensure some level of transparency in those elections.

Another excerpt which is worth noting is one from another former member of the ECOWAS Parliament from Ghana. He said that

“…to me, for the mere fact that members of the ECOWAS Parliament are members from national parliaments and national assemblies is an attestation to the fact that the ECOWAS Parliament itself is democratic in nature…” [A former Member of the ECOWAS Parliament, Accra, 6th July, 2012].

Even though this assertion may be true in many respect, one challenge that calls for a second look at the position is the issue of direct election of members of the parliament. Members of the ECOWAS Parliament are nominated from their home countries’ parliament. They are not directly elected based on any agreed upon criteria as it is done in the EU Parliament. For this reason, it is held that members may not directly be accountable to the citizens of the Community.
This argument was forcefully put forward by M.O. Gasiokwu who pointed out that the European Union’s parliamentarians are elected based on direct universal suffrage in accordance with a uniform procedure in all member states and on broad party platform which cuts across national alignment. On the contrary, members of the ECOWAS Parliament are appointed from their national parliaments to represent their nations in the Community Parliament. He argued that since these parliamentarians are not directly elected through universal adult suffrage based on any uniform procedure in all member states, they are not directly responsible to the people. Such representatives cannot, therefore, claim to have the mandate of the entire people of the Community.

A careful look at the ECOWAS sub-region portrays a mixture of democratic and undemocratic tendencies among member states. For example, Mali’s March 21, 2012 coup d’état and Ghana’s opposition leaders’ choice to seek redress in the Ghana’s Supreme Court after the December 7, 2012 election are two different status of democracy and tolerance in action. While it is fair to praise the ECOWAS Parliament’s resolve to ensure democracy in the sub-region, one can say that there is a lot more work for the Parliament to do.

3.4 The ECOWAS Parliament and Conflict Prevention, Management and Resolution in West Africa

In the quest to ensure good governance towards successful regional integration, the ECOWAS Parliament engages itself in many activities to deal with conflicts to promote peace and security in the sub-region. The Parliament works in many capacities to ensure conflict prevention, management and resolution in West Africa. Also, the Parliament through its early warning mechanisms was able to prevent some potential conflicts in some countries. Magbagbeola and
Onoja, for example, indicated that the ECOWAS Parliament succeeded in advancing the cause of democracy and good governance through its support, mediation, and diplomatic shuttles and peace missions to conflict zones in the sub-region. They also showed that the Parliament’s early warning and proactive measures also forestalled full blown crises through its shuttle diplomacy and country-specific collaboration in many countries within the sub-region. Furthermore, the Parliament’s critical engagement in election monitoring in many countries of the region like Nigeria, Benin Republic, Sierra-Leone, Liberia, Guinea, Togo, the Gambia and Ghana ensured some level of transparency in those elections.

Worth noting is the Parliament’s roles in restoring peace to the Manor River area. The Parliament was very active in restoring peace in Guinea, Sierra Leone and Liberia. The Parliament was also involved in the resolution of the crisis in Liberia, especially, through its efforts in facilitating the negotiations with the LURD (Liberians United for Reconciliation and Democracy) rebels. It was instrumental in bringing peace to La Côte d’Ivoire, by dispatching a fact finding mission to that country.

These findings were confirmed by the themes realized from the interviews conducted with the respondents. In all cases, the parliamentarians adopt dialogue with the feuding parties in all conflicts and potential conflicts as technique. They also employ the strategy of negotiations for arriving at compromises among contending factions. In some cases, the Parliament threatens to expel parliamentarians coming from countries with constant conflict situations from the Community parliament in order to put pressure on governments were stated. Mention was made of all the conflicts and the potential conflict the ECOWAS Parliamentarians had intervened.
Some of these were the conflicts in La Cote D’Ivoire, Guinea and Liberia. One of the former members of the ECOWAS Parliament puts it this way

“…you know how endemic our sub-region is with conflicts. Talk about the Liberian conflict, the Sierra Leonean conflict, La Cote D’Ivoire and Guinean conflicts…We were in Ghana too to talk to the two party leaders, I mean, Nana Addo Dankwa Akufo Addo and President John Atta Mills, when the heat was on during the 2008 election in Ghana. That was a potential conflict, believe it or not. …What we do usually is to engage the feuding parties in dialogue and seek compromises with them and then try to resolve the conflicts…” [A former Member of the ECOWAS Parliament, Accra, 6th July, 2012].

A member of the current ECOWAS Parliament from Ghana also pointed out that they do a lot of monitoring of conflict situations and potential conflict situations and quickly advise the ECOWAS body and the states in such situations. This early warning system helped in preventing conflicts in some countries. He opined that

“…one hallmark of the ECOWAS Parliament is its expertise in detection of early warning signals of potential crises situations…We are able to do this for many reasons. There are conflict resolution experts among us…Another reason is that members of parliament are from various countries who are very familiar with happenings in our home countries. Any uncertainty detected is quickly reported and surveillance begins on such countries…it is very effective. There could have been more conflicts in the sub-region if we were not that proactive in our work…” [A current Member of the ECOWAS Parliament, Accra, 5th July, 2012].

3.5 The ECOWAS Parliament and the Protection of Human Rights in West Africa

One of the strongest roots of the concept of good governance in any state is the protection of the fundamental human rights of the people. Human rights such as right to life, right to free movement of people, freedom of association, freedom of speech and right to form political party and the likes are all part of the internationally recognized human rights and freedoms. The ECOWAS, being part of the international system has also taken the protection of these rights to
heart. In addition to the ECOWAS Commission’s efforts to ensure protection of rights, the ECOWAS Parliament has also been tasked to see to the realization of citizens’ rights and freedom in the sub-region. For example, Article 6(1) of the protocol empowering the Community Parliament unequivocally tasked the Parliament to perform functions including the following that:

“The Parliament may consider any matter concerning the Community, in particular issues relating to Human Rights and Fundamental Freedoms and make recommendations to the institutions and organs of the Community.”

Since so much emphasis is laid on issues relating to Human Rights and Fundamental Freedoms, the Parliament has since been working hard to carry out this duty with the alacrity it deserves. The first step the parliament took in this direction was the formation of a standing committee on human rights issues referred to as the Committee on Human Rights and Child Protection. This standing committee deals with human right issues in the sub-region and advice the Authority of Heads of States and Governments. Closely related to the Committee on Human Rights and Child Protection is also the Committee on Legal and Judicial Affairs. This committee deals with legal and constitutional matters that arise as the states work with each other in the integration process.

In the same regard, Article 48 of the protocol relating to the ECOWAS Parliament, in addition to the two standing committees, also proposes the office of an OMBUDSMAN. It is held that the establishment of the office of the OMBUDSMAN is an innovative concept that will help to forge closer ties with ordinary citizens by formalizing a channel through which their grievances may be addressed without resorting to judicial processes.
Findings of this study indicate that missions from the ECOWAS Parliament have been in countries like Togo and Guinea to commune with authorities on issues of human right abuses of some citizens. A quote from one of the interviews asserts that

“…we do lots of consultations on the blind side of the people regarding human right issues to prevent the international community and international media from blowing issues out of proportion…we once talked with the authorities in Togo and Guinea concerning human right abuses…our missions are experts from various fields who tactfully carry out these activities…” [A former Member of the ECOWAS Parliament, Accra, 6th July, 2012].

Despite the efforts of the ECOWAS Parliament to preserve and promote respect for human rights among citizens of the ECOWAS sub-region, available data from the Amnesty International 2011 Report on the ECOWAS countries in the recent years regarding violation of rights is telling. Mention was made of unlawful detentions of citizens, muting of the press, unlawful imprisonments, reprisal of opposition party leaders, torture of suspected prisoners, abuse of children and women; human trafficking and other form of human and peoples’ rights abuses. This revelation is an indication of the fact that there is much more the Parliament would have to do in order to see a sub-region that is committed to respecting the fundamental rights of the people. For example, in Nigeria, the very heart and seat of the ECOWAS Parliament, the Amnesty International Report 2011 indicated that the Nigerian police continued to commit human rights violations including unlawful killings, torture and other ill-treatments; and enforced disappearances of citizens. The Nigerian justice system was under-resourced and riddled with delays in dispensing justice. Nigeria’s prisons were overcrowded, the majority of inmates were pre-trial detainees, some even held for several years. Approximately, 920 people were on death row, many sentenced after unfair trials. No executions of such convicted prisoners, however, were reported. The security situation in the Niger Delta deteriorated during the year. Human rights defenders and journalists continued to face intimidation and harassment. Violence against
women remained widespread and the government failed to protect the rights of children. Forced evictions continued across the country. It was also reported that between 17th and 20th January, more than 300 people were killed in religious and ethnic violence in and around the city of Jos, Plateau state; over 10,000 people were displaced and thousands of shops and homes were destroyed. On 7th March more than 200 men, women and children were killed by armed men when the villages of Dogo Nahawa, Zot, and Ratsat were attacked. Homes and properties were burned, and thousands of people were displaced.\(^{15}\)

In Ghana, the country touted as beacon of democracy in Africa, many human right violations had been recorded. According to the 2011 Amnesty International report, in February, two people died in a police cell in Ashaiman, a suburb of Tema. Fifty-two people were being held in a cell built for twenty. In September, at least two people were killed and 15 seriously injured in Tema when combined troops of the military and police used live and rubber bullets and tear gas on people protesting against the demolition of their businesses. No investigation was carried out. Again, in October, approximately 19 homes and businesses in Nankpanduri village in the Northern Region were burned down by military and police officers and several people were injured when they were shot or beaten by security forces who were searching for an escaped prisoner who had killed two police officers. Regarding Ghana’s Justice System, it was reported that access to legal aid was inadequate and some prisoners spent over 10 years awaiting trial, although the proportion of remand prisoners began to fall. Prisons were overcrowded and under-resourced.\(^{16}\)

Interestingly, the story is no different in the other countries in the ECOWAS region. Surely, the ECOWAS Parliament has an enormous task to deal with if its resolve to tackle human right violations is to realize any positive results.
3.6 The ECOWAS Parliament and Popular Participation in West Africa

In defining good governance, one unavoidable tenet that must surface and be considered is the issue of popular participation in decision-making. Popular participation has to do with giving a platform of involvement in decision-making to ordinary persons at the grass root level. Ordinarily, such individuals could be overlooked during policy formulation in other forms of governance processes. In the schemes of good governance and democracy, popular participation is very crucial to the sustenance of governments. In this regard, first and foremost, the very fact that members of the ECOWAS Parliament were sourced from among parliamentarians who were representatives of the ordinary citizens of their home countries is an attestation to the belief that there is popular participation. These Community parliamentarians basically do not only represent their countries but also their very constituents who elected them into office. They, therefore, carry the views of their constituents to the Community Parliament thereby indirectly giving a voice to the ordinary citizens of the various countries to participate in the formulation of community policies on issues that affect them.

It is instructive to remember that it is for this very purpose of ensuring popular participation that the ECOWAS Parliament was formed. For instance, one of the overall goals of the Community Parliament, as stated, is

“To promote the participation of West African citizens through democratic representation in the cooperation and integration process leading to the establishment of an economic union in order to raise the standard of living of the people and increase economic stability, foster relations between member states and contribute to the advancement and development of the sub-region.”

In this direction, the ECOWAS Parliament has been carrying out various activities that ensure the involvement of the ordinary citizens of the community in certain key decision-making
processes. The Parliament, for example, most of the time moves its sittings away from its Headquarters at Lagos, Nigeria to other locations in other member countries to bring the activities of parliament closer to the ordinary person in his/her own home country. It also serves as a credible intermediary between the community and the community’s decision-making authorities. In addition to liaising between the constituents and their decision-makers, the ECOWAS Parliament has also been widening the scope of participation of the ECOWAS peoples through its collaboration with the civil society organizations and the bringing on board many Non-Governmental Organizations and Community-Based Organizations, a very focal point and nexus of democratic integration process.18

Furthermore the establishment of focal point offices at National Parliaments as points of contact for the people is considered as an opportunity to take the activities of the Parliament to the doorstep of the people.19 These offices serve as the rallying point of national delegations. In addition to all of these efforts, it is also realized that members of the Community Parliament embark on sensitization programmes to create awareness among the ordinary citizens in the home countries. An excerpt from one of the in-depth interviews clearly pointed this out by saying that

“…we, the Ghanaian delegates, by way of sensitizing and carrying out public education [on the activities of the ECOWAS Parliament] went out to major cities such as Accra, Kumasi and Tamale…Among the target population were the grassroots made up of market women, traders, drivers and students,20…”[A current Member of the ECOWAS Parliament, Accra, 5th July, 2012].

The ECOWAS Parliament also has good working relations with sub-regional parliaments with the aim of promoting dialogue. This is because it believes that there is the need to learn and share experiences with other parliaments. This way, the parliament can become more innovative by
building capacity to meet the growing demands of the people. To this end, the Parliament is an associate member of the Inter parliamentary union (IPU) and the ACP/EU joint parliamentary Assembly. It also has relations with regional parliaments on the continent and several International partners.

However, a critical comparison between the level of knowledge of the ordinary citizen of the very existence of the ECOWAS Parliament and the activities of the ECOWAS Parliament in ensuring and promoting popular participation in the community leaves much to be desired. It is clear that not many ordinary citizens are even aware that there is any such Community Parliament. Majority of citizens are much more aware of their own home parliaments than the community one. This may be as a result of media coverage given to the national parliaments and the near zero coverage given to the Community Parliament. It may also be as result of the concentration of the awareness campaign at the major cities alone rather than carrying it to the rural dwellers too. The obvious question is if the people are not aware of the existence of parliament and its activities, how can they attempt to make their voices be heard through the parliament? There is therefore the need for a more aggressive awareness creation of the Community Parliament and its activities among the rank and file of the citizens of the community. With better awareness creation strategies, a lot more ordinary people would be willing to make their voices heard on such platforms.

3.7 The ECOWAS Parliament and Capacity Building in West Africa

For there to be any meaningful democracy and good governance in any society, there is the need for building the capacity of the people. This would have to be done at the very top of political
leadership and as well as at the bureaucratic level for effective and efficient administration of the states. As changes occur every now and then in the administration and the various bureaucracies around the world, there is the need for capacity building to update the knowledge of not only the decision-makers but also the bureaucrats who implement these policies. Taking cognizance of this very important tenet of good governance, the ECOWAS Parliament has taken it upon itself to bring various training and capacity building programmes and projects to the parliamentarians to enable them carry out their duties in a more comprehensive way. Magbagbeola and Onoja commenting on the Community Parliament’s capacity building needs on security, posit that a primary cause of violent conflict in the West African sub-region is the failure of governance, including the lack of an effective and active sub-regional non-military mechanism for preventing future and resolving ongoing conflicts.21 One of the major purposes of ECOWAS Parliament is to help address this gap by developing the capacity of the parliamentarians to exercise an effective role in preventing and managing conflict in West Africa. These are carried out in the form of series of seminars, training workshops, and working group initiatives to develop seed institutional mechanisms, individual and organizational capacities, institutional relationships and a strategic plan for the conflict prevention and management role of the ECOWAS Parliament. The project will develop the understanding and awareness of ECOWAS parliamentarians as to the underlying causes of, as well as the tools, approaches and skills for parliamentarians in preventing and managing conflict at the regional and national levels.

3.8 Challenges facing the ECOWAS Parliament in Promoting Good Governance

In its attempt to promote good governance, the Community Parliament faces numerous challenges. Among these is the fact that members of the Community Parliament are not elected
by a universal adult suffrage. There is the belief that the ECOWAS Parliament would have a wider and a fairer representation when members of the Parliament are elected based on a universal adult suffrage. The current practice of indirect election of members from the national legislature does not give a true representation to the people as the ordinary people are marginalized from directly participating in electing people of their choice. Again this practice confers on members of the Community Parliament dual status. First, they are members of their national parliaments and second, members of the Community Parliament. This puts them in a situation where their national functions overshadow their additional functions as members of the ECOWAS Parliament. This challenge poses a huge challenge to them since it takes away the essence of representing the people and fulfilling their obligations at both sides.

In addition to this, it is also realized that the Parliament is not structured to have a clear cut majority and minority. This remains a huge challenge to the parliament because the political parties in West Africa do not have similar ideologies unlike the European Parliament that has parties across national frontiers thus making it possible for these to sit in groups and vote along party lines. For instance, in the European Parliament (EP), there are the socialists, the European People’s Party and the Greens. This practice in the European Parliament reduces tension among the national units, promote inter-state cooperation and create the platform for key European Union issues to be debated.

Furthermore, owing to the differences in the electoral calendars of member states, the Community Parliament has no permanent composition. There are always frequent changes in the
composition of parliament during the life of the legislature. This affects the Parliament negatively in the area of planning.\textsuperscript{22} Also, the Community Parliament is deficient in terms of powers that ordinarily, a legislature or parliament must possess. These are powers to make laws, perform oversight responsibilities and the power to control the Community purse among others. The Community Parliament lacks the capability to control the socio-political environment. Consequently it is unable to compel the Authority of Heads of State and Government and the Council of Ministers to respect its decisions with regards to issues that border good governance, democracy, peace and stability. This has led to the thinking by some especially within the sub-region that it is a rubber stamp. In addition to this, members of the Community Parliament lack adequate knowledge in vital community programmes. Even though some effort has been made over the years to build the capacity of the parliamentarians, there is still the need to further build capacity among members of the Community Parliament in the form of training to equip them adequately on vital community programmes.

Closely related to this challenge is the lack of political will on the part of the Authority of Heads of State and Government also known as the Executive arm of ECOWAS to give away some of its powers in order to empower the parliament. Such powers granted could change the fortunes of the parliament by transforming it from its current status of being a mere advisory and consultative body to a proper legislative organ to make laws, approve budgets and perform oversight functions among others. However, as it stands now, the Parliament has no biting powers to enforce the resolutions.\textsuperscript{23}
Presently the parliament only serves as a forum for consultation and advice. Furthermore it lacks the autonomy needed to assert its authority on the various institutions of the community. The General secretariat of the parliament made up of both administrative and technical staff is inadequately resourced.

These challenges were well noted in the themes arising from the interviews granted by the respondents for this study. Issues of lack of legislative powers, insufficient capacity of members on certain technical areas of operation, indirect election and challenges of legitimacy; inability to engage in serious research activities were all featured. One of the respondents passionately puts it this way

“…look, our challenges hinge on our inability to make laws and control the executive... the executive is too powerful in the ECOWAS sub-region…let them [executive] cede some of their powers to the parliament as we see in the European Union Parliament and I bet you, everything will move on smoothly with the parliament…as it stands now, we are only advising. States are at liberty to accept our resolutions or reject them depending on whether it suits them or not” [A current Member of the ECOWAS Parliament, Accra, 6th July, 2012].

Another respondent indicated that

“…we are powerless. We don’t bite, we only bark…let all the powers conferred on any national parliament or that of the supra-national powers of the European Union be given us and this parliament will be a force to reckon with” [A former Member of the ECOWAS Parliament, Accra, 5th July, 2012].

It is obvious from the look at the challenges enumerated above that the ECOWAS Parliament’s efforts to ensure member states’ adherence to good governance practices in the West African sub-region could suffer major setback. How quickly these challenges are resolved will determine the rate at which adherence to and the practice of good governance tenets could be achieved. There is therefore a correlation between the effectiveness of the ECOWAS Parliament in the performance of its duties and the practice of good governance in the West African sub-region.
3.9 Remedies to the Challenges facing the ECOWAS Parliament in Promoting Good Governance

Some remedies have been prescribed to the challenges that cripple the efforts of the ECOWAS Parliament in its quest to ensure good governance resulting in accelerated regional integration. Inherently, there are certain provisions in the Supplementary Protocol relating to the ECOWAS Parliament. For example, the Article 4(2) of the Supplementary Protocol indicated that, “The powers of the ECOWAS Parliament shall be progressively enhanced from advisory to co-decision making and subsequently to a law making role in areas to be defined by the Authority.” Furthermore, Article 4(3), which is the major transitional provision, envisages the assumption of full legislative powers by the Parliament—beyond being consulted for its opinion—upon the direct election of parliamentarians.

The ECOWAS Parliamentarians have also noticed these needs and have already taken certain actions to enable them secure reforms that will enhance the performance of their duties. For example, the parliamentarians, in a document entitled “A Case for the Enhancement of the Power of the ECOWAS Parliament,” have reiterated a number of portions of the Act relating to the ECOWAS Parliament to the President of the ECOWAS Commission. This document contains a summary of salient aspects of the Act which if adopted, will go a long way to enhance the legislative powers of the Community parliament. The ECOWAS parliamentarians proposed in Articles 14 and 15 to deal with the issue of elections to the parliament by Electoral College. In their proposal, National Parliaments are proposed to be the Electoral Colleges to elect ordinary citizens as representatives of ECOWAS Parliament. It also proposes in Article 7 to make either parliamentarians or council to initiate Legislative Acts, which will be adopted by both institutions to become applicable. This process is also to be used to adopt the Community Budget.
(Article 7.1, 13). It is also being proposed that the Parliament be empowered to confirm the appointment of statutory appointees. This, the Parliament argues, will provide members the opportunity to assess the capacity of those to be entrusted to administer the Community before they assume office.26

These realizations and proposals made by the parliamentarians could be considered as a great step in the right direction. This is because in accepting and implementing the proposals, the ECOWAS Parliament could be as strong as the European Union Parliament and be able to ensure not only good governance but also incredible acceleration of regional integration. For now, so long as these proposals remain only suggestions not yet approved by the executives of the ECOWAS Commission, the Community Parliament remains a somehow weak and powerless advisory and consultative body.
Endnotes

4 ibid.
5 An Interview with John Akologo Tia, a former Member of the ECOWAS Parliament on 5th July, 2012.
7 An Interview with Catherine Afeku, a former Member of the ECOWAS Parliament on 6th July, 2012.
8 Gasiokwu, M.O., op. cit.
9 Magbagbeola, N. and Onoja, P., op. cit.
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12 An Interview with Alfred Agbesi, Deputy Majority leader and a Member of the ECOWAS Parliament on 5th July, 2012.
13 An Interview with Elizabeth Sackey, a former Member of the ECOWAS Parliament on 6th July, 2012.
15 ibid., p. 245.
16 ibid., p. 151.
17 Strategic Plan of the ECOWAS Parliament, op. cit., p. 22.
18 Magbagbeola, N. and Onoja, P. op. cit., p. 4.
19 ‘Strategic plan of the ECOWAS Parliament’ op. cit., p. 17.
20 Alfred Agbesi, op. cit.
21 ibid., p.7.
22 ibid., p. 15.
24 Elizabeth Sackey, op. cit.
25 John Akologo Tia, op. cit.
CHAPTER FOUR

SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

4.0 Introduction

This chapter summarizes the findings of the study, made some conclusions and put forward a number of recommendations.

4.1 Summary of Findings

This study sought to examine the role of the ECOWAS Parliament in promoting good governance. To investigate this, the study was guided by three main objectives. The first objective was to give an overview of the Community Parliament, the second was to identify and discuss the role of the ECOWAS Parliament in promoting good governance. The third was to examine the challenges the ECOWAS Parliament is facing in its attempt to promote good governance among member States and how these can be addressed.

Many interesting findings were made and are thus presented below. It was first of all realized that underlying the litany of Africa’s problem is bad governance. This is manifested by corruption, mismanagement of resources, poverty, high level of illiteracy, poor infrastructure, diseases, and coup d’état. It is also found out that in promoting good governance on the continent, institutions are central. The ECOWAS Parliament is one of the main institutions that can promote good governance in the sub-region. This is because it is seen as the microcosm of the sub-region and it brings into focus the concept of representative democracy. Its function is to give representation to the people of the sub-region and purely performs as a consultative and
advisory body. Despite this limited functions, the Community Parliament is still significant in promoting good governance in the sub region.

The major tenets of good governance have also been realized. First and foremost, it was found out that one major tenet of good governance has to do with adherence to democratic practices such as tolerance, rule of law and regular conduct of free and fair elections. Again, conflict prevention, management and resolution also served as an indispensable attribute of good governance. Other features noted include the tenets such as popular participation, capacity building and protection of human rights.

Findings have it that the ECOWAS Parliament is tremendously doing its best to ensure and promote good governance in the West African sub-region. The Parliament intervenes in conflict areas to prevent, manage or resolve conflicts in areas such as Liberia, Guinea and La Cote d’Ivoire. Also, the Parliament sent missions to monitor elections in member countries and ensure the conduct of free and fair elections. Many other efforts were recorded as activities of the parliament to ensure capacity building for its members and also to ensure popular participation of ordinary citizens of the ECOWAS sub-region.

The efforts of the Parliament have yielded certain positive results. Findings have it for example that the ECOWAS Parliament’s efforts led to the resolution of the various conflicts in the Manor River areas. Again, the parliament’s detection of the early warning signals prevented potential conflicts in Ghana, Togo and Nigeria. There have been some successes in the areas of ensuring democracy, capacity building and popular participation in the ECOWAS sub-region.
This study also pointed out that the efforts of the ECOWAS Parliament in its quest to promote good governance have not been without challenges. It was understood that the major challenges of the parliament in the performance of their duty include the parliament’s inability to make binding laws since exercise of legislative powers are not part of their powers. Again, it was clear that indirect election of members of the parliament also has some limitation on the legitimacy as the members are considered as not being responsible directly to the people therefore lacking legitimacy. It was also realized that the dual role played by the parliamentarians, thus their duties in their home parliament and the Community Parliament, renders them ineffective in the Community Parliament since they are more committed to the home country than the Community Parliament.

The hypothesis of the study held that without the ECOWAS Parliament, good governance would be a mirage. The findings of the study demonstrate that undeniably the ECOWAS Parliament though lacks the legislative power, plays a vital role in promoting good governance. According to the study, the Community Parliament is actually involved in ensuring democracy, popular participation; prevention, management and resolution of conflicts in the sub-region; protection and promotion of human rights; capacity building and many other good governance practices in the sub-region. It is instructive to understand that the imperfect good governance practices and slow progress of integration in the ECOWAS sub-region could be attributed to the challenges faced by the ECOWAS Parliament in its efforts. Again, the gains made in these areas could be linked to the stringent efforts put in by the parliament to ensure good governance among member countries.
4.2 Conclusions

Based on the findings of this study, a number of conclusions have been drawn. It is evident that the ECOWAS Parliament is central to the acceleration of regional integration and good governance. The vision of the Community Parliament goes in tandem with the ECOWAS vision 2020. This vision talks about putting the people in the centre of the integration process. The principles of good governance involve political transparency, participation, tolerance, respect for human rights, administrative and bureaucratic capacity and efficiency.

The ECOWAS Parliament made great inroads in the areas of promotion of democracy by ensuring free and fair election among member countries. This is done by sending observer missions to monitor elections. The parliament has also been able to contain many conflict and potential conflict situations in the sub-region through dialogues and negotiations with feuding parties. Great efforts are also made by the parliament to ensure popular participation of the community’s ordinary citizens. This is also done usually by rotating the parliament’s sittings among member countries and liaising with non-governmental organizations and civil society organizations to bring governance to the grass root. The parliament has also done great works in the area of human right protection.

The major challenges facing the parliament include the parliament’s inability to legislate. Its roles are mostly providing advisory and consultative duties to the executives and the other agencies of the Community. This challenge militates against the parliament’s resolve to promote good governance. Second serious challenge facing the ECOWAS Parliament is the challenge of indirect election of its members from their home countries’ parliaments. This challenge seems to
diminish the legitimacy of the parliamentarians. Again, the dual responsibilities of the parliamentarians- to their home parliament and the Community Parliament, renders the members ineffective in the performance of their duties to the Community Parliament.

It is concluded that the efforts of the Community Parliament to ensure good governance in the ECOWAS sub-region has yielded some notable results. However, there is a lot more work for the parliament to do to achieve all the tenets of good governance among the member states of the ECOWAS. The hypothesis that without the ECOWAS Parliament, good governance would be a mirage is well confirmed by the findings of this study. The parliament’s efforts in many ways led to a great improvement in good governance practices among member states. On the other hand, the parliament’s inability to achieve its desired goals and the objectives is as a result of the difficult challenge the parliament has to grapple with. Thus, if the parliament were well equipped with all the powers of a supra-national parliament, good governance would have been realized to a more appreciable level.

4.3 Recommendations

In order to ensure that the ECOWAS Parliament entrenches good governance within the sub-region, this research seeks to make the following recommendations.

Universal Adult Suffrage

Election of the European Union parliamentarians enables the EU parliament to enjoy its full legitimacy and makes it more responsible to the people. Similarly, any such elections of the ECOWAS parliamentarians based on universal adult suffrage would lead to a wider and fairer
representation of the people. The current practice of selecting members from their national legislatures does not give a true representation to the people as it marginalizes the very people whom integration is supposed to benefit. It is therefore recommended that members of the ECOWAS Parliament be elected based on a universal adult suffrage according to a well stipulated uniformed procedure in all member countries of the ECOWAS. One way of ensuring this is to advocate for the formation of similar political parties in all the West African states. Also, the various already existing political parties in the different states could be rationalized based on their subscription to similar political ideologies. If the political parties are rationalized in all the West African states, as it is done in most European Union countries, the community parliament will have a manageable size of political parties present in all its states. With this properly done, voters can now directly elect their representatives from their home countries to represent them in the community parliament. Another way to achieve this goal is to allow for two parallel elections, one strictly for the home parliament and the other strictly for the community parliament. Members of the community parliament will now become direct representatives of the constituents in their home countries. This practice will not only ensure that constituents of the members of the community parliament are represented but also cure the problems of challenges associated with questions of how many parliamentarians should come from each country. Now, the size of the country would no more matter but everything will now depend on the strength of the various political parties. The better the political party’s manifesto, the more seats it wins in the community parliament.

Furthermore there is the need for the ECOWAS to harmonize the electoral calendars of member states so that elections can be held around the same time. This will solve the problem of the
parliament not having permanent members. Some scholars are of the view that the solution to these electoral problems in West Africa is to have a single independent electoral commission that is mandated to organize elections for all member states of West Africa. Perhaps, the time has come to consider this view seriously since this view when adopted has the potential of forestalling all electoral malpractices and violence leading to conflicts and instability in the sub-region. For example, the first of such harmonious elections could be schedule for December, 2018. In this case, the final election prior to the general community election in each country should be coalition governance so no party feels cheated. When this is properly done, the beginning of tenure of office for new members as well as the end of term for old parliamentarians would be simultaneous.

**Independent Legislature**

Good governance requires a strong legislature or parliament that will hold the Executive responsible for its actions. Currently the Community Parliament does not have the legislative muscle to make laws, perform oversight responsibilities or control even the budget of the Community. As a result of this, it is always perceived by some as a rubber stamp. Essentially, every legislature must be able to make laws. However if good governance and democracy must be entrenched, there is the need to revise the powers of the Community Parliament and give it a legislative and oversight powers so that it can perform much better than it is presently doing. This also calls for a political will from the Authority of Heads of State and Government to cede some of its powers to strengthen the Parliament from just a mere advisory and consultative body engaged in fact finding mission to a proper legislative organ for the people of West Africa. Again, the ECOWAS parliamentarians, both from majority and minority parties should
forcefully adopt a bi-partisan approach in lobbying their home governments to cede part of their political powers to the community parliament to enable them make laws and see to their enforcement. With such powers to prescribe sanctions against recalcitrant governments, the community parliament, like many state parliaments will become very effective in ensuring good governance among the West African states.

Another factor that hinders the efficiency of the ECOWAS Parliament is the amount of burden members have to endure. This is as a result of the fact that the members have responsibilities to perform in their home countries and also to the Community Parliament. These parliamentarians are therefore torn between the two parliaments. In most cases, the parliamentarian turns to be more committed to his or her home parliament for the fear that lack of performance in the home parliament may cause him/her to lose his/her seat thereby losing his/her seat in the Community Parliament too. To avoid this dilemma, it is recommended that recruitment of members of the Community Parliament be opened to anybody who qualifies to be a parliamentarian in any member country. It is again recommended that any member of parliament in any national parliament who wishes to contest a seat in the Community Parliament should be made to resign. This way, the burden of managing the two parliaments simultaneously, as it stands now, would be eliminated and the members would perform more effectively.

As the world becomes more globalized and technology improves every now and then, there is the need for the upgrading of skills of parliamentarians in all technical areas of their operations. Capacity building of members then becomes the obvious choice to make the Community Parliament effective and efficient in its roles as far as promoting good governance is concerned. Even though some training activities have been ongoing among the parliamentarians, there is the
need for further capacity building, especially as the parliament is requesting for full legislative powers to make laws. Thus, a well informed and technically capable parliament is well able to make relevant laws and ensure better good governance among the member states of the ECOWAS.
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Catherine Afeku, a former Member of the ECOWAS Parliament interviewed at Parliament House on Friday 6th July, 2012.

Elizabeth Sackey, a Member of the ECOWAS Parliament interviewed on Friday 6th July, 2012.
APPENDIX

Interview Guide

I am a student of the Legon Centre for International Affairs and Diplomacy (LECIAD), University of Ghana. I am conducting a research on the topic: “Promoting Good Governance, the Role of the ECOWAS Parliament”. The purpose of this study is purely academic and is in partial fulfillment of the requirements for the award of the Master of Arts Degree in International Affairs.

Good Governance has become a major determinant towards the achievement of sustainable development. In promoting Good Governance institutions are central. This interview is to help me examine and analyze the role of the ECOWAS Parliament in promoting Good Governance.

1. What concrete actions has the Community Parliament taken to promote good governance in West Africa?

2. In your view, should representatives of the ECOWAS parliament be elected through a universal adult suffrage? Why

3. How often do you exchange information between the Community Parliament and the National Legislature?

4. In terms of activities of the Community, when and how do you update the people with information?

5. Some people are of the view that the ECOWAS Parliament is a rubber stamp. Do you share that view? Yes/No. Why?

6. What are some of the achievements of the ECOWAS Parliament?

7. What are some of the challenges of the ECOWAS Parliament?
8. Do you think the Community Parliament needs to be structured on majority and minority basis to ensure democracy and good governance?

9. What role do you think the Community Parliament should play in achieving ECOWAS vision 2020?