

MPS DRAGGING THEIR FEET -  
WHEELS ARE TURNING BUT WE  
ARE GOING BACKWARDS:  
OUTA 2021 REPORT ON  
PARLIAMENTARY OVERSIGHT IN  
SOUTH AFRICA



# ADVOCACY BRIEF 7: ETHICS COMMITTEE INTERACTION

## **Purpose:**

The purpose of this Advocacy Brief is to provide a succinct overview of the section Ethics Committee Interaction in the 2021 Report on Parliamentary Oversight in South Africa as presented by OUTA.

## **Background:**

In 2019, OUTA completed its first oversight report. That report reviewed the performance of the 5th Parliament, attempting to evaluate whether Portfolio Committees in the National Assembly addressed the issue of state capture.

Further, OUTA compiled an affidavit and submitted it to the Zondo Commission of Inquiry into State Capture, motivated by our professional conviction that measurable and impactful Parliamentary oversight is often lacking in South Africa.

In 2020, OUTA completed its second oversight report entitled "MPs Asleep at the Wheel". One key finding of concern was that MPs appeared to rely solely on the very departments that they are supposed to oversee for information.



# ETHICS COMMITTEE INTERACTION

The digital divide concern has two prongs: 1) it reinforces structural inequalities and 2) it highlights MPs' and government's failure to attend to the pressing ICT needs such as affordable broadband roll-out. It is a vicious cycle which keeps the underprivileged members of society trapped in socio-economic and techno-political poverty. Structural reform also necessitates greater efforts to improve transparency of political party funding allocations, access to internal documents and information in the public's interest, and the inclusive implementation of accountability mechanisms like Parliament's Oversight and Accountability Model (OVAC).

## LACK IN ACTION

The Joint Committee on Ethics and Members' Interests' inaction in response to legitimate complaints lodged to it by civil society should be considered. Annexed to the report that this advocacy brief is based on is an account of interactions OUTA has with this committee over the past 4 years, which led to naught. The essence of those complaints is that persons with serious, yet unresolved, allegations of corruption, bribery, treason, and general maladministration against them have been deployed in Parliamentary positions of power. Chairpersons of key committees in the National Assembly such as Communications, International Relations, Transport, and Environmental Affairs have been or are still individuals with questionable histories that may be unethical at best and criminal at worst. We argue that such individuals have no place in the very institution that is Constitutionally mandated to represent The People and champion the public interest in the face of obvious political biases and agendas.





## KEY MESSAGES

As South Africa emerges from a pandemic that shut down spaces for engagement and participation, OUTA calls on Parliament to be at the forefront of incentivising ethical leadership and to use its powers to direct funds to where it is efficiently and effectively used in the public interest. MPs are the servants of The People and should work together with civil society in all its forms to hold the Executive accountable.

## CHALLENGES

Open governance and transparent operations should mean that researchers should engage with academics and civil society organisations to exchange information for improved accountability. MPs will benefit from listening to experts who are familiar with the scope of their portfolios but espouse a different perspective to government.

## GENERAL EXPECTATIONS

There are expectations of parliament, which include:

- Representation of the public's interests
- Politicians and MPs must be active citizens themselves
- MPs must uphold the highest moral code and act with integrity
- MPs must oversee the executive



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