Civil Society & Parliamentary Symposium Towards Fostering Collaboration

27 November 2024

NATIONAL ASSEMBLY

NATIONAL COUNCIL OF PROVINCES

OUTA
ORGANISATION UNDOING TAX ABUSE

KONRAD ADENAUER STIFTUNG

Strengthening Democracy: Fostering Collaboration for Effective Parliamentary Oversight and Enhanced CSO Participation

Report on the Civil Society & Parliament Symposium

27 November 2024

9h00 to 14h00

Pepperclub Hotel, 167 Loop St, Cape Town City Centre, Cape Town

Background to the CSO-Parliament Symposium

Civil society organisations have expressed a need to focus on Parliament as a key stakeholder, to provide effective oversight and improve good governance and ethical leadership. Collaboration between Parliament and civil society organisations (CSO) will help bolster governance, due to contributions CSOs can make spanning from grassroots and civil engagement, community-level data, to research and analytical reports and other advocacy efforts. In February 2024 Organisation Undoing Tax Abuse (OUTA) met with the Secretary to Parliament and members of Parliament's management team. One of the outcomes of this engagement was that a civil-society symposium should be organised to further discussions on collaboration between Parliament and CSOs. Following in the wake of South Africa's 7th National and Provincial democratic elections on 29 May 2024, this is an opportune time to encourage Parliamentary engagement and collaboration with CSOs. Konrad-Adenauer-Stiftung (KAS), in support of this shared vision of fostering collaboration between Parliament and CSOs, funded this symposium.

Introductory Remarks

The **Civil Society & Parliament Symposium,** held in Cape Town on 27 November 2024, provided a crucial platform for fostering dialogue and collaboration between South Africa's Parliament and civil society organisations (CSOs). Organised by the Organisation Undoing Tax Abuse (OUTA) and funded by the Konrad-Adenauer-Stiftung (KAS), the symposium sought to address critical gaps in public participation, strengthen democratic processes, improve governance, transparency and enhance public participation in South Africa. Several senior Parliamentary officials from the Parliament of South Africa participated in the symposium, as a key role player.

The event opened with a warm welcome from **Dr. Rachel Fischer,** the Parliamentary Engagement and Research Manager at OUTA. She highlighted the critical role of dialogue and transparency in enhancing democratic processes and improving governance. Fischer emphasised the significance of the gathering, urging all attendees to reflect on how both Parliament and CSOs can collaborate more effectively for the benefit of South Africa's democracy.

Dr. Christoph Wiedenroth, the Deputy Resident Representative of KAS South Africa, also addressed the audience. Wiedenroth began by reflecting on the significance of the **2024 South African National and Provincial elections,** noting that they ushered in a new era for the country's democracy. He mentioned that the elections sent a powerful message that **democracy can adapt, grow, and respond to change,** which is an encouraging sign for the international community. He continued, stating that **democracy**—while sometimes slow—can **stand the test of time,** ultimately generating **inclusive change.** He added that South Africa, as a **diverse country,** will always face the challenge of balancing competing interests. However, he firmly believes that

Dr Christoph Wiedenroth

democracy, coupled with a **strong multiparty system,** is the way forward. He described Parliament as the place for **profound debates,** where **shared ideas** and **future paths** can be forged through collaboration.

Wiedenroth highlighted that KAS has been active in South Africa since the early 1980's and provides funding to **NGOs, universities,** and **think tanks.** He praised **OUTA** for their work in holding the government accountable, ensuring that **democratic processes** are upheld. His remarks underscored the Foundation's ongoing support for dialogue initiatives like this symposium, aimed at fostering accountability and inclusivity in South African politics.

Following Wiedenroth, **Dr. Leon Gabriel,** Division Manager for Knowledge and Information Services in Parliament, addressed the gathering. Dr. Gabriel extended his apologies on behalf of **Xolile George,** the Secretary to Parliament, who was unable to attend due to simultaneous high-level meetings. Dr. Gabriel explained that this engagement was the **first in a series of consultations with civil society** as part of Parliament's move toward becoming a **transformative, activist, and interventionist institution.** He emphasised that it cannot be the responsibility of the government alone to bring the **Bill of Rights** to life—there must be a partnership with civil society to ensure not only **accountability, transparency,** and **ethical governance** but as a key component in the context of a social compact for the development of South Africa's democracy and socio-economic transformation. Dr. Gabriel called for a **collaborative relationship** between Parliament and civil society, urging that the day's interactive discussions focus on reflecting on the **challenges** and exploring potential **mechanisms** to strengthen this partnership.

Wayne Duvenage, the CEO of **OUTA,** echoed this sentiment, noting that the symposium marked an important moment in the relationship between Parliament and civil society. He observed that there have been **deliberate attempts** by

both sides to reach out to one another and emphasised the importance of **bringing people closer to Parliament** in the discussions. Duvenage said while it was uncertain where the journey would lead, it was clear from the outset that **civil society** had a **bigger role** to play in **meaningfully engaging** with Parliament and **translating that understanding** back to the public. He raised the question of whether **constituency leave**—often considered a break for MPs—could instead be used as an opportunity to **bridge the gap** between Parliament and civil society. He encouraged the group to consider how they could work together to better understand the **quality** of public **feedback** in processes like the **budget review** and **recommendation submission.** Duvenage said he hoped that **recommendations** made by civil society were being **taken seriously** and **incorporated** into the **executive's decisions.**

Fischer concluded the opening remarks by drawing inspiration from the African proverb **"Ixe i Ixara Ike",** meaning **"Unity in Diversity".** Fischer invited participants to introduce themselves, invigorating the collaborative spirit of the engagement and the importance of seeing who is in the room, to work together to tackle the challenges South Africa face. The session set the tone for the discussions that followed, which explored how these two key actors can work together to enhance South Africa's democracy.

Dr Rachel Fischer, Adv Stefanie Fick, Moira Levy, Ressida Begg, Karam Singh

Panel Discussion

The **panel discussion** addressed the overarching themes of parliamentary oversight, transparency in governance, and the role of civil society in fostering democracy. The conversation was shaped by insights from key speakers: **Karam Singh (Executive Director Corruption Watch), Ressida Begg (Division Manager: Core Business Support, Parliament of South Africa), Moira Levy (Media Manager, Institute for African Alternatives/IFAA) and Stefanie Fick (Executive Director of the Accountability Division and Public Governance, OUTA).**

Parliamentary Oversight and Transparency

Karam Singh opened the panel by highlighting the critical role of parliamentary oversight in developing a robust constitutional democracy. Reflecting on his early experiences as a parliamentary researcher in the 1990s, Karam noted the evolution of oversight mechanisms and how these intersect with anti-corruption measures today.

He spoke about the Commission of Inquiry into Allegations of State Capture, saying that issues of state capture have placed parliamentary accountability and transparency under scrutiny, highlighting the urgent need for robust oversight principles. Singh stressed the importance of public participation in parliamentary processes to achieve good governance. "Fixing appointments is a crucial piece of the parliamentary agenda," he said. He also highlighted the need for **clear legislation**, **multi-stakeholder oversight**, and **integrity testing** to ensure appointments are made on merit, not due to political favouritism or corruption. Singh emphasised the need for transparent, merit-based, and participatory processes for appointments to key positions. This is essential to prevent corruption in public positions.

Singh proposed the creation of **independent oversight committees** that would provide **real-time checks** on decisions made by Parliament, particularly in relation to **public sector appointments** and **state-owned enterprises**. His argument was that **accountability** can only be assured if **civil society organisations** have the tools and access to scrutinise the decisions Parliament makes, thereby providing checks and balances on the governmental processes.

In parallel, **Ressida Begg** expanded on Singh's points, stating that **Parliament's role in fostering transparency** extends beyond appointments. She discussed the ongoing work of Parliament to enhance **public access** to proceedings and strengthen **public consultation** mechanisms, pointing out that **CSOs** play an essential role in ensuring that public input is well-represented. Begg noted that one of **Parliament**'s strategic goal is to ensure that civil society is a **partner** in the policy-making process, working together to promote **good governance**.

Begg provided historical context, tracing the roots of the relationship between civil society and Parliament. She highlighted the critical role civil society has played in representing the marginalised and voiceless, especially in South Africa's journey from apartheid to democracy. Ressida acknowledged the necessity of collaboration between Parliament and civil society, particularly in broadening the evidence base for parliamentary oversight. She pointed out that **civil society can help Parliament access vital information**, which is crucial for making informed decisions, especially in relation to **state capture** and other accountability issues. By collaborating with Parliament, CSOs can help ensure that legislative processes are robust, transparent, and aligned with public interest.

Drawing on examples such as the parliamentary inquiries into Eskom and state-owned enterprises, she pointed to successful partnerships with civil society and academic institutions. Begg commended these collaborations for broadening the evidence base available to Parliament, stating that these efforts have been instrumental in strengthening oversight mechanisms.

Public Participation in Governance

One of the most lively sections of the panel revolved around the topic of **public participation** in governance. At the IFAA, transformation and checks and balances are important to their mandate. They are concerned with giving ordinary people access to Parliament and making sure constructive recommendations, such as those made in the Zondo report, are realised. **Moira Levy** recalled the People's Parliament of 1994, saying we should aspire to have a Parliament whose doors are opened to the people. Levy said that **public input** should not be a formality but a substantive element of legislative work. She held that **Parliament** must prioritise **inclusive processes** that ensure **marginalised communities** are not excluded from the legislative process, whether through **policy hearings** or **committee submissions**. She suggested that **virtual participation** should be integrated into parliamentary proceedings to allow citizens who cannot attend in person to still contribute meaningfully to discussions.

Stefanie Fick proposed the establishment of a **formal "marriage contract"** between Parliament and civil society to institutionalise collaboration, ensuring that Parliament remains **responsive** and **accountable** to the public. To her, it's a reciprocal relationship where people talk to and get involved with Parliament and Parliament listens. According to Fick, this collaboration would make **public participation** a regular part of the legislative agenda rather than a rare or one-time occurrence. She highlighted **the challenges of the political time cycle**, where important issues can get sidelined due to political timelines and election cycles. Levy called for an adjustment to the legislative calendar to **accommodate public participation** more effectively.

Fick added that **parliamentarians often struggle to balance their workload** with the need to respond to public input. She notedthat MPs must handle **competing priorities**, including time constraints, political pressures, and extensive **legislative responsibilities**. Fick suggested that Parliament should engage **external experts** and **CSOs** to help **prioritise public submissions** to ensure they do not overwhelm the legislative process. She also stressed that **capacity building** for MPs is essential for effective public participation, as many MPs lack the resources or skills to properly process **public submissions** and feedback.

South African Politics: Challenges and Opportunities

The final part of the panel discussion focused on the challenges and opportunities facing South African politics today. Panellists acknowledged that political time cycles often hinder swift policy changes, leaving critical issues unresolved for long periods. It is important to preserve **institutional memory** in Parliament to combat the **revolving door of MPs** after elections. **Low voter turnout** is also a significant challenge, therefore **voter education** is crucial to increase participation in future elections. **CSOs** can play a key role in this effort by working on **grassroots campaigns** that inform voters about the **importance of engaging in the democratic process**.

Begg also added to the discussion by suggesting that a **data-driven approach** could improve Parliament's ability to track and respond to **public concerns**. She highlighted the importance of Parliament developing **tools** and **mechanisms**

to collect data on **public sentiment**, making it easier for MPs to understand the needs and preferences of their constituents.

Levy emphasised the critical need for Parliament to adopt **more inclusive and transparent** practices that enable genuine public participation in the legislative process. She pointed out that MPs should be accountable **not only to their political parties** but also to the people they serve, urging a **shift in mindset** within Parliament.

One word from each panellist to summarise their inputs and intent:

- Singh: **Collaboration**

- Begg: **Transformative Parliament**

- Levy: **Democratising**

- Fick: **Transparent Conversation**

Q&A Session

Following the panel discussion, a lively Q&A session allowed symposium participants to engage with the panellists directly. Several important points were raised, particularly around public participation, the role of civil society, and the effectiveness of parliamentary oversight.

1. **On Accountability:** A participant asked about accountability, and how we can remove MPs who are corrupt and are blocking public processes or access to information because of their political commitments.

- **Begg** commented that the current political structure and processes in South Africa, including the removal of members of Parliament, are largely politically driven. While the Electoral Act has been revised to recognise independent candidates, it does not address the issue of members' performance. She questions whether there is an opportunity to introduce mechanisms to measure parliamentary members' performance, similar to how executive performance is evaluated.

2. **On Public Participation:** A participant asked how Parliament could ensure that **public participation** is not merely a procedural formality, but truly meaningful in influencing policy decisions.

   - **Begg** responded by highlighting the **workload of MPs** and the **need for collaboration** with CSOs to ensure that public input is adequately considered. She noted that while Parliament strives to integrate public submissions, the **volume of submissions** and the **time constraints** within the legislative cycle often make this challenging. To address this, she suggested that **CSOs could help manage and prioritise submissions**, ensuring that key issues are highlighted and properly addressed in parliamentary discussions.

   - Begg stressed that **CSOs** can play a critical role in assisting MPs by **curating and prioritising** submissions. She suggested that MPs should partner with **CSOs** to **streamline feedback processes** and ensure that **critical public concerns** are not overlooked due to time constraints. Begg also noted that this **collaboration** between **CSOs** and Parliament would ensure that the **public's voice** is consistently heard and addressed.

   - Begg also proposed creating **more consistent and streamlined processes** for engaging with the public, which would help MPs allocate time effectively to review public input and ensure that it translates into action.

3. **On Parliamentary Oversight:** A participant inquired about the mechanisms to ensure **effective parliamentary oversight**, particularly on issues like state capture and corruption.

   - **Singh** emphasised the need for **data-driven accountability** in oversight mechanisms. He suggested that Parliament could benefit from **external auditing** and the involvement of independent bodies that could review the implementation of its resolutions and ensure follow-up on key recommendations.

4. **On Tracking Public Input:** Another participant asked about **mechanisms** to ensure that **public input** into parliamentary processes is **tracked** and **acted upon**.

   - **Levy** responded by proposing the establishment of an **online platform** where public submissions could be **tracked in real-time**, allowing both citizens and MPs to monitor how input is used in decision-making. She suggested that Parliament should be **more transparent** about how it handles **public feedback** to encourage **greater citizen engagement**.

   - **Singh** added that Parliament should adopt a more **formalised tracking system**, involving **third-party audits** and **external oversight bodies** to monitor the **follow-up actions** taken after public consultations. This would increase **public trust** in the parliamentary process.

5. **On Political Time Cycles and Voter Education:** Another participant questioned the barriers to policy implementation, given the slow pace of parliamentary decision-making.

   - **Fick** pointed out that MPs often face **competing priorities**, given the **political cycles** and time constraints, which can delay important legislative processes. She suggested that **capacity building for MPs** could help them manage their time more effectively, allowing for **better handling of public input** and swifter policy implementation.

- **Fick** also stressed the importance of **voter education** in bridging the gap between Parliament and the electorate, urging CSOs to engage in **educating the public** about the legislative process and encouraging **more participation** in parliamentary activities.

Group Breakaway Feedback

The participants were divided according to three themes to discuss actionable recommendations for **strengthening collaboration** between **CSOs** and **Parliament**. The key points raised in the group feedback included:

1. **Public Engagement Mechanisms:** One group suggested that **Parliament** should develop a **comprehensive guide** to the **public participation process**, outlining how citizens can submit feedback, attend hearings, and engage with MPs. The guide should be **widely accessible** and **available in multiple languages** to reach a broader audience. Another proposal was to introduce **online tools** and **social media platforms** to ensure that **remote constituencies** can also participate in the legislative process, overcoming geographical barriers to engagement. Expanding initiatives like the Public Participation Working Group and implementing district-level models for grassroots engagement were highlighted as ways to ensure wider public involvement.

2. **Coalition Building Among CSOs:** Another group emphasised the importance of **CSOs** creating stronger **networks** to work together on common goals, particularly in advocacy and lobbying efforts. By **forming stronger networks and coalitions**, civil society can amplify its collective voice and present a unified front when engaging with Parliament. Participants highlighted the importance of CSOs prioritising cooperation with each other over competition. They suggested that **bigger CSOs** could mentor **smaller organisations** to maximise **impact**. A proposal was also made for **research coalitions** where CSOs could pool resources to provide **high-**

quality, data-driven input into legislative processes. There was also a suggestion to build a database of the CSOs across the country and the key issues they focus on. This would help Parliament reach out to the right people when they require assistance or targeted public engagement.

3. **Monitoring and Tracking Implementation:** There was a focus on the need to **formalise systems** for **tracking the implementation** of public recommendations. Participants recommended the creation of a **centralised tracking database** to log public submissions and monitor the **progress** of legislative actions stemming from them. Technology was seen as a critical enabler of this collaboration. Suggestions included **zero-rating parliamentary content** to make it accessible without data costs and **leveraging AI tools to record and disseminate parliamentary and CSO interactions**. This would ensure shared repositories of information to facilitate transparency and follow-up. An **annual reporting mechanism** was proposed, where parliamentary committees would detail their engagement with the public and CSOs beyond the legislative process. This would ensure **greater accountability** and transparency in the legislative process.

Way Forward

Bringing together some of the key players from Parliament and CSOs generated a rich array of insights, suggestions, and recommendations aimed at strengthening collaboration between the two groups while addressing systemic challenges. Below is a consolidated list of action points discussed throughout the event:

Strengthening Collaboration
- **Improved Stakeholder Engagement**: Strengthen meaningful public participation by ensuring consistent and inclusive consultations with relevant civil society organisations on legislative and policy matters.
- **Fostering Coalitions**: Encourage the formation of civil society coalitions, for civil society to organise itself, rather than relying on fragmented individual organisations to enhance impact and streamline collaboration.
- **Parliamentary Monitoring Group (PMG) Model**: Expand partnerships like the PMG model to promote mutual accountability and effective oversight.

Enhancing Parliamentary Oversight
- **Performance Monitoring for MPs**: Introduce mechanisms to measure MPs' performance, similar to systems used for the executive, ensuring accountability and alignment with citizens' needs.
- **Capacity Building**: Invest in capacity-building initiatives for both civil society and Parliament to improve legislative processes and oversight.

Leveraging Technology and Transparency
- **Digital Innovation**: Use AI and other technology and tools to record, transcribe, and disseminate parliamentary proceedings and civil society engagements, making information accessible to the broader public and enhancing transparency.
- **Data-Driven Research**: Civil society should provide robust, data-backed research stemming from the work they do with people on the ground and this expertise should be presented to Parliament to inform decision-making.

Resource Allocation and Funding

- **Advocacy for Resources**: Campaign collectively for increased government funding for Parliament to fulfill its constitutional obligations and for civil society to sustain their initiatives, which would work for the betterment of South African democracy.

- **Resource Sharing**: Explore models of resource sharing (reports, processes, research, etc) between Parliament and civil society, ensuring that both entities have the means to achieve their goals effectively.

Shifting Dynamics and Perceptions

- **Bridging Adversarial Relationships**: Move away from adversarial dynamics between CSOs and Parliament by encouraging mutual understanding of roles and responsibilities, workload, strengths and limitations and focusing on shared goals. This would hopefully reduce the historical tensions between the two groups.

- **Changing Narratives**: Shift perceptions of civil society as mere lobbyists, instead building towards emphasising their role as partners in oversight, accountability and nation building.

Legislative and Electoral Reform

- **Review Electoral Act & Electoral Amendment Act**: Address gaps in the Acts to include mechanisms for evaluating the performance of elected representatives.

- **Constitutional Alignment**: Ensure legislative reforms and parliamentary processes align with constitutional mandates to build trust and legitimacy.

- **Merit-based appointments:** Advocate for transparent and merit-based processes for appointing key government and parliamentary positions, ensuring both competence and integrity in leadership structures.

Closing Remarks

In the closing remarks, **Rachel Fischer** thanked all participants for their contributions and reiterated the need for **ongoing dialogue** between **Parliament** and **civil society**. She stressed that the symposium was just the beginning of a **long-term partnership** aimed at creating a more **inclusive**, **transparent**, and **accountable** system of governance.

The closing remarks underscored the importance of **voter education**, **capacity building for MPs**, and the implementation of **mechanisms** that would enhance **public engagement**. It was made clear that only through **collaborative effort** between Parliament, CSOs, and the **citizenry** would South Africa realise its goal of a **responsive, accountable democracy**.

Spokesperson and Division Manager of Parliamentary Communications, Moloto Mothapo, spoke about the importance of **collaboration and stakeholder engagement**,

Dr Rachel Fischer

noting Parliament's commitment to meaningful public participation as mandated by the courts. He was encouraged by the discussions of the day, showing that **civil society is introspecting**, moving beyond a perceived role as mere lobbyists to actively supporting Parliament in fulfilling its obligations. Some key areas of collaboration between the two can include **research, providing expertise, and enhancing oversight functions**. He also highlighted the value of coalitions of CSOs over approaching fragmented individual organisations, stressing the **need for a unified approach**. Recognising the financial constraints faced by civil society and Parliament, he called for **collective advocacy for increased resource allocation** to better fulfill constitutional mandates. Importantly, he reiterated the shared goal of both Parliament and CSOs to make South Africa work for her people.

Duvenage echoed the sentiment of **enhanced collaboration**, appreciating Parliament's interest in understanding civil society's work. While the relationship between the two has sometimes been adversarial, he also emphasised the **importance of aligning roles to make Parliament more effective for the people**. He expressed gratitude for Parliament's willingness to engage meaningfully and proposed leveraging technology, such as AI-assisted systems, to **enhance transparency and improve reporting processes**.

The closing remarks included several key actions for moving forward:

- Parliament is committed to providing an **annual report** on public engagement across all programs.

- CSOs were encouraged to form **coalitions** to improve collaboration and effectiveness in influencing parliamentary processes.

- Looking into a **lobby law** to formalise the relationship between Parliament and CSOs, ensuring that their interactions are regulated and transparent.

- Efforts will be made to enhance **voter education**, particularly in marginalised communities, to increase public participation in elections and parliamentary affairs.

- Parliament and CSOs will collaborate to **improve parliamentary induction programmes** and **enhance the capacity of MPs**, particularly around issues of oversight, transparency, and public engagement.

- Future engagements of this nature should ensure **greater inclusivity** of the diversity of CSOs and provide opportunities for **direct engagement with Members and Committees of Parliament**.

Following the formal proceedings of the symposium, the Secretary to Parliament, Mr **Xolile George,** met with the **KAS** and **OUTA** representatives. He reiterated the importance of **closer collaboration** between **Parliament** and **civil society organisations,** setting the tone for **further engagements in the 7th Parliament.**