

Evaluating parliament: objectives, methods, results and impact

Conference

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Evaluating Parliament: Objective, Methods, Results and Impact Senate of the Kingdom of Cambodia

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Excellencies, ladies and gentlemen,

Today I have the great privilege to be here with you and to share the experiences that we have received from the evaluating process. Evaluation is of course of great importance to all institutions since it was intended to find out what an institution has done well, what it has not done well and to seek strategies for future improvement. Similarly, parliaments also need to assess their performance the same way.

I would also like to take this opportunity to express appreciation and our sincere thanks to the Secretariat of the IPU for producing the Self assessment toolkit for parliaments, and the Parliaments and Democracy in the 21st Century publication to guide us through our evaluation process. These two important documents provided us with valuable assistance at the right time on the occasion of the Senate 10th anniversary where we needed to assess our achievements over the previous ten years.

Excellencies, ladies and gentlemen,

Please allow me to share with you our case studies as follow:

Objective

Through a decision made on 28 April 2009 by the Standing Committee of the Cambodian Senate, an adhoc commission was established, whose members were the Chairpersons from the 9 specialized commissions coming from all political parties, Directors of all Departments and Experienced Officials. The adhoc commission was led by one Chair who was assisted by one Vice Chair and one Secretary.

The evaluation was undertaken to find out the strengths and weaknesses of the Cambodian Senate over the last ten years, relating to its three key functions: Legislation, Oversight and Representation. It was also conducted to see what has been successfully achieved and what has not, and to consider deeper reform of the implementation of these functions, which shall enable the Senate to come into line with the standard of democratic parliaments.

During the evaluation process, we received support and encouragement from the leaders of the Senate and active participation from the Senators and senior officials, despite the fact that some of them had expressed discontent to disclose the results of the evaluation to the public, fearing that it might affect their work and prestige. In addition, several Senators wanted to stick to the old working methods and did not want to support the evaluation process.

Tools

The Cambodian Senate decided to take two useful documents produced by the Inter-Parliamentary Union (IPU): **Guidelines on Evaluating Parliament: A Self Assessment Toolkit for Parliaments 2008**, and the Second document on **Parliaments and Democracy in the 21st Century**. These were used as fundamental background documents for the evaluation.

The necessary fundamental methods for evaluation are as following:

-Presentations on the **Guidelines for Evaluating Parliament: A Self-Assessment Toolkit for Parliaments 2008** and **Parliament and Democracy in 21st Century** were given to the working group of the Secretariat General, so as to provide them with the basics of parliamentary evaluation .

-We used the above IPU-introduced toolkit to guide our evaluation and we answered all the questions by reflecting our current situation and development against all the criteria of democratic parliaments such as Representation, Transparency, Accessibility, Accountability and Effectiveness.

-The working group was then divided into two groups: The first group was in charge of studying and answering questions from sections 1 to section 3 (The representativeness of parliament, Parliamentary oversight over the executive and Parliament's Legislative Capacity) and the second group was in charge of answering questions from sections 4 to 6 (The transparency and accessibility of parliament, the accountability of parliament, Parliament's involvement in international policy)

-The working groups drafted answers respectively and submitted them to the adhoc commission for further improvement.

-After receiving the draft answers from each of the working groups, the adhoc commission then organized a three day seminar from 28 to 30 September 2009 which was attended by Senators, international development partners and staff members from the Secretariat General to seek further recommendations to be later be submitted to the Standing Committee for final approval.

-The content of the evaluation result was ultimately approved by the Standing Committee on 12 October 2009.

Outcome and Recommendation

Through a debate on the results of the evaluation on the Senate's ten year achievements, the adhoc commission, the working group from the Secretariat General of the Senate and the whole seminar discovered some of the major weak points from the questions in the evaluation documents which have to be improved, these were:

Section 1: The Representativeness of parliament

- 1.2 Representativeness of women in the composition of the Senate
- 1.9 Effectiveness of parliament as a forum for debate on questions of public concern

Section 2: Parliamentary oversight over the executive

- 2.3 Capacity of the Senate to influence and scrutinize the national budget through all its stages
- 2.5 Capacity of the Senate to hold no elected public bodies to account

Section 3: Senate's legislative capacity

- 3.1 The capacity of the Senate to process and subject draft legislative to full and open debate in the Senate
- 3.2 Effectiveness of the commissions' procedures for scrutinizing and amending draft legislation

Section 4: The transparency and accessibility of the Senate

- 4.5 Opportunities for electors to express their views and concerns directly to their representatives, regardless of party affiliation

Section 5: The accountability of the Senate

- 5.3 Effectiveness of the system in ensuring the observance of agreed codes of conduct by members
- 5.7 Systematic monitoring and reviewing of levels of public confidence in the Senate

Section 6: Senate's involvement in international policy

- 6.1 Effectiveness of the Senate to scrutinize and contribute to the government's foreign policy
- 6.2 Adequacy and accuracy of information available to the Senate about the government's negotiating positions in regional and universal/global bodies

All the issues we discovered above were related to the legal and procedural framework as stated in the constitution, internal regulations, senate election law, statutes of the Senators and roles, duties and competencies of the 9 specialized commissions and those of the Secretariat General of the Senate.

In order to direct further performance implementation of the Senate, the adhoc commission came up with some recommendations, along with some important measures for the Senate's reform, to be submitted to the Standing Committee for consideration as follows:

Recommendations for the Senate

1-Continue to strengthen its representative role more effectively by visiting the local commune/sangkat and organizing public consultations in the localities in order to collect opinion and data from the local communes regarding new law requirements, and the impact of the implementation of the existing laws in a timely manner so as to increase the confidence of the voters.

2-Continue consultations with the League of commune/sangkat councils, association of commune/sangkat councils and councils of the capital city, other cities, provinces and districts on decentralization and de-concentration and other issues involving administration at the national level through the implementation of 4 mechanisms as follow:

A-Organizing forums in 8 regions

B-Organizing forums between woman Senators and woman members of commune/sangkat council in the regions

C-Organizing forums for the League of Commune/sangkat councils and the association of commune/sangkat councils in the capital and provinces and report to the Standing Committee of the Senate

D-Organizing annual national forums between the Senate and the league of commune/sangkat councils, association of commune/sangkat councils in the capital and provinces and other institutions involved with the policy of decentralization and de-concentration.

3-Continue to strengthen the Senate's legislative and oversight role through capacity and skill development programs delivered to the Senators and supporting staff, especially the capacity to collect and analyze and give recommendations draft legislation.

4-Continue to focus on problems of the voters in the regions and people all over the country in order to find solutions for them by referring to the three key roles of the Senate.

5-Every specialized commissions of the Senate shall have to strengthen and broaden relations with national institutions, civil society organizations and other international organizations so as to exchange information from each other more effectively.

6-Conduct public surveys to find out the major needs of the voters and to increase confidence of the people all over the country.

7-Review and study unofficial procedures previously used by the Senate and add them into internal regulations to make a more systematic structure

8-Specialized commissions shall have to keep reports of their own field so as to be able to report to the Standing Committee of the Senate and the Senate's sessions.

9-Specialized commissions shall have to make their own program and working plans more clearly and accurately.

10-Learn to express opinions and give recommendations on various legal texts in either reports or meeting sessions of the Senate.

11-While in Senate's sessions or giving recommendation on legal texts, there should be at least one representative from each political party that has seats in the Senate to stand up and express their opinions or makes other suggestions reflecting their respective political stances.

12-Consider establishing a political group.

Recommendations for the Secretariat General

1-Continue to provide better quality and effective services to the institutions

2-Continue to seek assistance support from development partners and other friendly parliaments for institutional development.

3-Make structural reforms relating to its own administration, roles, duties and responsibilities in order to give better services to the Senate, in accordance with the international standard of democratic parliaments.

4-Update the strategic framework and plan of action in order to promote the capacity of Cambodian Senate.

The above recommendations are just initial steps. As regards the medium and long-term strategies, the adhoc commission realized that it would have to further continue its research on legal provision and procedures as stated in the constitution, internal regulations, Senate election law, statute of Senators, and roles, duties and competencies of the specialized commissions and the Secretariat General. It would also have to study standards and parliamentary procedures in a regional and global framework in order to come up with effective measures and changes for better institutional development.

Conclusion

The document evaluating the Senate's ten year achievements is of great importance for the Senate to continue its mission to serve the greater national interest, the voters and all the Cambodian people with high responsibility, quality and effectiveness in order to become an institution that is truly representative of the nation and voters in the future. In addition to the above commitments, the Cambodian Senate faces many challenges such as the lack of human resources and facilities which are basic elements that we need to help steer us to successfully achieve our goals. Given a chance to be here with all of you, I wish to appeal to all our development partners and friends to continue your valuable support and we would be most grateful to welcome any new development assistance from our friends.