



Participants' Statement

International Conference on Benchmarking and Self-Assessment for Democratic Parliaments

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Parliament and democracy

The early years of the twenty-first century have witnessed a marked paradox. On the one hand democracy, both as an ideal and as a set of political institutions and practices, has triumphed in most countries of the world. On the other hand, these years have also seen a considerable disillusionment developing with the results of democracy in practice, one that is shared by citizens of the 'old' democracies as much as by those of the 'new and emerging' ones.

Prof. Steven Fish has posited that *"The strength of the national legislature may be a – or even the – institutional key to democratization"*.¹ Conversely, the lack of strong democratic representative parliaments erodes popular support for democratic systems and breeds public cynicism. Ensuring the democratic quality of elections is not enough – the representative institutions that emerge from such elections must be both internally democratic and exercise genuine political power to meet citizens' expectations.

The integrity of the democratic process is increasingly recognized as important in nurturing and sustaining confidence in the rule of law within countries.

The development of regional cooperation forums with executive authority and legislative institutions requires intensive interparliamentary cooperation between the national parliaments of the member states and the related transborder parliament. Stronger executive cooperation at the global level must be matched by strengthened interparliamentary cooperation.

Parliaments are undergoing considerable change, as they seek to adapt to the challenges of a new century. Despite the relatively low esteem in which parliaments are held in many regions of the world, many parliaments are becoming more open and responsive to their electorates, and more relevant to meeting their needs in a rapidly changing world. Parliaments are working hard:

- to be more inclusive in their composition and manner of working, especially in relation to women and minority and marginal communities;
- to be more effective public communicators, through opening more of their work to the media, and through the development of their own websites and broadcasting channels;
- to experiment with new ways of engaging with the public, including civil society, and enabling them to contribute to the legislative process;
- to recover public confidence in the integrity of parliamentarians, through enforceable codes of conduct and reforms in party funding;
- to streamline the legislative process without limiting the proper scrutiny of bills;
- to exercise more effective oversight of the executive, including oversight of the budget process and the increasingly important field of international policy;
- to be more active in transnational collaboration, so as to provide a more effective parliamentary component in regional and international organisations, and in the resolution of violent conflicts.
- to build internal capacity to initiate and implement plans and priorities with a clearly articulated results framework.
- to develop strategies for securing commitments from both the executive and parliamentary leadership to this process.
- to adopt measures that guarantee sustainability beyond development assistance.

¹ Fish, S. (2009), *"Stronger Legislatures, Stronger Democracies"*, *Journal of Democracy*, Volume 17, Number 1, pp 5-20.

Criteria and assessment processes for democratic parliaments

The outcome statement of the 2005 UN World Summit declared that ‘democracy is a universal value’ which ‘does not belong to any country or region’. There is no single model of democracy, and all parliaments differ from one another, both in terms of their governmental systems and in terms of their social and economic context.

Yet there is an emerging consensus on the core values of a democratic parliament. A democratic parliament is one that is representative of the political will and social diversity of the population, and is effective in its legislative, oversight and representation functions, at the subnational, national and international levels. Crucially, it is also transparent, accessible, and accountable to the citizens that it represents.

Many organizations² are developing assessment frameworks that seek to identify possible procedural means and institutions through which these values may be realised in practice. Some of these tools are universal in scope. Others are designed with the specificities of a region or sub-region in mind. There would be value in getting input from the regions and sub-regions that have, to date, been relatively underrepresented in these discussions.³

Rather than having others specify criteria for evaluating or assessing parliaments, it is important that parliamentarians be engaged in identifying the criteria that they feel are important to a democratic parliament and that the process be driven by parliamentarians themselves. Obviously, these frameworks alone cannot produce more effective parliaments – in addition to these benchmarks and other tools, the behaviour and commitment of members will be essential. Codifying norms and criteria also reduces the risk of donors or implementers exporting “their” model of parliamentary democracy in favour of supporting broader international democratic norms. It is noteworthy that the work to develop assessment criteria has resulted in the identification of criteria common to all.

The current assessment frameworks have the potential to be immensely powerful tools for change. They are voluntary in practice and their conclusions are nationally developed and owned by parliament itself. The frameworks provide a platform for discussion among members of parliament. The discussion should lead to a shared vision of the priorities for parliamentary development and then to recommendations for action to address these priorities. While there is great value in the democratic debate of the issues per se, the effectiveness of such assessments should be judged against the outcomes that emerge, not only in terms of parliament becoming more representative, transparent, accessible, accountable and effective, but also in terms of improved economic and social development.

Areas of consensus

There are many areas of consensus between the CPA Benchmarks, NDI discussion document, and APF Criteria, although the phrasing may vary between the documents. The IPU Toolkit, while not lending itself to a direct comparison with the other three documents, reflects all of the areas of consensus. The common themes between the four documents are set out below:

- **Institutional Independence**

Examples include parliamentary immunity, budgetary autonomy, control over staff, recourse to own expertise, sufficient resources to perform constitutional functions, adequate physical infrastructure, control over own internal rules, and calling itself into extraordinary session.

² For example, the Commonwealth Parliamentary Association (CPA), the Assemblée Parlementaire de la Francophonie (APF), the Inter-Parliamentary Union (IPU), the Southern African Community (SADC) Parliamentary Forum and the National Democratic Institute for International Affairs (NDI).

³ For example, Latin America, the Middle East and North Africa, and Europe.

- **Procedural Fairness**
Examples include written procedural rules, plenary sittings in public, order of precedence of motions and points of order, meaningful opportunity for debate, use of official languages, right of all members to express their views freely, and arrangements to ensure that opposition and minority parties can contribute effectively to the work of parliament.
- **Democratic Legitimacy and Representation**
Examples include democratic elections, lower house elected through universal suffrage, regular periodic elections, and no restrictions on candidacy by race and gender, language or religion.
- **Parliamentary Organization**
Examples include right of legislatures to form committees, presumption that legislation is referred to committees, election of committee chairs and leadership according to procedures, right to form parliamentary party groups, right to permanent, professional, nonpartisan staff, and protection of head of the nonpartisan service from undue political pressure.
- **Core Legislative and Oversight Functions**
Examples include the ability of lower house to initiate legislation, rights to propose amendments and to amend legislation, right to consult experts and staff on legislation, ability to hold public hearings or receive testimony from experts, the right to subpoena or obtain documents, and methods for protecting witnesses.

Although consensus is widely based, there remain differences in a number of other areas such as criteria related to certain characteristics associated with a type of parliamentary system, issues regarding political finances, parliamentary values and ethical issues, criteria around specific innovations or “emerging” practices, and criteria that are highly dependent on the size of jurisdictions or the availability of resources.

Recommendations

For parliaments:

1. That parliaments recognize that it is desirable and useful to periodically assess themselves against international criteria for democratic parliaments and make use of the tools available in their own national context to strengthen their performance and development plans in key areas identified in the assessment process.
2. That parliaments ensure the freedom of expression of parliamentarians from all parties in the assessment process.
3. That parliaments strengthen all aspects of their regional interparliamentary cooperation, including the development of appropriate regional criteria.
4. Special measures should be encouraged to facilitate greater representation of women and their more effective participation in parliament.

For parliamentary strengthening organizations:

5. That parliamentary strengthening organisations continue to develop training programmes and instruments which reflect the uniquely political nature of parliaments and are grounded in the experience of parliaments and parliamentarians themselves.

6. That parliamentary strengthening organizations encourage and support the use of these tools in parliamentary strengthening programmes.
7. That the organizations developing tools continue to improve them, based on the experience of how they are used in parliament, and continue to collaborate, coordinate, and to share experience regularly.
8. Encourage the various interparliamentary organizations that have developed assessment frameworks to develop and refine further their methodologies.
9. That new organizations, in regions that have so far been relatively underrepresented, engage in the process of developing assessment frameworks for democratic parliaments.
10. Ensure that the assessment standards support a protected status for the parliamentary service free from political pressure.
11. That an easily accessible document outlining areas of convergence between the different tools be made available.
12. Encourage the use of AGORA, the Portal for Parliamentary Development (www.agora-parl.org) and similar tools for sharing knowledge and experience and developing a community of practice committed to parliamentary development.

For donors:

13. That donors reaffirm that parliamentary development is most effective and sustainable when parliament itself plays a leading role in identifying its priorities and needs, and recognize that these tools contribute to this objective.
14. Encourage the donor community to prioritize giving support to parliaments where requested when seeking to strengthen their performance against international norms and benchmarks.
15. Encourage the donor community to support further research in this area, including identifying examples of best practice.

For other actors:

16. That international democracy movements such as the International Conference of New or Restored Democracies and the Community of Democracies incorporate these tools into their efforts to promote democracy worldwide.
17. Encourage “Parliamentary Monitoring Organizations” to improve their methodologies and to engage in fair, responsible monitoring of parliamentary performance in accordance with international norms.

The implementation of the above recommendations will be monitored by the steering committee, formed in Brisbane in 2008, which includes IPU, CPA, APF, NDI, WBI, and UNDP.