

# BENCHMARKING FOR PARLIAMENTS

self-assessment  
or minimum criteria



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**OFFICE FOR  
PROMOTION OF  
PARLIAMENTARY  
DEMOCRACY**

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An OPPD background publication

# **Benchmarking for Parliaments:**

Self-assessment or minimum criteria?

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# Preface

The European Union is founded on the principles of liberty, democracy, respect for human rights, fundamental freedoms and the rule of law. The European Parliament has always been a staunch defender of these principles. Through its standing committees, inter-parliamentary delegations, plenary resolutions, debates on human rights and involvement in monitoring elections, the Parliament has actively sought to give high priority to democratisation in all its external actions.

In 2008 the European Parliament set up the Office for Promotion of Parliamentary Democracy to directly support new and emerging democracies (NED) beyond the borders of the European Union. The OPPD assists in the establishment and reform of parliaments and aims at strengthening their capacity to implement the chief functions of lawmaking, oversight and representation. Members and civil servants of NED parliaments can benefit from tailored training and counselling provided by the OPPD as well as networking with Members and relevant services of the European Parliament.

The OPPD seeks to establish a continuing dialogue and partnership with NED parliaments worldwide and to support their participation as fully fledged members of the democratic community. It facilitates sharing of experiences and best practices of parliamentary methods and applications, and fosters research and study of these practices.

Democracy has underpinned the political, social, cultural and economic development of the European Union and, from its collective experience, the EU is confident that it represents the best form of government. The development and consolidation of democracy worldwide has therefore become a key objective of its Common Foreign and Security Policy as well as its Development Cooperation Policy.

Although there is no authoritative definition of democracy that claims to include all possible components of democracy, there is an international consensus on the essential elements which define it.<sup>1</sup> Effective parliaments are essential for strong and stable democracies but powers and functions of parliaments vary significantly and achieving consensus on what a democratic parliament actually is has proved difficult. In recent years, a debate has begun on the potential benefit of an internationally agreed system of parliamentary benchmarking.

This publication provides an overview of different approaches ranging from highlighting the self-assessment aspect to establishing minimum criteria. It also offers some practical examples whilst distinguishing between emerging parliaments, developing parliaments and mature institutions.

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1. Office for Promotion of Parliamentary Democracy (2009), *Democracy Revisited: Which Notion of Democracy for the EU's External Relations?* Brussels, European Parliament, p. 5

# I. Introduction

Effective parliaments are essential for strong and stable democracies and their role in the democratic governance structure is increasingly being recognised by the international community. Parliaments provide a platform to address social and economic challenges and hold governments to account. They are also the arena in which democratic rights can be exercised and the views of citizens represented. Legislative strengthening initiatives and parliamentary support programmes are therefore an important element in ensuring accountability and transparency in government.

The powers and functions of legislatures vary significantly and achieving consensus on what a democratic parliament actually is (or should be) has proved difficult. In recent years a debate has begun on the potential benefit of an internationally agreed system of parliamentary benchmarking. Benchmarks and methods of self-assessment can help build public confidence and strengthen the capacity of parliaments to manage increasing demands as well as assert greater institutional independence. For donors, the use of benchmarks and standards can justify both their expenditure on parliamentary development and the effectiveness of these aid interventions. Inter-Parliamentary Organisations (IPOs) can use the assessment frameworks as an opportunity to codify their wider programmes and best practice guides and to share experience of member parliaments.

Several benchmarks or good practice guides have been produced but the tools developed for legislatures to date have different purposes and ask different questions. Some sets of standards seek to **codify good practice for purposes of self-assess-**

**ment** while others seek to **identify the minimum criteria** for being a democratic parliament. Both methods are more at the stage of assessing where a legislature is at the moment (against international criteria), providing examples of issues to consider, and stimulating intense debate about what kind of institution the organisation should become. Neither approach is designed to rank legislatures against others: the purpose is to improve the functioning of that legislature.

**The Inter-Parliamentary Union (IPU)** has created a form of assessment amenable for wide use, derived from a process of identifying good practice and designed for discussion in a broader framework of the state of democracy in a country. A number of possible scenarios for its use have been identified, such as preparing a strategic plan and stimulating a reform process. The IPU provides a pre-assessment checklist to ensure that participants in any self-assessment understand why they are carrying out the exercise so that they may be clear about their objectives.

A different approach used by the **Commonwealth Parliamentary Association (CPA)** and other parliamentary organisations phrases benchmarks as **minimum standards rather than as questions**. Self-assessment is meant purely for a parliament to track its progress against an accepted standard or to support a request for external assistance. This approach is much more fact-seeking and may even be seen as prescriptive or normative because of the way the benchmarks are stated.

A third approach has been developed by the **European Commission**. Their Assessment Frame-

work is particularly useful for donors as it is designed for engaging with parliaments in development cooperation using parliamentary strengthening programmes. The assessment framework is designed to identify focus areas for development work by pinpointing areas where a parliament is not currently performing aspects of its core functions; understanding the possible underlying causes of these weaknesses; identifying entry points of parliamentary development and devising context-specific parliamentary support programmes.

**The National Democratic Institute (NDI)** has produced a Standards-Based Questionnaire which helps compare an individual legislature to norms and basic functions of other parliaments, and identify best practices and lessons learned. The survey is intended to be administered to parliamentarians, parliamentary staff, and representatives of civil society with their perceptions compared. The value of the NDI's questionnaire is that it **measures the perception gap** between the real powers of the legislature and the powers legislators exercise in practice or the gap between 'having' and 'using' power.

Each of these different approaches emphasises that the diagnosis of strengths and weaknesses and the establishment of development priorities is a process that belongs essentially to parliament itself, though it expects that independent experts or consultants could be involved in carrying forward the process. There must, however, be a willingness on the part of the parliament to undertake the assessment. In addition, there must be some causative factor or incentive which drives the assessment. In many legislatures the process of encouragement will have to be allied to some special focus, for instance,

assistance with a modernisation or development programme which the legislature considers necessary.

**Problems** associated with this process may include the lack of input of some regions or parliaments (although more regions are engaging with the debate); the lack of political will to enact reforms (both from the legislature as an institution and the executive); difficulties in methodology and evaluating the degree of implementation; and problems associated with taking account of historical and social context. In all exercises it will be necessary to involve staff, though perhaps separately from parliamentarians, as they could provide greater and sharper insights than some of the parliamentarians in an emerging legislature.

As legislatures differ in terms of their institutional development and powers, differentiation in the application and use of the benchmarks and various assessment frameworks is unavoidable. Different pressures and motivations will come into play depending on the extent of parliamentary development in a given country. For example, a benchmark assessment is less likely to be externally driven in an advanced democracy or tied to a development programme.

**Three broad categories of parliament** are identified: emerging, developing and mature legislatures. No attempt is made to classify existing parliaments under these three categories, as each individual legislature should make their own judgement. However, the expectation is that most parliaments will classify themselves as developing, i.e. not fully institutionalised, but meeting some of the basic requirements of a democratic parliament and in the



midst of a process of open-ended political change. Legislatures may move backward as well as forward in their development; experience shows there is no automatic linear progression in parliamentary development.

**The process of making operational** any benchmarking scheme will require attention to some key questions: what considerations will affect the choice of benchmarking scheme and its operations? Should any benchmarks be prioritised over others? What should be the level of implementation? Can a minimum level of implementation be discerned as acceptable? What practical actions can be taken to meet each benchmark?

Ideally, a legislature should from time to time, or as circumstances require, assess itself using a variety of instruments. The IPU approach will help to examine the legislature against the broader background of democracy in the country and the CPA approach will then assist in standardisation against internationally acceptable norms. The NDI standard-based questionnaire will help focus attention on the gap between having and using power. The European Commission approach will identify focus areas for development work to enable donors to relate their support to the stage of development of a parliament.

Emerging legislatures will probably undertake a benchmark assessment for a specific purpose, most probably donor-oriented, rather than as an exercise undertaken in the course of regular work. Emerging legislatures will need to focus on areas where they have the best chance of getting results and move

step by step to meet selected benchmarks under a plan of practical action to meet each objective.

Developing legislatures will most likely approach benchmarking schemes essentially when the need is indicated by a specific programme, perhaps originated or offered by a donor. There will, however, be occasions when the demand may be self-generated. These legislatures may be willing to spend more time in examination under the IPU approach and pick out areas of weakness thereby. As with emerging legislatures, they will probably need to focus on areas which are likely to be successful.

Mature legislatures will of their own accord and by their very nature always be looking for suggestions and methods for improvement of performance. They can proceed with either scheme of benchmarking on their own without any outside assistance except perhaps the use of a consultant or facilitator for purposes of making a comparative study and they will probably pick out areas needing attention which go beyond the benchmarks. The acceptable levels of implementation of the benchmarks in these mature legislatures should clearly be of the highest order and they should be in a position to aspire to the highest standards: an approach which merely assesses whether a legislature meets minimum standards is likely to be less informative. Mature legislatures will also consider the efficiency of parliaments as well as their effectiveness.

Those **benchmarks which are common across the various approaches** will generally be accepted as having wider legitimacy. This is a sensible starting point for legislatures wishing to put benchmarks



into operation. For that purpose five broad themes have been identified: institutional independence; procedural fairness; democratic legitimacy and representation; parliamentary organisation; and core legislative and oversight functions.

Parliaments may also opt for **regionally agreed benchmarks**. Experience to date has demonstrated how benchmarks can be translated according to regional practice and context as well as the degree of commonality. The paper discusses how the regional approach has been used to date, using gender as an example.

Another solution for prioritisation may be to use a set of benchmarks and select which ones are **indispensable** and those which may be ‘**second-order**’ in nature. In practice, this is a very difficult exercise as the benchmarks are based on a common minimum standard. However, the paper outlines how these may be applied using benchmarks relating to committees, parliamentary staff and the media as examples.

This study seeks to identify the *rationale* behind parliamentary benchmarks and self-assessment frameworks, and describe both thematic areas of consensus and where approaches diverge. This mirrors a broader debate on what constitutes democracy with some writers using a minimalist standard in which a democracy is a political system in which the principal positions of power are filled “*through a competitive struggle for the people’s vote*”. Others measure democracy by a broader definition: moving beyond free, fair, and competitive elections towards those freedoms that make such elections truly meaningful

(such as freedom of organisation), and institutions to ensure that government policies depend on the votes and preferences of citizens.<sup>2</sup>

The paper is divided into three main thematic sections. The **first section** will highlight why normative frameworks for parliamentary development are increasingly being seen as important. The **second section** explores the progress made to date in developing both benchmarks and self-assessment approaches. It will focus in particular on the work of the IPU, CPA, European Commission and NDI.<sup>3</sup> The **third section** will identify in broad terms three different stages for/of parliamentary development: firstly, those parliaments at the beginning of such a reform process (classified as *Emerging Legislatures*); secondly, those parliaments which are in the midst of parliamentary development (classified as *Developing Legislatures*); and, thirdly, parliaments possessing comprehensive technical, administrative and political competencies (classified as *Mature Legislatures*). The study concludes by suggesting how the benchmarks may be made operational in different legislatures, depending on their development and resources.

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2. Diamond, Larry Jay, “Thinking About Hybrid Regimes”, *Journal of Democracy*, Volume 13, Number 2, April 2002, pp. 21-35.

3. Other groups developing benchmarks tools include the Assemblée Parlementaire de la Francophonie (APF), Canadian International Development Agency (CIDA), Parliamentary Assembly of the Council of Europe (CoE), United Nations Development Programme (UNDP), International IDEA, Transparency International (TI).

## II. Why are benchmarks important?

### 1. Why do Parliaments Matter?

The former Secretary General of the United Nations (UN), Kofi Annan, underlined the prime importance of institutions in a democracy when he said at a conference in the Hague that: “*in the end, it is all about institutions.*”<sup>4</sup> Professor Steven Fish emphasised the pivotal link between strong parliamentary institutions and democratisation in a 2006 article: “*The strength of the national legislature may be a - or even the - key to democratisation.*”<sup>5</sup> This was reinforced by the 2006 Conference of European Union (EU) Speakers who maintained that “*development of parliamentary institutions is synonymous with democratisation and their sound functioning is a fundamental requirement of democracy.*”<sup>6</sup>

These three statements reflect well what is universally recognised today, namely the essential role that parliaments<sup>7</sup> have to play in the democratic governance structure: This is illustrated by the critical tasks they are entrusted to perform.<sup>8</sup>

The debate about a parliament’s role in the political process matters for a number of reasons. Parliaments provide a platform on which democratic rights can be exercised and social and economic challenges addressed; parliamentarians represent

the views of citizens in the decisions that impact on their lives. The importance of parliament is perhaps best illustrated by the critical tasks they are entrusted to perform. Despite differences across constitutional systems, legislatures formally consider and approve legislation; they oversee and scrutinise government activities; represent all citizens, thereby giving the poor and disadvantaged a voice; play a role in the budget process; and act as the arena for public debate of national policy frameworks and major political issues.

Evidence shows that effective parliaments are essential for strong and stable democracies. Sen (2001) demonstrates that no substantial famine has ever occurred in a country with a democratic form of government and relatively free press.<sup>9</sup> The results of a cross-country empirical analysis by the World Bank suggest that political institutions such as a parliament are extremely important in determining the prevalence of corruption.<sup>10</sup> According to recent academic research assessing the strength of the legislature and its consequences for the advance of democracy, “*the presence of a powerful legislature is an unmixed blessing for democratization.*”<sup>11</sup> The results were common across parliamentary, presidential and semi-presidential systems. However, not all parliaments are strong and/or effective.

4. Office for Promotion of Parliamentary Democracy (2009), *Democracy Revisited: Which Notion of Democracy for the EU’s External Relations?* Brussels, European Parliament, p.21.

5. Fish, Steven M. (2006), ‘Stronger Legislatures: Stronger Democracies’, *Journal of Democracy*, Vol. 17, No. 1, pp. 5-20

6. Speakers of the EU Parliaments, at the Copenhagen Conference on June 30, 2006 quoted on European Parliament <http://www.europarl.europa.eu/parliament> [accessed 28 October 2010].

7. Parliament and legislature will be used interchangeably in this paper.

8. European Commission (2010) *Engaging and Supporting Parliaments Worldwide*, Luxembourg: Publications Office of the EU, p.176-177.

9. Sen, A (2001), ‘Democracy as a Universal Value’ in Diamond, L & Plattner, M (eds), *The Global Divergence of Democracies* (Baltimore, John Hopkins University Press).

10. Lederman, D, Loayza, N & Soares, R, *Accountability and Corruption: Political Institutions Matter* (November 2001). World Bank Policy Research Working Paper No. 2708. Available at SSRN: <http://ssrn.com/abstract=632777>

11. Fish (2006), *op.cit.*

## Vertical accountability vs. Horizontal Accountability

Legislative strengthening initiatives and parliamentary support programmes are, therefore, an important element in ensuring accountability and transparency<sup>12</sup> in government. In the past, the focus of the international community has been on “**Vertical Accountability**” where government is held to account by citizens through elections. Parliament has often been a forgotten institution. The EU offers a pertinent case study. A recent review of the EU action in support to parliaments shows that “*less than half the ACP countries have received any parliamentary development support [from the EU] and this has often been small scale, frequently as a minor component of larger governance programmes*”.<sup>13</sup> The EU has on average provided nearly €100m a year for electoral assistance/ observation over the last 6 years. The same figure was spent in total on parliamentary development over a period of 10 years.<sup>14</sup> Between 2000-2006 around 40% of all European Initiative for Democracy and Human Rights (EIDHR) funds were used for democratisation projects, with election observation and election assistance receiving the largest share (39%) of the available funds and parliaments receiving just 0.2%.<sup>15</sup>

Holding free and fair elections is an essential but not sufficient condition of democracy: indeed democracy can be discredited both by a corrupt election and ineffective and dysfunctional democratic institutions. Furthermore, a government elected freely can behave and act undemocratically. Strengthening interactions among MPs and citizens will ensure that parliamentarians are accessible and held accountable in between elections. However, there are multiple reasons for the historic reluctance of many organisations to provide capacity building support to parliaments. These range from a genuine preference for working “*closer to the ground*” through direct involvement with civil society, lack of expertise and knowledge of the institution of parliament; and concerns about being accused of interference in the political affairs of a country. However, the donor community has come to understand the advantages of parliamentary strengthening (*see Table 1*). One overarching reason for supporting parliamentary development is that, as the most representative institution of state government, strengthening the ability of parliaments to review budgets and government policy relating to aid contributes to country ownership, rather than government or ruling party ownership.

12. Accountability means being held to account, scrutinised, and being required to give an account or explanation.

Transparency International (TI) defines transparency as “a principle that allows those affected by administrative decisions, business transactions or charitable work to know not only the basic facts and figures but also the mechanisms and processes.” [http://www.transparency.org/news\\_room/faq/corruption\\_faq](http://www.transparency.org/news_room/faq/corruption_faq) [accessed 1 November 2010]

13. European Commission (2010) *op.cit.*, p.10.

14. Office for Promotion of Parliamentary Democracy (2010), *Getting Acquainted: Setting the Stage for Democracy Assistance*, European Parliament, p.45

15. *Ibid.* p.10.

**Table 1: Attitude of International Organisations/Development Partners to supporting Parliamentary Strengthening<sup>16</sup>**

Reasons Against	Reasons For
Preference for working directly with Civil Society will produce more ‘tangible’ and immediate results on the ground.	Civil Society strengthening is only likely to be effective within a broad democratic framework. Participatory approaches that are not grounded within the framework of representative democracy can often strengthen already powerful groups at the expense of the less powerful.
Apprehension that parliament is a ‘political’ institution and that engagement may be construed as interfering with the internal affairs of a country.	The importance of good governance both as a goal on its own, through the objective of promoting democratic development, and for aid effectiveness, a key message governing development policy.
Development programmes are typically negotiated between donors and the executive branch of government which may place lower priority on parliamentary development.	The shift towards direct budget support as a primary vehicle for development assistance increases the need for effective democratic oversight and representative institutions are essential.
Lack of expertise in dealing with parliaments and preference for supporting parliament through larger governance projects.	Recognition of the role of parliaments in conflict prevention and recovery.
In the past there was a lack of easily accessible parliamentary development materials.	Political institutions have important implications for programming, affecting both the designs and targets of the programmes.
Concerns about the overlap of membership and mandates of international organisations.	The synergies between legislative strengthening and other democracy and development sectors.

Today, therefore, there is an increasing international focus on the importance of “**Horizontal Accountability**”, those counterbalancing state institutions that are charged to oversee government – including parliament, an independent judiciary and other constitutional watchdogs, many of which report to parliament.<sup>17</sup> A balanced alignment between the executive and the legislature is crucial for good governance because of the legislature’s role in holding government to account.

The interest of international organisations and donors is normative and practical; normative as a

means to support and promote fundamental democratic values and practical self-interest through improving aid effectiveness. There is also evidence that parliamentarians themselves are demonstrating greater interest and will to become members of more effective institutions. This is illustrated by reform efforts from legislators in countries as diverse as Colombia, Cambodia, United Kingdom, Rwanda, Pakistan and Canada or in transnational parliaments like the European or the Pan African ones. However, it is important to stress that parliamentary strengthening is not a technical exercise alone, but one that should focus on delivering *out-*

16. United Nations Development Programme (UNDP) (2007) *Global Programme for Parliamentary Strengthening Mid-Term Evaluation Report*, UNDP, New York; DFID (2008) Summary of Donor Coordination Meeting on Parliamentary Development, London; and USAID (2000) *Handbook on Legislative Strengthening*, USAID, Washington, DC.

17. Examples include the 2010 report published by the European Commission on Engaging and Supporting Parliaments Worldwide and the Department for International Development’s (DFID) 2006 White Paper, *Making Governance Work for the Poor*.

comes. The increased focus and support to parliament as an institution will bring increased pressure on individual legislatures to demonstrate to citizens that they can fulfil their key roles and deliver results. This may explain the increased attention to benchmarking and assessment frameworks for legislatures.

## 2. Why are Benchmarks Important?

*“Standardization is a fundamental form for governance and co-ordination in societies and a form to which social science has paid far too little attention”.*<sup>18</sup>

In the end-of-conference statement from the March 2010 International Conference on Benchmarking and Self-Assessment for Democratic Parliaments, participants noted the paradox between the triumph of democracy both as an ideal and as a set of political institutions and practices, and the disillusionment developing with the rules of democracy in practice. There was also agreement that the core values of 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 representational functions, at the subnational, national and international levels. Crucially, it is also transparent, accessible, and accountable to the citizens that it represents”*.<sup>19</sup>

But how effective are parliaments in meeting these core values? Assessing effectiveness requires some form of criteria and measurement of performance and a benchmark is a standard by which something can be measured or judged.

### a. The benefits of using benchmarks assessment

The benefit of using benchmarks to review performance is that, if done properly, it enables the

institution to be more aware of how it can improve its performance. This requires an honest and open approach to new ideas as well as the ability to be self-reflective and self-critical: *“institutions that are open to change and new ways of doing things are healthier and more robust than those that are not. They also help to ensure their own relevance and effectiveness in the long-term”*.<sup>20</sup>

Yet it is not always clear how parliamentarians should relate to benchmarks and those working in the parliamentary environment have remarked on contradictory understandings of what benchmarks are. For example: are they minimum standards, ideals or goals? This can lead to confusion as to how to position a parliament in relation to a given benchmark. One approach is to consider whether a legislature meets basic, minimum parliamentary requirements, standards and values and to assess each parliament’s strengths and weaknesses against this agreed benchmark. This method needs to guard against setting benchmarks too low; it is not much use having a series of standards that parliaments can easily meet, and the assessment/benchmarking exercise should not be an operation of ticking the various boxes to gain international and domestic acceptance. A second method is to be more aspirational by going beyond the minimum requirements for a democratic parliament and actually codify good practice.

The benchmarks developed for legislatures to date may have different purposes and ask different questions, but both methods are more at the stage of assessing where a legislature is at the moment, than designed to rank legislatures against others: **the purpose is to improve the functioning of that legislature**. This may be done by assessing variables internal to the legislature such as the committee system. At the same time it is important to state

18. Brunsson, N & Jacobsson, B (2002) *A World of Standards*, Oxford, Oxford University Press.

19. Participants’ Statement at the International Conference on Benchmarking and Self-Assessment for Democratic Parliaments, Paris, 2-4 March 2010.

20. Duffy, B & Thompson, M (2003) *Innovative committee methods: Case studies from two Parliaments*, Australasian Study of Parliament Group Annual Conference, 18–19 July 2003, p.47

what the legislature is *capable* of achieving. Even here the benchmark exercise can be used to enable parliaments to lobby for greater recognition and involvement within their political system i.e. external variables such as cultural and political factors largely beyond their immediate control.<sup>21</sup> Similarly, members pushing for parliamentary reform can use the benchmarks as a means of support in their own reform efforts. It should also be stressed that the benchmark or self-assessment must be repeated at regular intervals as development is dynamic and often the context in which the parliament operates is changing as well. This is particularly important for the methodologies which set minimum benchmarks as the expectations of any democratic parliament should increase over a period of time.

**The UNDP** has listed three practical benefits to parliamentary development from the presence of commonly accepted norms.<sup>22</sup> Benchmarks help **empower parliaments to claim their proper place in the state institutional order**; they **provide a readily accessible guide to evaluate the areas of strength and weakness of individual legislatures**; and they are **useful in designing parliamentary strengthening**

**programming.** Benchmarks may help the reform process, assist the identification of significant issues for the strategic plan, raise the awareness of parliamentary governance, and strengthen inter-parliamentary cooperation and regional development.

Most organisations involved in these exercises have similar **overall objectives** for their schemes of assessment. These are summarised into two basic objectives by the IPU: **first** to evaluate parliament against international criteria for democratic parliaments and, **second**, to identify priorities and means for strengthening parliament. These basic objectives can then be extended by identifying sub-objectives or entry points for their use (*see table 2*). The existence of internationally agreed norms can ease the sensitivity that is sometimes evident in parliamentary assistance and provide a framework for parliamentary development programming.<sup>23</sup> Comparisons against international benchmarks can also shift the debate from being prescriptive - what parliaments should do – to informative – what has been done by other legislatures.<sup>24</sup> There is much in common between parliaments from which others can learn.

21. For consideration of internal and external variables see Norton, P (ed.) *Parliaments and Governments in Western Europe* (London: Frank Cass, 1998). The variables are applied to the United Kingdom (UK) in Staddon, A (2008) Holding the Executive to Account? The Accountability Function of the UK Parliament, a paper submitted to an International Seminar on Parliamentary Indicators and Benchmarks, Brisbane, WBI.

22. UNDP (2007) *op.cit.* pp. 126-127.

23. DFID, UNDP, WBI (2007) Report of the Donor Consultation on Parliamentary Development and Financial Accountability, May 21-22, Brussels p.6

24. Chiviya, E (2010) *Benchmarks for Democratic Parliaments in Southern Africa*, a paper delivered at the International Conference on Benchmarking and Self-Assessment for Democratic Parliaments, 2-4 March, Paris, France.



**Table 2: Summary of the Reasons for using Benchmarks and Standards<sup>25</sup>**

<b>Parliaments and Parliamentarians</b>	<b>International Organisations/Donor Community</b>	<b>Civil Society/General Population</b>	<b>Academics</b>
To ensure parliament's relevance and effectiveness in the long-term and empower them to claim their proper place in the state institutional order.	To use in designing parliamentary strengthening programming and determining where to focus support.	To use as a means to push for change from outside the institution and to make an NGO or CSO assessment of parliament.	To increase academic interest in legislative development as a critical element of democratic institutionalisation.
To engage in a detailed level of analysis and introspection and review (which it would otherwise rarely undertake) leading to the agreement of overall results or objectives for legislative strengthening programmes.	To provide an opportunity for international parliamentary organisations to codify their wider programmes and best practice guides and to share experience of member parliaments.	To manage increasing demands through the building of institutional capacity and to help influence the parliamentary budget and/or strategic plan.	To serve as a guide to evaluate the areas of strength and weakness of individual legislatures; rankings of parliamentary power and/or effectiveness.
To help the development of MP/staff survey tools measuring attitudes, behaviours, and perceptions of MPs & staff regarding the legislature's performance, assisting public confidence in the integrity of members and parliament.	To design both quality and quantitative indicators that more accurately measure the impact of donor assistance on changes in performance of parliamentary institutions over time.	To use as an educational tool, provoking wider debate about parliament and its role in consolidating democratic systems, ensuring greater public confidence in and knowledge of the legislature.	To establish a set of democratic norms and values through which parliament operates.
To enhance legislative transparency and accountability.	To assist compliance with the principles of the Paris Declaration and Accra Agenda for Action.	To advocate for greater representation (of women, minorities, and others).	To encourage more comparative research on the use of different assessment frameworks.
To build political coalitions of interest: reform-minded legislators or staff can use the benchmarks to push for reform.	To ensure buy-in from legislatures for legislative strengthening programmes.	To promote gender sensitivity in parliament.	
To expose bad practice whilst keeping up to date with advances in parliamentary practice and procedures and the opportunities and challenges of globalisation.	To ease the sensitivity sometimes evident in parliamentary assistance.		

25. These benefits were highlighted in the papers submitted and speeches delivered to/at the March 2010 Paris Conference on Benchmarking and Self-Assessment for Democratic Parliaments.



Parliaments and Parliamentarians	International Organisations/Donor Community	Civil Society/General Population	Academics
To help prepare the parliamentary budget and/or strategic plan.	To justify expenditure on parliamentary support programmes.		
To use as educational tools, especially for new members of parliament, and to promote gender sensitivity in parliament.			
To enable parliamentary staff to contribute their views more effectively and efficiently.			
To support requests for external assistance.			

Hubli (2009 & 2010) provides the context for the recent focus on benchmarks for democratic parliaments. Within parliament, he argues, there are renewed efforts to build public confidence and strengthen capacity to manage increasing demands and to assert greater institutional independence. At the same time donors are now required to justify both their expenditure on parliamentary development and the effectiveness of these aid interventions. For IPOs, benchmarks provide an opportunity to codify their wider programmes and best practice guides, and to share experience of member parliaments.<sup>26</sup> The continuing development of IPOs is crucial as their existence and functioning will have an impact on normative values and can help strengthen inter-parliamentary cooperation. The latter is becoming increasingly necessary in a world where governments are rapidly establishing a variety of formalised cooperation structures. Members

may also be more open to receiving advice from their peers in IPOs. This is true of the reform efforts being made in the parliament of Bermuda where Members required an independent platform on which to base the changes that were needed and in order to educate civil servants and the public about the basic needs of parliament.<sup>27</sup>

#### b. Difficulties that might be encountered

There are, of course, difficulties and problems in applying benchmarks to legislatures. First, the **benchmarks may not be relevant to a given legislature** if they have been developed without the input of their own legislators or from members within the region. No single parliament or group of legislatures can be a source of best practice. It is therefore encouraging that the number of parliamentarians engaged with the process is increasing; COPA is

26. Hubli, S. (2010) *Assessment Framework for Democratic Parliaments: Common Themes*, a presentation delivered at the International Conference on Benchmarking and Self-Assessment for Democratic Parliaments & Hubli, S (2009) *Benchmarks and Standards for Democratic Parliaments: An Emerging International Consensus?*, a paper delivered at the Joint IPU-ASGP Meeting on 22 October; Geneva, Switzerland.

27. Speech by Dame Jennifer Smith at the International Conference on Benchmarking and Self-Assessment for Democratic Parliaments, 2-4 March 2010, Paris, France.

in the process of developing benchmarks and in December 2010 the Southern African Development Community Parliamentary Forum (SADC PF) countries adopted their own benchmarks.

Following a benchmarking exercise, parliaments will be able to make some changes themselves; others will require the support of the executive. Problems may arise in both situations. **Parliaments may be reluctant to measure their own work** for fear of exposing bad practice or because of doubts about the practicality of the exercise. A review of developments in legislative oversight, for example, found that parliamentary committees seldom quantify information such as changes of legislation, cost savings, improvements in service.<sup>28</sup> Equally, **the executive may view the parliamentary benchmarking exercise in zero-sum terms** rather than the plus-sum goal of improved democratic performance. In this respect a benchmarking exercise is likely to face similar problems to that faced by parliaments on a day-to-day basis, for example in ensuring the recommendations of parliamentary committees are accepted and implemented in a timely manner. The danger is that the benchmarks become a ‘**publish and forget**’ exercise. One of the ways to prevent this is by also engaging civil society and parliamentary monitoring organisations in these discussions. This may lead to a greater understanding of the constraints facing parliament and broader support for parliamentary strengthening.

There is also the **problem of evaluating the success of the benchmarks** in producing qualitative change both to the effectiveness of parliament as an institution and the democratic system more widely. One of the difficulties in measuring progress is judging the extent to which this has been caused by a benchmark assessment or by a number of other potential variables in play. There may also be a lack

of quantifiable outcomes, a problem which has been described as “the difficulty of measuring outcomes rather than outputs”.<sup>29</sup>

Finally, **the historical and social context of democratic development is important** (see Box 1) although a rigorous benchmark assessment should be able to take this into account. An example is the CPA benchmark 8.1.1: *The legislature shall provide all legislators with adequate and appropriate resources to enable the legislators to fulfil their constituency responsibilities.* The implementation of this benchmark will depend on what a parliament judges is adequate and appropriate, and this will rest on context such as the electoral system, as well as the existence or not of schemes such as constituency development funds.<sup>30</sup>

**Box 1: Analysis of the country-specific context must include:<sup>31</sup>**

- **political background**
- **constitutional and international rights and obligations**
- **relationships between the parliament, the executive and the judiciary**
- **public perception and public access to parliament**
- **socio-economic, culture and traditional context.**

Clearly, the benchmarks require some degree of flexibility to be relevant across the various parliamentary and democratic models, the range of which will not always be easy to determine. Yet these concerns have not prevented progress being made in articulating standards for the conduct of democratic elections despite the wide variation in electoral systems. If the debate about human rights and free and fair elections can be institutionalised and transcend

28. CCAF-FCVI (2004) *Parliamentary Oversight – Committees and Relationships*, CCAF-FCVI, Ottawa, p.10.

29. Murphy, J (2009) *Parliaments and Democratic Development: The Role of the European Commission in Parliamentary Support*, a presentation at the EC/UNDP/International IDEA Joint Training on Effective Electoral Assistance, Accra, Ghana, 29 June-3 July.

30. Von Trapp, L (2008) *Enhancing the Effectiveness of Parliaments: Challenges and Opportunities*, 934th Wilton Park Conference, 27-30 October 2008.

31. International Foundation for Electoral Systems (IFES) (2005) *Global Best Practices: A Model Annual State of the Parliament Report*, IFES, Washington, p.7.

individual systems, it should be possible to articulate what a democratic parliament should be. One word of caution is necessary: Hubli (2010) notes the norms and standards for evaluating the democratic nature of elections was a long process over many decades (and is still not universally accepted) and it is therefore important to set realistic expectations for the parliamentary dimension.<sup>32</sup>

Fundamentally, there must be a determination for improvement and processes for achieving it. This requires political will and leadership within parliament, often in the case of emerging and developing legislatures with support from outside.

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32. Hubli (2010) *op.cit.*

# III. Overview of parliamentary benchmarks and systems of benchmarking

Over the last five years there have been several attempts to create recognisable systems of assessment applicable to parliaments which before that time were entirely ad hoc in nature. The earliest attempts at creating systematic forms of assessment came from the NDI, but there have also been trends towards assessment frameworks and rankings in a variety of related areas. Transparency International has created an established assessment scheme for measuring perceived levels of corruption which now has a pillar related to parliament. Other organisations with parallel agendas such as International IDEA and UNDP have played more of a supportive role. These groups have continued to support partner organisations whose membership is more firmly rooted in the parliamentary community and which are therefore now expected to take the lead in this field. Working through parliamentary organisations encourages ownership and gives greater legitimacy to the tools.

Von Trapp (2010) provides a comprehensive overview of the process for developing standards for legislatures to date, tracing the start of the process from a 2004 meeting in Washington DC<sup>33</sup> to the 2010 International Conference in Paris (organised by World Bank Institute (WBI) and UNDP in partnership with the French MAEE, EP OPPD, IPU, CPA, APF and NDI).<sup>34</sup> There are a number of **parliamentary assessment frameworks** developed by different organisations and all the frameworks

are considered “works in progress”. Von Trapp lists nine frameworks in her overview of the key actors involved in the process.<sup>35</sup>

## 1. Systems of Benchmarking

It is sensible first to pose the question whether commonality among the different approaches and frameworks is desirable or expected. A common framework would perhaps simplify the debate and ensure greater attention is placed on whether the benchmarks have been met rather than which framework is most suitable for a given assessment. This would be particularly helpful for donors. However, Hubli (2010) argues that plural approaches to parliamentary benchmarks increase ownership and awareness among MPs; produce a healthy “competitive” dynamic in driving change; expose areas of difference for further research and dialogue; and reinforce the legitimacy of areas which overlap between multiple frameworks. Perhaps the most fundamental and compelling argument presented by Hubli, however, is a single, coordinated, centralised approach which, even if feasible, seems an odd way to strengthen democratic pluralism and decentralisation.<sup>36</sup>

Various agencies have for a long time created schemes of assessment for their own purposes. In the earliest phases the WBI and the Parliamentary

33. The meeting was entitled *Parliamentary Standards for Democratic Legislatures* and was attended by representatives of 15 organisations and hosted by the CPA and the WBI.

34. Von Trapp, L (2010) *Benchmarks and Self-Assessment Frameworks for Democratic Parliaments*, Brussels/New York, UNDP.

35. Examples include the Assemblée Parlementaire de la Francophonie (APF) Benchmarks, the Canadian Parliamentary Centre report card methodology; Parliamentary Assembly of the Council of Europe and Self-Evaluation; International IDEA's State of Democracy Assessment Methodology; TI's National Integrity System Assessment; and the World Bank's Actionable Governance Indicators. Von Trapp (2010: 15-26) provides a comprehensive summary of each organisation.

36. Hubli (2010) *op.cit.*

Centre joined forces to produce sets of performance indicators on a parliament's role in the budget process. However, the first major contribution to the benchmark discussion was the NDI's discussion document *Towards the Development of International Standards for Democratic Legislatures*, published in draft form in 2006. This original document was intended not as an aspirational listing of good parliamentary practice, but as a set of minimum standards which, if not met, would call into question whether a parliament is considered democratic. The NDI's experience in assessment goes back to its wide-ranging efforts related to electoral practice. NDI has supported the development and refinement of standards and benchmarks for democratic elections, as well as helped the capacity of citizen election monitoring organisations to monitor their own elections. Their approach to democratic standards and benchmarking is similar. They have also drawn on the benchmarks to develop surveys that have been used as a diagnostic tool in such places as Bosnia-Herzegovina, Colombia, Guatemala, Peru and Serbia.

**Four approaches** may be identified when deciding how the various benchmarks and assessment frameworks may be made operational in the different type of legislatures: the IPU, the CPA, the European Commission and the NDI ones.

#### a. IPU approach

The first is the approach of the IPU<sup>37</sup> which has created a toolkit focused more on its collection of good practice, designed to assist parliaments in a systematic analysis of their performance leading to the identification of strengths and weaknesses, and the formulation of recommendations of reform and development. It is a form of assessment amenable to use by parliamentarians, parliamentary staff, civil society organisations or other interested citizens,

academics or researchers. This approach contrasts to those attempts to identify the minimum criteria for a democratic parliament.

The toolkit derives from a process of identifying good practice and is intended to foster discussion at various levels. IPU suggests a number of possible scenarios for its use: preparing a strategic plan, stimulating a reform process, monitoring the results of such a process, promoting gender sensitivity in parliament, contributing to an induction programme for new members and more. Although the toolkit is organised as series of questions, the IPU does not intend it to be used as a questionnaire resulting in "scores" to be reported to an external agency. Questions are put in the comparative mode (i.e., how adequate, how satisfactory, how systematic, etc.) and participants are invited to provide answers on a five-point scale. The provision of the scale has certainly facilitated the discussion of matters raised even if it has sometimes resulted in the award of ranking scores rather than a fully-fledged discussion.

The IPU provides a very useful pre-assessment checklist to ensure that participants in any self-assessment understand why they are carrying out the exercise so that they may be clear about their objectives. Some of the key questions the IPU suggests are:

- What is the purpose of the self assessment? Does everyone involved share the same understanding?
- What is the expected outcome of the exercise?
- Who will participate in the self assessment? Does the group represent a broad range of perspectives in parliament?
- Will the group interact with people outside parliament? If so, how will these interactions take place?
- What outcome documents will be produced? How will they be used? To whom and how will they be disseminated?

37. The IPU is the international organisation of Parliaments, established in 1889. Currently 155 national parliaments are members and 9 regional parliaments have associate membership.

Experience of the use of the IPU kit in Sri Lanka indicated that a different type of questionnaire needed to be devised for staff as the questionnaire designed for parliamentarians and staff may have other germane concerns affecting the institution which are not allowed for (an example given in Sri Lanka was a question about the size of the institution and its ability to play its part in delivering a planned legislative programme).<sup>38</sup> The Association of Secretaries General of Parliament (ASGP), a body meeting under the aegis of the IPU, has reached a similar conclusion and the ASGP has had some preliminary discussions on preparing a self-assessment toolkit for parliamentary administration, based on the IPU toolkit for parliaments.<sup>39</sup>

## b. CPA approach

A second approach taken by the CPA,<sup>40</sup> SADC PF, and the Assemblée Parlementaire de la Francophonie (APF), is different in that their benchmarks are primarily phrased as minimum standards rather than as questions. The benchmarks of these three organisations are very similar. The CPA states that the self-assessment against the benchmarks is meant purely for a parliament to track its progress against an accepted parliamentary standard or perhaps to support a request for external assistance; indeed this is reflective of the approach taken by all organisations. No system was originally provided to code or categorise reactions to the benchmarks, but the CPA later suggested that methods of assessment could be conducted by:

- Determining whether a legislature is able to “tick the box” on each of the 87 standards;
- Assessing how well it meets each one such as by rating it on a scale of 1 to 5;

- Or devising another method of scoring such as by setting top scores higher in areas considered more important than others.

The suggestion about rating can of course be used in relation to a limited number of the 87 standards because in some of them the answers can only be either 1 or 5. To date, however, CPA and others developing benchmarks have not paid as much attention in terms of developing methodologies for their use.

The CPA is also encouraging the development of regional versions of their Benchmarks. It is hoped that this will contribute to their evolution while ensuring the relevance to particular environments and the Commonwealth’s regional diversity.<sup>41</sup> One problem that will be experienced is that practice may vary greatly even within a region. Thus, in the Pacific it is well accepted that the smaller island states differ greatly in many ways from Australia and New Zealand; indeed they may have more in common with the small island states of the Caribbean in certain of the difficulties they face in procedure, though again in sociological terms and cultural aspirations these two regions may be very different. A region may seek to reduce or dilute the benchmarks on the basis that some may not be applicable in their case: variations in practices and priorities are to be expected but one danger is this could prevent a benchmark from ever being considered again in that region even if it may become relevant at a later date.

The experience to date of regional work has been generally positive although there are a number of regions that have yet to formally consider the benchmarks. The 2009 Conference of the Pacific legislatures for Population and Governance, in Rarotonga,

38. Gomez, R (2009) *Application of IPU Self-Assessment Toolkit to the Sri Lanka Parliament*, Washington, WBI.

39. See contribution by Dr Hafmaoui AMRANI, President of the ASGP, Secretary General of the Council of the Nation of Algeria, to the general debate on “Administrative self-evaluation by Parliaments” at their meeting in Geneva, Switzerland 19-22 Oct 2009 [<http://www.asgp.info/en/pastmeetings/>]

40. Around 17, 000 parliamentarians from 175 national, state, provincial, and territorial parliaments in Commonwealth countries are members of CPA.

41. CPA Benchmarks for Democratic Legislatures Self-Assessment Guidance Note ([www.cpahq.org](http://www.cpahq.org)).



Cook Islands, adopted the Recommended Benchmarks for Pacific Island Democratic Legislatures. A year later Asia, India and South East Asia regionally adopted a set of benchmarks. Benchmarks for the Caribbean Island States were adopted in June 2011. This approach follows the direction taken by standards for elections with some regions establishing their own benchmarks and minimum standards for good electoral conduct, systems and processes.<sup>42</sup>

### c. European Commission's approach

A third and very recently developed approach is that suggested in October 2010 to the European Commission on how the Commission may engage and support parliaments worldwide. The Assessment Framework suggested is a significantly different approach which will be particularly useful for donors. Of all the approaches, the EC method goes into more detail of the preconditions for parliamentary development by providing a checklist to determine whether minimum conditions for a successful parliamentary development programme are in place. The different strategic entry points for EC parliamentary support programmes are also discussed. The actual assessment framework draws heavily on both the IPU and CPA instruments, but is specifically designed to identify focus areas for development work by:

- Pinpointing areas where a parliament is not currently performing aspects of its core functions or is performing these sub-optimally;
- Understanding the possible underlying causes of these areas of weakness; and
- Identifying entry points of parliamentary development and designing context-specific parliamentary support programmes.

It does so through a number of comprehensive questions and a sample assessment matrix which

can be adapted to diverse situations and to match context. The matrix is designed to give an overview of the nature of parliament's strengths and weaknesses, and the likely causes in each of these areas. The EC framework also analyses the impact of external factors on the feasibility of parliamentary development programmes. The third and final phase of the framework, following completion of the preparatory phase and assessment framework, involves the development of an interim analysis; deciding means and modalities of support; and developing local ownership and responsibility.

The EC document does emphasise, in common with other frameworks, that the diagnosis of strengths and weaknesses and the establishment of development priorities is a process that belongs essentially to parliament itself though it expects that independent experts or consultants could be involved in carrying forward the process. Indeed, in most schemes of parliamentary assessment it is expected that a group will carry out the assessment rather than an individual. Any role for a specific individual will be limited to that of facilitator, consultant or rapporteur rather than as an assessor. Obviously the choice of these individuals is key as they will need to identify and understand the important individual actors within the political and administrative structure (such as political parties, senior backbenchers, the Presiding Officer, the Secretary General/Clerk of Parliament) and who may be most resistant to change.

### d. NDI approach

The NDI to an extent overlaps across all three approaches mentioned above. Originally, the NDI produced a discussion document on international standards for democratic legislatures which was designed to advance a discussion within the international community. The NDI collected information

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42. An example is the Norms and Standards for Elections in the SADC Region.



from international resolutions and statements made by parliamentary organisations and put them into a typology, thereby codifying existing norms. This initial contribution formed the basis for the CPA and other subsequent benchmarks. Recently, however, the NDI has produced a shorter Standards-Based Questionnaire<sup>43</sup> with some similarities to the IPU approach. The questionnaire is neither a scientific survey nor a ranking, but is designed to help compare an individual legislature to norms and basic functions of other parliaments, and identify best practices and lessons learned. The survey is aimed at parliamentarians, parliamentary staff, and representatives of civil society whose perceptions will be compared.

A parliament may be powerful yet ineffective if it does not exercise the powers conferred on it. Conversely, a legislature with limited formal powers may prove effective at influencing the legislative process and scrutinising the executive. The value of the NDI's questionnaire is that it measures the perception gap between the real powers of the legislature and the powers legislators exercise in practice or the gap between 'having' and 'using' power. This is achieved by the respondent marking whether they (strongly) agree or (strongly) disagree with 25 statements relating to their legislature. It also links with some of the questions raised by the EC in their assessment framework: for example, one question on audit and monitoring asks what powers do committees have to call ministers and officials to account for their spending?

The apparent difficulty between 'having' and 'using' power was an issue arising from the Rwandan Parliament's self-assessment exercise using the IPU framework<sup>44</sup> and the work carried out by NDI in Colombia and among legislatures in Central and Eastern Europe. One example is the question asking whether, in order to become law, the parliament

has the legal power to approve legislation including national budgets. For a legislature may have the power to amend the national budget, but may not do so for a variety of reasons.

There are various missing elements considered important for a comprehensive assessment under the above categories. The IPU approach is not directed towards the examination of the constitutional framework of a country or the form of government. Debate on the generic role of the opposition is conspicuously absent from most frameworks (the draft benchmarks for the Parliaments of the Americas (COPA) include two benchmarks relating to the status of the Opposition) and the EC's pre-assessment checklist asks whether a plan for parliamentary development (if one exists) has the support of the senior political actors in both the majority party and the opposition as well as administrative officials in the institution. Freedom of information is also excluded (although the availability of information is included).

Annex A provides a comparative table of the APF, CPA, COPA and SADC PF Benchmarks. Annex B shows the IPU self-assessment framework with the assessment framework being used by the European Commission.

43. NDI (2010) *NDI Standards-based Questionnaire*, Washington, DC, NDI.

44. Power, G (2009) *The Rwandan Parliament's Self-Assessment Exercise: Insights and Issues*, Geneva, Inter-Parliamentary Union.

## IV. Parliamentary entry points for benchmarks and assessment frameworks

There are many options open to parliaments through the various benchmarks and assessment exercises. It is likely that some parliaments will choose the benchmarks relating to their membership of an international parliamentary organisation e.g. Commonwealth countries will choose CPA Benchmarks (or their regional derivative). However, this does not solve the problem of overlapping memberships and, in the case of NDI, the issue of membership is not even relevant. It is also not clear whether a simple classification of parliamentary systems exists within the Commonwealth; many countries operate different systems to the so-called Westminster system. Indeed, the Westminster system of government has been challenged even in the UK following changes such as the incorporation of the European Convention of Human Rights (ECHR), the creation of a Supreme Court, membership of the EU, devolution, and the increasing use of referenda.

As stated earlier, recent research suggests the existence of a powerful legislature is a common good across parliamentary, presidential and semi-presidential systems, but there are huge variations in parliamentary development across each system. It is not difficult to appreciate different pressures and motivations will come into play depending on the extent of parliamentary development in a given country. For example, a benchmark assessment is less likely to be externally driven in an advanced democracy or tied to a development programme.

Three broad typologies of parliament are identified for the purpose of suggesting how benchmarks can be used in relation to the different stage of development of a legislature. Like all such arbitrary divisions, there will be a degree of artificiality in their use and some overlap between the phases. Yet for the purposes of this exercise the three broad categories of parliament are:<sup>45</sup>

- Emerging legislatures – these will be legislatures in their initial stages of set up or which have been underway for a brief period;
- Developing legislatures – those parliaments which have some experience of practice and procedure and possess somewhat more than the minimum level of competence in the various aspects of their work;
- Mature legislatures – parliaments possessing comprehensive technical, administrative and political competences and meeting at least some recognised international good practice.

No attempt is made to classify existing parliaments under these three categories, as each individual legislature should make their own judgement. However, some points should be noted at this stage. Firstly, this exercise is not a negative form of ranking. The expectation is that most parliaments will classify themselves as developing legislatures; not fully institutionalised, but meeting some of the basic requirements of a democratic parliament and in the midst of a process of open-ended political change.

45. It should also be noted that provincial, state, or territorial legislatures (which are members of the CPA, but not of the other organisations) will not be handled separately as their constitutional position may raise separate problems regarding their position in the classification being proposed. They will as a general rule be considered at the same level of maturity or less than their national legislature.

Second, legislatures may move backward as well as forward in their development; just as there is no guarantee that any country moving away from dictatorship is in “transition to democracy”<sup>46</sup> there is no automatic linear progression in parliamentary development. Although forward movement would be the hope and perhaps expectation, a move backwards may be caused by periods of political instability, conflict situations or could even be induced by financial or economic pressures. As Carothers (2002) argues the “various assumed component processes of [democratic] consolidation ... are chaotic processes of change that go backwards and sideways as much as forward, and do not do so in any regular manner”.<sup>47</sup>

This broad classification will usually allow a reasonable judgement to be made of a legislature, although there will always be legislatures which will be difficult to place. Small country legislatures may require separate examination. Thus, for instance, they may have greater difficulties than larger jurisdictions in the operation of the committee system simply because of the small number of members available to participate in the full range of committees, but in most other ways they may operate as a mature parliament. A small, emerging parliament can be very effective even if short on many aspects and the opposite may apply to a bigger more developed legislature.

## 1. Emerging Legislatures

An *emerging legislature* in a democracy will have some experience of the formation and development of political parties,<sup>48</sup> of the electoral process and of the

induction of those elected to parliament. It will be a legislature run under rules of procedure which were perhaps originally created by the executive or recently adopted by itself. It will have some experience in creating legislation though it is probably dependent in this work on a very small number of qualified legal draftsmen who serve parliament alongside other government departments. Its parliamentary service may have a few senior officials recruited directly by parliament but it may be very reliant for administrative and financial services on staff seconded from the civil service. Staff are often partisan, working on temporary contracts.

The legislature may have some doubts about their exact institutional role such as the planning of activities. The executive will have a strong voice and may control the legislature’s day to day operations, perhaps through a ministry for parliamentary relations cutting the legislature off from direct relations with spending departments, although the legislature may be able to exercise some oversight. The committee system will need to be strengthened both in organisation of work as well as in its operations and reporting. Political parties may be strong and disciplined in the run-up to elections, but weak and fragmented during the life of the legislature. Equally members may be tightly controlled and constrained by their party or completely unrestrained by it, to the extent that they switch parties frequently.

Members of emerging legislatures will appreciate that they are representatives of their constituencies but they may also often look on themselves more as their delegates and this may affect, among other things, the working of the opposition as a combined force in parliament.<sup>49</sup> Relations with civil society may

46. Carothers, Thomas, “The End of the Transition Paradigm”, *Journal of Democracy*, Volume 13, Number 1, January 2002, pp.5-21

47. *Ibid.*, p.15.

48. The three categories assume some development of political parties, but it should be noted that some countries that do not possess/permit parties are most in need of understanding the importance of these institutions for democratic development.

49. A delegate subordinates his or her judgement to the views of the citizens he or she represents regardless of their personal views. In contrast, a representative takes the position that he or she has been elected to exercise his or her best judgement. The situation is complicated by the existence of highly cohesive political parties where the member may vote as a loyal member of a particular party.

be weak. Codes of conduct for members are in a nascent phase or non-existent. Immunity of members may also be a problem. Members may be supported by a rudimentary research and information function limited to finding basic facts and figures and material from earlier debates. The legislature may also have problems in communications, and be without international contacts/networks. Where these exist, the legislature will be heavily dependent on the donor community for assistance with strengthening itself and with modernisation of its functions and facilities.

## 2. Developing Legislatures

A *developing legislature* will have several well-developed political parties and a well-tested electoral process. At any time a number of those elected will have had previous parliamentary experience. While the opposition may possibly be strong in terms of numbers there could be some confusion about its role and members could be still struggling with the concept of a 'loyal opposition'. The rules of procedure would have been created and amended by the legislature so that their ownership is no longer in doubt. Members would have good experience in creating legislation though they may still have difficulty in obtaining sound advice and reliable services in drafting. There may be high turnover rates of members.

The parliament staff would fall under a defined career structure administered by parliament without reliance on the executive with the development of non-partisan staff on longer tenure, but there may still be occasion for a degree of secondment from the civil service in certain areas. A developing legislature would have experience in setting its own budget and approving those of government departments but may be weak in arguing its positions with the executive although some oversight mechanisms will have been established (such as written and oral questions

to the executive). The legislature may perform better in exercising *post hoc* scrutiny of the functioning of the executive especially if assisted by an independent Auditor General (AG) or related position.

A developing legislature will have experience of working in committees though there are many weaknesses in the committee system. Relations with civil society have become established, but members may be under pressure to consider themselves delegates rather than representatives of their constituencies especially where such subjects as budget allocations are concerned, but they would be aware of the possible conflict of interest in such cases, for instance, with their role as representatives of their party. The immunity of MPs may have been established and a code of conduct for members may also exist but is not generally enforced along with such allied matters as declarations of assets. Members may obtain basic research and information services from parliament which also perhaps provides minimal internet facilities for members. The legislature may be able to draw up its own plans for modernisation and further development but will probably need technical support for that purpose from mature parliaments in the region and financial support from agencies of the donor community. There will be increased awareness and interest in international parliamentary cooperation.

## 3. Mature Legislatures

A *mature legislature* will possess all the comprehensive technical, administrative and political competences necessary for its functioning. The election of its members will have been determined by tested procedures run by an independent authority. New members will be equipped with the necessary training tools for them to become effective in the shortest time. Its parliamentary service will be entirely self-administered and non-partisan. The chief perma-

ment official will be protected constitutionally or otherwise in carrying out the duties of the post, thus ensuring that the position is independent of political parties and therefore relied upon for impartial advice. A mature legislature will have access to all necessary drafting facilities within, or closely adjacent to, its own system and private members will be given access as needed to those facilities. Relations with civil society will be strong.

The concept of a 'loyal opposition' will be ingrained in the political system. Much of the legislative and scrutiny work of parliament will be carried out by committees. As a mature legislature it will have complete control of the formulation of its own budget and be able to examine freely and effectively those of government departments. Oversight will thus be maintained at all stages over the executive and the parliament may call upon external bodies such as a Supreme Audit Institution (SAI) to act as an independent adviser to financial oversight committees. Members will be supported by a strong research and information function with

good ICT facilities, perhaps with necessary equipment being provided by parliament for their private and constituency offices. In terms of its own skills base, a mature national legislature will probably have a quarter century or more of parliamentary experience to draw upon in carrying out its responsibilities. Close relations will, however, have been built with other mature legislatures and this would allow cooperation in continuous updating of their skills bases to mutual advantage.

However, one danger that exists for mature legislatures, also common to the other categories, is that they be conservative institutions and resistant to change. Bad practices may endure because of tradition or convention. Political parties may also tightly control the day-to-day workings of parliament and representative processes may be affected by falling turnout in parliamentary elections. It is important to recognise that there will be winners and losers from a process of legislative development.<sup>50</sup> For example, many key decision makers within parliament may be benefiting from the *status quo*.

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50. Power, G (2007). "Managing the process of political and procedural reform in the House of Commons", a paper delivered at the Regional Parliamentary Seminar on Parliamentary Rules of Procedure: Realities and the Challenges of Reform in the Arab Region, Rabat, Morocco.

## V. Choosing the best approach according to the level of parliamentary development

Two broad sets of factors may be immediately recognised as essential in any attempt to make use of the various forms of self-assessment in any legislature. First there must be a willingness on the part of the parliament to undertake the assessment, that is, there must be a buy-in to the process. Secondly, there must be some causative factor or incentive which drives the assessment. Negative factors may also be present and the easiest of these to recognise as a possibility would be suspicion of motives or a feeling of threat when an assessment is suggested by another party. It is important to repeat again that neither the IPU nor the CPA approaches are meant to invite the judgement of a third party. Whether certain parliaments, especially those in the emerging and developing categories, may perceive them differently is another matter.

It has been suggested that the purpose of whatever scheme of assessment is used should help parliamentarians with the processes of thought, reflection and debate. The willingness of parliamentarians (and staff) to engage in this will be seriously conditioned by the maturity of their legislature and the resources available to them. The CPA experience is that a handful of legislatures have voluntarily subjected themselves to self-review using their benchmarks: one is a mature legislature while the other is a sub-national legislature in a country where the national legislature would fall under the same description. A group of Pacific legislatures have also used the benchmark framework through the support of the UNDP Pacific Office. It is clear that, even if there is willingness to work

on these lines, some form of external encouragement or facilitation seems to be a necessity. The EC Assessment Framework is useful in this regard as it details the different strategic entry points of intervention modalities for EC parliamentary support programmes.

It is not difficult to appreciate that in emerging or developing legislatures the process of encouragement would have to be allied to some special focus, for instance, assistance with a modernisation or development programme which the legislature considers necessary. The process is therefore a cyclical one and for the foreseeable future willingness and causative factors will have to be used together. Parliamentary membership agencies such as the IPU, CPA, SADC PF and APF are perhaps the vehicles by which this process may proceed.

One of the arguments made<sup>51</sup> against asking parliamentarians to undertake self-assessments is that they have an interest in presenting themselves in the best light and that uncritical evaluations will be the result. Here again the answer is given that the process can succeed only if there is a determination for improvement, another demonstration of the cyclical nature of the process. Success can only come if the diverse elements in a democratic legislature can jointly agree on the process and the need for it. A further concern is that, despite the gains claimed by legislatures in meeting benchmarks, the measurements used to calculate parliaments' performances might actually disguise evidence of uneven achievement.<sup>52</sup>

51. This argument was addressed by David Beetham when introducing the IPU instrument for the self-assessment of parliaments and legislatures at the 2010 Paris conference.

52. This for instance has been the experience with the assessment the Millennium Development Goals (MDGs), see 2010 MDG report by the Institute of Development Studies (IDS) and the MDG Achievement Fund, Sussex, University of Sussex.



The choice of differently stated sets of benchmarks – the broad-picture approach of the IPU and the sharper tick-the-box approach of the CPA – could be puzzling to legislatures if the distinctions among them and the different questions they are trying to answer are not recognised. Efforts are being made of course to encourage consensus and understanding of what can be achieved. An answer may be to encourage parliaments to assess themselves using both systems and the provision of independent facilitators for this purpose would provide a practical means of preventing what might otherwise become a larger problem. It is interesting to see that the use of the CPA Benchmarks in Canada with a mixed group of parliamentarians and staff, and the IPU framework in Sri Lanka with staff only, both raised a point that is not specific in either set of benchmarks, namely the necessity to have safeguards for the oversight of delegated or secondary legislation.<sup>53</sup> The role of supranational parliaments such as the EP, SADC PF, and East African Legislative Assembly (EALA) may be useful in verifying secondary legislation and also acting as normative factors for regional standards and cooperation.

The demands on the time and energy of parliamentarians and staff must not be taken for granted and it may in fact be more difficult to isolate a group of parliamentary staff for a few days at a time, especially when they are the most senior available, than it could be to collect a group of parliamentarians together for a week or so. Once again these problems will be more marked in the emerging and developing legislatures than in the mature legislatures where larger numbers of well-trained staff who can deputise for their seniors officers would be more readily available.

Regular self-assessments should become a routine feature of a legislature's work and it is possible to see that in any time-frame, more than one self-assess-

ment may be carried out to meet one or more of the objectives mentioned earlier, for instance, to prepare a strategic plan, to examine a reform process or to validate the results of a needs-assessment mission.

Negative views of the assessment process can all too easily be projected. Questions may be raised but not openly discussed as to why organisation X or donor Y suggests such a process at a particular time. These feelings of suspicion or threat may be felt more acutely where a country has gone through a period of crisis triggered, say, by a natural disaster, a serious crop failure or a sudden rise in levels of inflation or in a country finding its feet after a period of conflict. It is most likely that these negative factors will be seen in emerging and developing legislatures which would necessarily be more prone to the effects of crisis situations.

Ideally, a legislature should from time to time, or as circumstances require, assess themselves using a variety of instruments. **The IPU approach** will help to examine the legislature against the broader background of democracy in the country and the **CPA approach** will then assist in standardisation against internationally acceptable norms. **The NDI standard-based questionnaire** was intended for a narrow diagnostic purpose and as one tool in programme design, and it was not therefore intended as a method of making benchmarks operational. However, the questionnaire helps focus attention on the gap between having and using power. **The EC approach** will identify focus areas for development work to enable donors to relate their support to the stage of development of a parliament. The process of implementing any benchmarking scheme will require attention to four key questions:

1. What considerations will affect the choice of benchmarking scheme and its operations?
2. Should any benchmarks be prioritised over others?

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53. Both groups suggested many other improvements but this is quoted as an outstanding instance of the same factor being identified in different ways by two different groups.



3. What level of implementation? Can a minimum level of implementation be discerned as acceptable?
4. What practical actions can be taken to meet each benchmark?

**Emerging legislatures** will probably undertake a benchmark assessment for a specific purpose, most probably donor-oriented, rather than as an exercise undertaken in the course of regular work. The IPU approach will help such a legislature to ascertain where it is based in terms of its development. It will raise questions which the legislature may not have thought of asking for itself or highlight issues which may have been lying latent but not verbalised. It will help to highlight areas of weakness in organisation or procedure and perhaps, of most importance, it can help with strategic planning as demonstrated in the case of Rwanda.

The CPA benchmarks will be useful to emerging legislatures in that they can prioritise according to the stages in which a parliament may develop. A possible arrangement could be benchmarks relating to elections, proceeding from there to the rights and immunities of parliamentarians, basic organisation and procedure within the legislature, the adequacy and competence of staff support and so on. In both cases it will be necessary to involve staff, though perhaps separately from parliamentarians, as they could provide greater and sharper insights than some of the parliamentarians in an emerging legislature. The EC approach will be helpful in determining whether a parliamentary development programme is likely to be feasible. It also lists some different strategic entry points for EC parliamentary support programmes. These include general governance programmes in which strengthening activities are carried out simultaneously in support of the different arms of government; an electoral cycle approach; general and sector budget support; and through Poverty Reduction Strategy Papers (PRSPs) and other national development strategies.

As noted earlier, finding time for this work could be a serious problem in an emerging legislature. Trained facilitators and consultants familiar with the work of other parliaments will be necessary for progress with either system of benchmarking. This may be expensive and one area where donors could assist would be to provide a cadre of facilitators. Emerging legislatures will probably find it difficult to select acceptable levels for the implementation of benchmarks even if they are aware that they are not at the moment up to international standards. They will probably need to focus on areas where they have the best chance of getting results and move step by step to meet selected benchmarks under a plan of practical action to meet each objective.

**Developing legislatures** will most likely approach benchmarking schemes essentially when the need is indicated by a specific programme, perhaps originated or offered by a donor. There will, however, be occasions when the demand may be self-generated. These legislatures may be willing to spend more time in examination under the IPU approach and pick out areas of weakness thereby. As with emerging legislatures, they will probably need to focus on areas which are likely to be successful. Once again, the use of facilitators and consultants will probably be necessary to get the process of benchmarking moving but groups of both members and staff could be expected to work quite smoothly once the initial unfamiliarity with benchmarking is removed. To take an example: if the country has been familiar with election observer groups at the time of general elections, the legislature is likely to find it easier to examine their own performance with regard to the process of development of legislation or of scrutiny of the executive. The strategic entry points for EC parliamentary development programmes will again be relevant for many developing legislatures.

**Mature legislatures**, of their own accord and by their very nature, will always be looking for suggestions and methods for improvement of perfor-

mance.<sup>54</sup> For example the Parliament of Canada has created internal operational standards to measure and monitor performance. They can proceed with either scheme of benchmarking on their own without any outside assistance except perhaps the use of a consultant or facilitator for purposes of making a comparative study and they will probably pick out areas needing attention which go beyond the benchmarks. This may include greater examination of parliamentary input into the budget process or the preventing corruption toolkit for parliamentarians being developed by UNDP with the Global Organisation of Parliamentarians Against Corruption (GOPAC). The acceptable levels of implementation of the benchmarks in these mature legislatures should clearly be of the highest order. These are legislatures which have wide parliamentary experience and they should be in a position to aspire to the highest standards: an approach which merely assesses whether a legislature meets minimum standards is likely to be less informative.

Mature legislatures may also consider the efficiency of parliaments as well as their effectiveness. While there needs to be consideration of a legislature's efficiency, parliaments in the first and second categories may view gains in efficiency as of secondary importance to improving a legislature's effectiveness.

One of the questions that could be raised is how often a self-assessment may need to be carried out for the three levels of maturity of legislatures. The answer would depend entirely on the circumstances. While emerging and developing legislatures may need to examine themselves more often than mature legislatures, the driving force for this is more likely to be external than internal. It is only when the value of the process has been accepted generally (as for instance with the case for having an audit

committee) that parliamentarians of all parties and the parliament staff will accept the process and recognise it as important enough to make it routine. A starting point across all legislatures – but perhaps more important in emerging and developing legislatures – is the existence of legislative modernisation groups to build internal support, direct institutional strengthening activities, and deal with any problems caused by an assessment framework.<sup>55</sup>

Parliamentarians and staff have to be kept apprised of the use of the assessment schemes so that they become part of the parliamentary culture. A debate on the development of assessment schemes, of problems encountered and of benefits received, should be publicised through the journals of parliamentary associations. The IPU and CPA and similar organisations could provide opportunities for discussion not only through individual seminars and workshops but through their general assemblies so that larger numbers of parliamentarians and staff may come into contact with the process.

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54. Speech by Jill Anne Joseph, Table Officer of the Senate of Canada at the March 2010 Conference on Benchmarks and Self-Assessment Frameworks for Democratic Parliaments.

55. Johnson, J & Nakamura R (1999) *A Concept Paper on Legislatures and Good Governance*, New York, UNDP.

**Table 3: Possible Use of Frameworks by Category of Legislature**

	<b>IPU Self-Assessment Toolkit</b>	<b>CPA Benchmarks</b>	<b>European Commission Framework</b>
<b>Emerging Legislatures</b>	Help the legislature to examine the broader background of democracy and identify areas to improve the functioning of the legislature.	Assist a legislature to accept the minimum standards of a democratic parliament it should be working towards.	Identify focus areas for development work and design context-specific parliamentary support programmes.
<b>Developing Legislatures</b>		Assist a legislature to assess its performance in regard to the benchmarks and make priorities.	Developing areas for parliamentary strengthening and maintaining context-specific parliamentary support programmes.
<b>Mature Legislatures</b>	As above, but also to work towards an aspirational listing of good parliamentary practice.	Standardisation against internationally acceptable norms.	Not directly relevant, but useful as a tool to assess the effectiveness of parliamentary support programmes.

# VI. Prioritisation of benchmarks

On the basis of consensus between the different systems or regional prioritisation or first-order and second-order benchmarks

## 1. Consensus between systems

The international community has a major role to play in encouraging the process and progress of self-assessment. Greater consensus exists between the various available benchmarks to ease the choice for legislatures and it is encouraging that this process is now taking place. However, capacity constraints

facing all legislatures will create a need to prioritise benchmarks as it is unlikely that improvements across the many functions of parliaments can be maximised simultaneously.<sup>56</sup> Yet many emerging legislatures may find the process of prioritising benchmarks problematic or even controversial in the context of a divided legislature and a highly political environment.

### Box 2: Assessment Frameworks for Democratic Parliaments: Areas of Consensus<sup>57</sup>

#### **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 internal rules, and calling itself into extraordinary session.

#### **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**

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 Organisation**

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 the 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<sup>58</sup> hearings or receive testimony from experts, the right to subpoena or obtain documents, and methods for protecting witnesses.

56. This was another point made by David Beetham at the 2010 Paris conference.

57. Participants' Statement at the International Conference on Benchmarking and Self-Assessment for Democratic Parliaments, Paris, 2-4 March 2010.

58. Although this was cited as an area of consensus, in some countries and regions it is not common practice to hold committee hearings and votes in public, e.g. Sri Lanka.

A sensible starting point, therefore, may be to select those benchmarks which are common across the various frameworks.<sup>59</sup> These will generally be accepted as having wider legitimacy. Participants attending the 2010 Paris Conference identified five broad themes between the CPA Benchmarks, NDI discussion document, APF Criteria and IPU Toolkit: institutional independence; procedural fairness; democratic legitimacy and representation; parliamentary organisation; and core legislative and oversight functions (see box 2). They also noted that even apparent differences may be more a difference in approach than a difference in substance. Language is, however, important – as the Canadian

self-evaluation exercise using the CPA Benchmarks demonstrated, some benchmarks seemed to be more mandatory in nature, using the word “shall”, while others appeared to offer guidance, using the word “should”.<sup>60</sup>

The difference between the various frameworks (see Box 3) include 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.<sup>61</sup>

### Box 3: Assessment Frameworks for Democratic Parliaments: Areas with Less Consensus<sup>62</sup>

#### Characteristics Associated with the Type of Parliamentary System

No-confidence votes, impeachment, vetoes and veto overrides, role in the budget process and money bills, roles and powers of upper houses, ex-post financial review and public accounts committees in Commonwealth systems, etc.

#### Party Discipline and Political Finance

Floor-crossing rules; internal democracy within parliamentary party groups; issue caucuses; degree of specificity and type of approach with respect to asset disclosure, codes of conduct, election expenses, etc.

#### Parliamentary “Values”

Accountability, transparency, representativeness, positive actions to accommodate past discrimina-

tion, gender equity, integration of human rights agreements, rights of disabled, requirements of religious oaths against conscience to take seat, etc.

#### Innovations and “Emerging” Practices

Use of internet, constituency development funds, independent bodies to set parliamentary compensation, relations with ombudsmen, human rights commissions, anti-corruption commissions, etc.

#### Benchmarks that are highly dependent on the Size of Jurisdictions or Availability of Resources

Particular challenges of small island states (committees vs. committee of the whole, size/structure of staff), etc.

59. An analysis of existing frameworks by comparison of content and construction by the London School of Economics noted that while there are substantive differences across frameworks, the CPA Benchmarks and NDI minimum standards display identical trends (although it should be noted that the research used the NDI Standards document rather than the NDI’s new Standards-Based Questionnaire). The study concluded that there are fewer commonalities between the IPU and the other frameworks, partly because of their different membership base and approach to parliamentary assessment. WBI/LSE (2009) *Parliamentary Assessment: An Analysis of Existing Frameworks and Application to Selected Countries*, London, WBI/LSE.

60. Oliver, D (2009) Speaking Notes for the Association of Secretaries General of Parliament conference “Evaluating parliament: objectives, methods, results and impact”, Geneva, Switzerland, 22 October.

61. Participants’ Statement at the International Conference on Benchmarking and Self-Assessment for Democratic Parliaments, Paris, 2-4 March 2010.

62. *Ibid* and Hubli (2010) *op.cit*.

A sample matrix below shows how a legislature may wish to use these areas of consensus to provide an overview of performance and a basis for discussion.<sup>63</sup> The matrix should be used in conjunction with a summary of the benchmarks provided in Annex A.

tion.<sup>63</sup> The matrix should be used in conjunction with a summary of the benchmarks provided in Annex A.

	Institutional Performance	Seriousness of Issues (1=high, 5= low)					Underlying Causes				
		1	2	3	4	5	Constitution	Procedures	Capacity	Experience	Politics
	Strong (s) Adequate (a) Weak (w)										
<b>Institutional Autonomy</b>											
1. Parliamentary Immunity (see Rows 26-29, Summary of Benchmarks in Annex A)											
2. Legislature approval of its own budget (Row 127, summary of benchmarks)											
3. Legislative control over own staff. (Row 111)											
4. Physical Infrastructure (38, 115)											
5. Remuneration and reimbursement of parliamentary expenses (32)											
6. Adopt and amend its rules of procedure (39)											
7. Procedures for calling itself into session (47-49)											
<b>Procedural Fairness</b>											
1. Written Procedural Rules (39-49)											

63. The matrix is adapted from a sample matrix shown in the European Commission (2010) document, p.52.

	Institutional Performance	Seriousness of Issues (1=high, 5= low)					Underlying Causes				
		1	2	3	4	5	Constitution	Procedures	Capacity	Experience	Politics
	Strong (s) Adequate (a) Weak (w)										
2. Plenary sittings in public (65)											
3. Meaningful opportunity to debate and express views freely. (60- 62)											
4. Use of official languages. (186)											
5. Arrangements to ensure opposition and minority parties can contribute effectively to the work of parliament. (66, 80, 101-2, 108)											
<b>Democratic Legitimacy</b>											
1. Legislative elections meet international standards for genuine and transparent elections. (1-13)											
2. Members of the popularly elected or only house elected by direct universal and equal suffrage in a free and secret ballot. (2)											
3. Regular and periodic legislative elections (4).											
4. No restrictions on candidacy by race and gender, language or religion (13).											
<b>Parliamentary Organisation</b>											
1. Right of legislature to form committees. (75)											
2. Legislation is referred to committees. (85-87)											



	Institutional Performance	Seriousness of Issues (1=high, 5= low)					Underlying Causes				
		1	2	3	4	5	Constitution	Procedures	Capacity	Experience	Politics
	Strong (s) Adequate (a) Weak (w)										
3. Election of committee chairs and leadership according to procedures. (81)											
4. Right to form parliamentary party groups. (99)											
5. Right to form permanent, professional, nonpartisan staff (110-114)											
6. Protection of head of the nonpartisan parliamentary staff service from undue political pressure. (118-119)											
<b>Core Legislative and Oversight Functions</b>											
1. Ability of the lower or only house to initiate legislation. (55)											
2. Right to propose amendments and to amend legislation (55)											
3. Right to consult experts and staff on legislation. (88, 110)											
4. Ability to hold public hearings or receive testimony from experts (82, 88, 142)											
5. Right to subpoena or obtain documents. (89, 90)											
6. Methods for protecting witnesses.(92)											

## 2. Regional Perspectives/Priorities

A second approach would be to try to adopt regionally agreed benchmarks for parliament based on the international standard. The experience of regions demonstrates how the Commonwealth-wide derived benchmarks can be adapted according to regional practice and context as well as the degree of commonality. This in turn affirms the “universality” of many of the initial benchmarks. Attempts to codify benchmarks relating to gender serve as an interesting case study.

The CPA benchmark which states that *restrictions on candidate eligibility shall not be based on religion, gender, ethnicity, race or disability* is accepted across all regions which have set their own benchmarks. SADC PF adds creed and marital status to this list and clarifies that citizenship, age, or residency requirements are permitted. COPA’s draft benchmarks add economic status and private life considerations to the CPA’s original benchmark. Notwithstanding these regional differences, it would seem logical to conclude that the original CPA benchmark can be seen as a necessary first step for all parliaments.

Another CPA benchmark states that *special measures to ensure the political participation of marginalized groups shall be narrowly drawn to accomplish precisely defined, and time-limited, objectives*. Special measures to ensure broad participation are also permitted by the other benchmarks although gender is specifically mentioned by COPA and they make no mention of time limitations (SADC PF has a benchmark stating that the membership of Parliament shall reflect the social diversity of the population with respect to gender, language, religion, and ethnicity among other considerations).

The degree of special measures is left to each individual legislature to decide and it is interesting that current experience shows that many emerging and developing legislatures are more repre-

sentative than mature legislatures because of the existence of special measures such as quotas. All benchmarks refer to the need for the legislature to provide all legislators with fair remuneration and adequate physical infrastructure, but most do not specify what adequate physical infrastructure actually entails. This is a sensible step given the differences between legislatures; how institutionalised a parliament is will often depend on the size of the jurisdiction and socio-economic level as well as its democratic maturity. However, the benchmarks for SADC PF specify the need for child care facilities which may be a minimum requirement for the relevant legislatures, but is likely to be seen as aspirational for many parliaments.

All of the approaches refer to the need for the assignment of committee seats to reflect the political party composition of the legislature. Again this can be interpreted as a minimum requirement for a democratic legislature. However, the SADC PF, APF and COPA benchmarks also refer to gender considerations; indeed COPA includes the statement that *parliament must be organised in such a way as to encourage the participation of women, so that they may fulfil their role in all activities equally with men*. SADC PF benchmarks state that chairs and vice chairs of committees shall reflect gender equality and also include a further benchmark on equitable gender representation in the election of presiding officers.

All frameworks acknowledge the importance of the legislature not discriminating in the recruitment and promotion of staff. Both the COPA and APF benchmarks state that parliament must take special measures in order to establish and maintain an equal proportion of women and men at all levels of responsibility throughout its organisation. APF also adds a requirement that delegations operating within the framework of parliamentary diplomacy must reflect the membership of parliament as closely as possible, with special consideration given to gender.

It is not surprising that, given the regional and continent-wide protocols and conventions on gender equality, the gender dimension should be strengthened in certain areas. For example, SADC PF has a benchmark committing parliaments to enact laws requiring political parties to take measures of affirmative action for gender in order to meet the provisions of the SADC Protocol on Gender and Development. However, the regional dimension to the international benchmarking and assessment framework debate is yielding some interesting differences and findings. It also helps clarify which sets of benchmarks/standards may be intended as a minimum (candidate eligibility, the possibility of special measures, fair remuneration and adequate physical infrastructure, no discrimination in the recruitment and promotion of staff) and those benchmarks which may be more ambitious in nature (child-care facilities, equitable gender representation in the election of presiding officers and/or special measures in order to establish and maintain an equal proportion of women and men at all levels of responsibility, special considerations given to gender when selecting parliamentary delegations). Table 4 summarises the regional differences as they relate to gender benchmarks in tabular form.

The above discussion has focused on the use of benchmarks. It is important to remember that other approaches seek to codify good practice for purposes of self-assessment. When applied to gender considerations, the IPU approach asks four questions such as how representative of women is the composition of parliament; how adequate are internal party arrangements for improving imbalances in parliamentary representation; how conducive is the infrastructure of parliament, and its unwritten mores, to the participation of women and men, and how careful is parliament in ensuring a gender-equality perspective in its work?

The EC Assessment Framework poses three questions. One question asks how representative of

women is the parliament. The other two questions ask if a gender-specific analysis is undertaken when scrutinising legislation, and whether parliament reflects on the gender-related issues of a budget, including making gender-sensitive budget analyses. The EC assessment framework therefore poses more specific questions relating to gender-related issues concerning legislation and the budget, but does not consider how the participation of women can be affected by the infrastructure of parliament (although the reference document contains an Annex on themes in parliamentary development which includes a very useful section on parliaments and gender which concludes by looking at organisational structures such as gender equality committees and cross-party women's caucuses). Both the IPU and EC approaches will be helpful for all legislatures in identifying their strengths and weaknesses in the area of gender, as well as to formulate recommendations for reform. Mature legislatures may find this approach more useful or aspirational than meeting internationally agreed benchmarks.

**Table 4: A Comparison of Benchmarks: Gender**

<b>CPA International Benchmarks</b>	<b>SADC PF Benchmarks</b>	<b>CPA Asia, India &amp; South-East Asia Regional Benchmarks</b>	<b>COPA Draft Benchmarks</b>
Restrictions on candidate eligibility shall not be based on religion, gender, ethnicity, race or disability	Restrictions on candidate eligibility shall not be based on religion, creed, gender, ethnicity, race, marital status, or physical disability. However, citizenship, age, or residency requirements are permitted.	Restrictions on candidate eligibility shall not be based on religion, gender, ethnicity, race or disability.	Restrictions on candidate eligibility must not be based on gender, religion, economic status, race, physical disability, or private life considerations.
Special measures to ensure the political participation of marginalised groups shall be narrowly drawn to accomplish precisely defined and time-limited objectives.	Measures of affirmative action used to encourage the political participation of marginalised groups, shall be narrowly drawn to accomplish precisely defined and limited objectives.  The membership of parliament shall reflect the social diversity of the population with respect to gender, language, religion, and ethnicity among other considerations.	Special measures to ensure the political participation of marginalised groups shall be narrowly drawn to accomplish precisely defined and time-limited objectives.	Notwithstanding the previous clause, special measures may be taken to ensure the representation of women, as well as of national or regional diversity and its components.
	Parliament shall make available adequate infrastructure including designated offices and other amenities such as child care facilities.		Parliament must be organised in such a way as to encourage the participation of women, so that they may fulfil their role in all activities equally with men.
The Legislature's assignment of committee members on each committee shall include both majority and minority party members and reflect the political composition of the legislature.	Membership of committees shall reflect the Parliament's political party composition and gender parity, and shall seek to include all parties and independent MPs.  Chairs and Vice Chairs of committees shall be elected by committee members and shall reflect gender equality.	The Legislature's assignment of committee members on each committee shall include both majority and minority party members and reflect the political composition of the legislature.	The membership of a committee must reflect that of Parliament as closely as possible, with special consideration to gender.

CPA International Benchmarks	SADC PF Benchmarks	CPA Asia, India & South-East Asia Regional Benchmarks	COPA Draft Benchmarks
<p>The Legislature shall not discriminate in its recruitment of staff on the basis of race, ethnicity, religion, gender, disability, or, in the case of non-partisan staff, party affiliation.</p> <p>Recruitment and promotion of non-partisan staff shall be on the basis of merit and equal opportunity.</p>	<p>In the recruitment and promotion of staff, the Parliamentary Service Commission shall not discriminate on the basis of ethnicity, religion, creed, gender, physical disability, or party affiliation in respect of non-partisan staff.</p>	<p>The Legislature shall not discriminate in its recruitment of staff on the basis of race, ethnicity, religion, gender, disability, or, in the case of non-partisan staff, party affiliation.</p> <p>Recruitment and promotion of non-partisan staff shall be on the basis of merit and equal opportunity.</p>	<p>Women must be adequately represented at all levels of parliamentary administration.</p> <p>When hiring or promoting employees, Parliament must not discriminate based on gender, religion, financial situation, race or physical handicap.</p>
	<p>There shall be equitable gender representation in the election of Presiding Officers.</p>		<p>Parliament must take special measures in order to establish and maintain an equal proportion of women and men at all levels of responsibility throughout its organisation.</p>
	<p>Parliaments shall enact laws which require political parties to meet the provisions of the SADC Protocol on Gender and Development.</p>		<p>Delegations operating within the framework of parliamentary diplomacy must reflect the membership of Parliament as closely as possible, with special consideration given to gender.</p>
	<p>Parliament's oversight authority shall include oversight of compliance with regional and international human rights instruments, including those on gender equality and socio-economic justice.</p>		

### 3. First- and Second-Order Benchmarks?

A third approach for prioritisation may be to use a set of benchmarks and select which ones are indispensable and which may be ‘second-order’. In practice, this is a very difficult exercise as the benchmarks are based on a common minimum standard.

The existence of committees serves as a convenient example. Core or indispensable CPA benchmarks could involve the right to form permanent and temporary committees, a balanced composition, power to summon papers, persons and records. Second-order benchmarks for emerging legislatures could possibly include benchmarks on hearings and voting in public and the right to consult and/or employ experts. While most observers would agree that all proceedings in parliament should be public, and there should be no deviation from that rule (apart from reasons of national security), this is still contested in some regions (Asia is one example).<sup>64</sup> The right to consult or employ experts may prove difficult for capacity-constrained legislatures and in these instances a case can be made to establish the committees and their powers in the first instance before considering issues such as transparency and external support.

A second example concerns CPA benchmarks regarding professional staff at the legislature. Indispensable benchmarks across all classifications of legislature could include that *the legislature shall have an adequate non-partisan professional staff including the operation of its committees and the legislature shall draw and maintain a clear distinction between partisan and non-partisan staff.*

Administrative autonomy may be an essential factor in gauging the autonomy of a parliament, yet many legislatures do not meet the CPA benchmark that *the legislature, rather than the executive branch, shall control the parliamentary service and determine the terms of employment.* However, the staff in question may still perform a valuable and essential service for members. Indeed there are examples of mature legislatures which have only moved toward their own institutional professionalisation in fairly recent times. An emerging legislature could therefore view this benchmark a second-order (long-term) issue as long as they a) have adequate non-partisan professional staff and b) a distinction is made between partisan and non-partisan staff.

Finally the CPA benchmarks dealing with the legislature and the media could also be prioritised. The benchmark stating that the legislature shall be *accessible and open to citizens and the media, subject only to demonstrable public safety and work requirements* as well as the one that requires the legislature *to ensure that the media are given appropriate access to the proceedings of the legislature without compromising the proper functioning of the legislature and its rules of procedure*, are both applicable to all categories of legislature. However, the benchmark stating that *the legislature shall have a non-partisan media relations facility* can be seen as a lesser immediate priority to emerging legislatures and some developing ones.

These examples may be seen as somewhat contrary to the spirit of the benchmarks but parliaments need to be conscious of what is achievable and an incremental step-by-step approach is more likely to be successful and durable.

64. A Workshop on Technological Options for Capturing and Reporting Parliamentary Proceedings was organised by the OPPD/UNDESA/Global Centre for ICT in July 2010. A report of the conference is available at [http://www.ictparliament.org/sites/default/files/recording\\_workshop\\_report\\_july2010.pdf](http://www.ictparliament.org/sites/default/files/recording_workshop_report_july2010.pdf). A comprehensive handbook on the subject is due in early 2012.



**Table 5: Sample First- and Second-Order CPA Benchmarks**

	<b>Media</b>	<b>Committees</b>	<b>Professional Staff</b>
<b>First-order Benchmark(s) for all legislatures</b>	<p>The Legislature shall be accessible and open to citizens and the media, subject only to demonstrable public safety and work requirements.</p> <p>The legislature shall ensure the media are given appropriate access to the proceedings of the legislature without compromising the proper functioning of the legislature and its rules of procedure.</p>	<p>The Legislature shall have the right to form permanent and temporary committees.</p> <p>The Legislature’s assignment of committee Members on each committee shall include both majority and minority party Members and reflect the political composition of the legislature.</p> <p>Committees shall have the power to summon persons, papers and records, and this power shall extend to witnesses and evidence from the executive branch, including officials.</p>	<p>The legislature shall have an adequate non-partisan professional staff to include its operations including the operation of its committees.</p> <p>The legislature shall draw and maintain a clear distinction between partisan and non-partisan staff.</p>
<b>Second-Order/long-term benchmark(s) for emerging and some developing legislatures</b>	<p>The Legislature shall have a non-partisan media relations facility.</p>	<p>Committee hearings/votes shall be in public. Any exceptions shall be clearly defined and provided for in the rules of procedure.</p> <p>Committees shall have the right to consult and/or employ experts.</p>	<p>The legislature, rather than the executive branch, shall control the parliamentary service and determine the terms of employment.</p>

## VII. Practical examples to meet benchmarks for parliaments in different stages of development

This section provides some practical examples that legislatures may wish to consider when implementing the benchmarks. These examples are given for illustration only and are not intended to be definitive. Some of the distinctions between the categories of legislatures are necessarily arbitrary. In addition, the most expensive options are placed in the mature

legislature category although the size of the jurisdiction and socio-economic level may make it such, rather than its democratic maturity. For the purpose of this exercise, the CPA benchmarks have been used. As not all benchmarks lend themselves to this exercise, a selection of benchmarks has been used in Table 6.

**Table 6: A Selection of Benchmarks**

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
Legislative elections shall meet international standards for genuine and transparent elections.	An independent electoral officer, adequately funded and staffed separately from government. Election spending limits strictly enforced.		
	Review of the relevant legislation and international agreements relating to the maintenance and improvement of the election system.		
	Use of finger marking to deter attempts at multiple voting. Presence of local and international observers, prior to, during and immediately following elections.		
No elected member shall be required to take a religious oath against his or her conscience in order to take his or her seat in the legislature.	The legislator can be given the option of either omitting the reference, or simply substituting it by swearing allegiance to a political body. <sup>65</sup>		

65. NDI (2007) *Toward the Development of International Standards for Democratic Legislatures*, Washington, NDI, p.8

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
The legislature shall provide proper remuneration and reimbursement of parliamentary expenses to legislators for their service, and all forms of compensation shall be allocated on a non-partisan basis.	Salary based on that of a senior civil servant with allowances or those obtained in the judiciary.	Pension benefits.  Members who live beyond the capital are provided with allowances or housing close to Parliament.	Pension benefits based on length of service.
The legislature shall have adequate physical infrastructure to enable members and staff to fulfil their responsibilities.	Chamber, Committee room (s), offices for staff, a basic library, access to secretarial services and research support.	Strengthened legislative library, research and information technology, particularly access to the internet as a research tool. (Shared) offices for members.	An independent budget office  Offices for MPs.  Childcare facilities.  Legislative training centre.
Only the legislature may adopt and amend its rules of procedure.	Burdensome and outdated rules of procedure identified and modified.  Training for new members on the rules of procedure.	Review and study unofficial procedures and add them to the rules of procedures and/or internal regulations. Parliamentary language changed to replace gender-specific terms.	Periodic Review of rules of procedure by a committee.
The legislature shall meet regularly, at intervals sufficient to fulfil its responsibilities.		A predictable calendar for the parliamentary year is established.	
Legislators in the lower or only house shall have the right to initiate legislation and to offer amendments to proposed legislation	Rules of Procedure give right to legislators to initiate legislation and offer amendments.	Calculate the % of legislation initiated by the private members and the % of legislation amended by the legislature.	A professional in-house bill drafting service.
The Legislature shall give legislators adequate notice of session meetings and the agenda for the meeting.	Yearly session calendar Agenda for the following week to be publicly announced by the end of the previous week. Clear annual timetable for the introduction of legislation from government. Establishment of a committee to coordinate parliamentary business with representation from all parties.		Members to also receive copies of the legislation for consideration. Posting and publishing weekly the status of each bill
	Paper form.	Paper and electronic.	

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
The Legislature shall provide adequate opportunity for legislators to debate bills prior to a vote.	At least one "reading" for the legislation to be publicly debated .	Two or three "readings" for each piece of legislation, including a reading after the committee state.	
	Allocation of speaking time for opposition groups.  Keep a record of how much time is spent in debates and the number of contributing members.		
Plenary votes in the Legislature shall be public.	Votes made in a closed session, but recorded, attributed to each legislator and made publicly available.	Open sessions only.	Ability to use an electronic voting system if felt desirable.
The Legislature shall maintain and publish readily accessible records of its proceedings.	The requirement to minute each day's proceedings.	Release an official report containing a transcript of daily debate.	Daily journal and an interactive website including reports, transcripts of debate and full text of legislation before the legislature.  Existence of an immediate uncorrected official report together with a corrected version the next day.
		Training of staff; supply of transcription equipment.	
The Legislature shall have the right to form permanent and temporary committees.	Predominance of temporary committees with right to set own programme and working plans.	Permanent committees established at the beginning of a parliamentary term.	Committees set objectives and report on these in an annual report summarising each year's work completed and in progress.  Committees prepare legacy reports at the end of a parliament.  Ability to form subcommittees in the interests of efficiency.  Committees able to conduct hearings outside the capital.
		Committees parallel various government ministries and have exclusive jurisdiction.	
		Existence of a liaison or chairs' committee.	

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
The Legislature's assignment of committee members on each committee shall include both majority and minority party members and reflect the political composition of the legislature.	Establishment of committees with membership reflecting the composition of the legislature – small legislatures could also consider limiting the numbers of the members in the executive.		
			A small committee with an informed and stable membership (members chosen for expertise in the particular field)
The Legislature shall establish and follow a transparent method for selecting or electing the chairs of committees.	Chairs elected/selected by the Committee or the legislature. Chairs given increased status in the legislature (office space, allowances, order of preference when speaking in plenary)		
			Existence of chairs from opposition parties. Gender balance. Higher salaries?
There shall be a presumption that the Legislature will refer legislation to a committee, and any exceptions must be transparent, narrowly-defined, and extraordinary in nature.	Legislature to sit as a “committee of the whole house” (possibly in small legislatures).		Committees conduct both pre- and post-legislative scrutiny.
	Track % of bills referred to committee.		
Committees shall scrutinise legislation referred to them and have the power to recommend amendments or amend the legislation.		Calculate % of amendments accepted.	Development of a mechanism (such as a special committee or unit) to track the implementation of recommendations.
		Scrutiny of secondary or delegated legislation.	
		Committees also have the power to initiate legislation	
Committee shall have the right to consult and/or employ experts.	Working with universities; use of students as interns or CSO representatives.	Consultation of experts. Use of academics.	Database of experts by subject area for use of committees.
	Experts brought in on a voluntary (i.e. unpaid) basis to conduct specific analysis and provide advice as well as involvement in hearings.		Financial means to hire experts as the need arises.

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
Committees shall have the power to summon persons, papers and records, and this power shall extend to witnesses and evidence from the executive branch, including officials.	Exchanging correspondence with the executive on monitoring and follow-up strategies	Government activities in response to an inquiry and the committee's views on that response are placed on record.	Development of monitoring and follow-up strategies including further hearings.
The Legislature shall provide adequate resources and facilities for party groups pursuant to a clear and transparent formula that does not unduly advantage the majority party.	Basic facilities such as a meeting room.		Offices and meeting rooms with party groups receiving direct funds from the legislature.
Legislators shall have the right to form interest caucuses around issues of common concern.	Existence of a cross-party women's caucus.	Existence of interest caucuses with meeting rooms.	Existence of interest caucuses with allowances from the parliamentary budget.
<p>The Legislature shall have an adequate non-partisan professional staff to support its operations including the operation of its committees.</p> <p>The Legislature, rather than the executive branch, shall control the parliamentary service and determine the terms of employment.</p>	<p>Parliamentary services drawn from the public service, but with safeguards to ensure non-interference from the Executive and under the jurisdiction of the Secretary-General.</p> <p>Establish job descriptions</p> <p>Use of interns to supplement full-time staff.</p> <p>Members assisted with secretarial functions.</p> <p>Development of an organisational chart.</p> <p>Development of a staff salary grid/scale.</p>	<p>Secretary-general appoints all staff in line with political guidelines;</p> <p>Conduct training programmes for professional staff.</p> <p>Development of a viable career structure within parliament.</p> <p>Periodic measurement of the performance of staff.</p>	<p>Rigorous training and professional development.</p> <p>Establishment of a research unit within parliament.</p>



Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
Members and staff of the Legislature shall have access to sufficient research, library, and ICT facilities.	<p>A library</p> <p>Members and staff have access to use email and other web-based technology.</p>	<p>A computerised library with intranet.</p> <p>Creation of a database of laws.</p> <p>Computerisation of parliamentary departments and computer networking.</p> <p>Use of parliament specific software such as Bungeni.</p>	<p>Independent library staffed with researchers and access to media, databases and online resources.</p> <p>All offices have ICT facilities.</p>
All staff shall be subject to a code of conduct.	<p>A code based on the civil service code.</p> <p>Self-regulatory.</p>	A specific code for legislative staff regulated by the secretary-general.	
The approval of the Legislature is required for the passage of all legislation, including budgets.			Research on the impact of legislation, especially on different groups.
<p>Opportunities shall be given for public input into the legislative process.</p> <p>Information shall be provided to the public in a timely manner regarding matters under consideration by the Legislature.</p>	<p>Maintain a directory of civil society organisations.</p> <p>Use of written submissions.</p> <p>Public surveys to find the views and needs of the voters.</p> <p>Order paper is published and made publicly available.</p>	<p>Accepting petitions within the legislature (either for debate or referral to the legislature).</p> <p>Public hearings.</p> <p>Track the number of legislative inputs eliciting public comment through outreach mechanisms.</p> <p>Order paper is reproduced on the parliamentary website.</p>	<p>Use of referenda, or initiatives.</p> <p>Committees given the power to travel and meet within the country to allow for direct public input.</p> <p>The right of citizenship initiative.</p>

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
<p>The Legislature shall have mechanisms to obtain information from the executive branch sufficient to exercise its oversight function in a meaningful way.</p>	<p>Ability to ask written and oral questions (with supplementaries).</p> <p>Authors of individual budget items are easily identified.</p> <p>Executive required to respond to committee reports/recommendations.</p>	<p>Track number of committee-based proceedings held on non-legislative executive branch actions or performance.</p> <p>Ability to scrutinise executive appointments.</p> <p>Executive required to respond within 6 months after the submission of a report.</p> <p>Supporting documentation when budget figures are submitted to the legislature.</p> <p>Parliament scrutinises departmental work-plans and monitors their implementation.</p>	<p>Establishment of an office of the Ombudsman to investigate complaints against the executive.</p> <p>Ability to approve executive appointments.</p> <p>Track number of committee recommendations accepted and implemented by the executive.</p> <p>Executive required to give a response within 2 months after the submission of a report.</p> <p>Existence of in-year revenue and expenditure updates.</p> <p>Parliament receives timely information from internal audits conducted by the government.</p>
<p>The oversight authority of the Legislature shall include meaningful oversight of the military security and intelligence services.</p>	<p>Creation of a specialised committee.</p> <p>Rules re confidentiality?</p> <p>Agreements with relevant ministry?</p>	<p>Security sector expenditures included in the national budget.</p>	

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
<p>The Legislature shall have a reasonable period of time in which to review the proposed national budget.</p>	<p>Legislature reviews the national budget.</p> <p>Second a qualified person (perhaps from the Supreme Audit Institution) to review the budget and departmental estimates.</p> <p>Choice between approval and rejection of the budget.</p> <p>Track member inputs during budget debates.</p>	<p>Minimum of two weeks debate on the budget.</p> <p>The legislature receives a pre-budget report and has a minimum of 3 months to review the budget in advance of the fiscal year.</p> <p>Formal hearings to discuss the annual government budget or government revenues and expenditures.</p> <p>Support for the hiring/strengthening of expert support staff for the main budget/finance committee.</p> <p>Legislature able to propose balanced / budget neutral amendments to the budgets.</p> <p>Training on the analysis of budget documents for the relevant committee and support staff.</p>	<p>Establishment of an independent budget office with professional staff.</p> <p>Powers of amendment to the budget.</p> <p>Training for all members on budget analysis.</p> <p>Parliamentarians participate openly and independently in the priority setting stage of the budget process.</p> <p>Parliamentary input before the government presents its detailed spending and revenue proposals in parliament.</p> <p>Parliament scrutiny of the economic models used to develop medium term expenditure frameworks.</p> <p>Post-budget scrutiny.</p> <p>Gender analysis is used when monitoring and influencing the budget.</p>

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
<p>Oversight committees shall provide meaningful opportunities for minority or opposition parties to engage in effective oversight of government expenditures. Typically the Public Accounts Committee (PAC) will be chaired by a member of the Opposition Party.</p> <p>Oversight committees shall have access to records of executive branch accounts and related documentation sufficient to be able to meaningfully review the accuracy of executive branch reporting on its revenues and expenditures.</p>	<p>Study tours of legislatures with strong audit committees.</p> <p>Seminars on effective financial oversight.</p> <p>Ad-hoc support from the Supreme Audit Institution (SAI).</p> <p>Committee to have the support of at least one full-time staff member.</p>	<p>Regular and systematic support from the Supreme Audit Institution.</p> <p>AG or related post acts as a special adviser.</p> <p>Periodic debates on committee audit reports in plenary session.</p> <p>Audit Committee has a broad scope or mandate.</p> <p>Research and administrative support for the committee.</p>	
<p>There shall be an independent, non-partisan supreme or national audit office whose reports are tabled in the Legislature in a timely manner.</p> <p>The supreme or national audit office shall be provided with adequate resources and legal authority to conduct audits in a timely manner.</p>	<p>Development of a plan to clear any backlog of annual audits of public finances.</p> <p>Establishment of a parliamentary liaison staff person at the SAI.</p> <p>Existence of financial audits.</p>	<p>Appointment of chief auditor subject to parliamentary approval and consultation with stakeholders.</p> <p>Combination of financial audit with performance audit.</p> <p>AG able to obtain services from outside his department.</p> <p>Parliament involved at the pre-budget stage in determining the resources to be allocated to the SAI.</p>	<p>Close, working relationship between SAI and legislature.</p> <p>AG is responsible to parliament and afforded the same immunities as an officer of parliament in carrying out their duties.</p> <p>Meet international audit standards.</p>

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
<p>The Legislature shall provide all legislators with adequate and appropriate resources to enable the legislators to fulfil their constituency responsibilities.</p>	<p>Meeting spaces in the legislature for members to meet constituents.</p> <p>Use of office equipment and communication resources for correspondence.</p> <p>Reimbursement for periodic transportation to and from the constituency to the legislature.</p> <p>Periodic and regular periods where parliament does not meet for constituency work.</p>	<p>Workshops on constituent relations and conducting casework.</p> <p>Office for all members in Parliament.</p> <p>Organise periodic town/local meetings.</p> <p>Constituency development funds (where appropriate).</p>	<p>Allowances to assist constituency offices and travel within the constituency.</p> <p>Ability to consult constituents online.</p>
<p>The Legislature shall have the right to receive developmental assistance to strengthen the institution of parliament.</p> <p>Members and staff of Parliament shall have the right to receive technical and advisory assistance, as well as to network and exchange experience with individuals from other countries.</p>	<p>Membership and partnership of IPOs with participation representative of the parties in parliament.</p> <p>Reports disseminated across parliament.</p> <p>Parliament informed of agreements signed with external donors.</p> <p>Creation of an institutionalised, multi-party interlocutor for external agencies/donors.</p> <p>Developing a pool of international experts and academics.</p>	<p>Annual Report tabled and debated in parliament on support received.</p> <p>Annual Report on activities within such parliamentary organisations.</p> <p>An annual meeting of parliament during which legislative development assistance is presented and debated.</p> <p>Development of a strategic development plan adopted by parliament.</p>	<p>Annual report tabled and debated in parliament on support given.</p>

Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
<p>The Legislature shall be accessible and open to citizens and the media, subject only to demonstrable public safety and work requirements.</p> <p>The Legislature should ensure that the media are given appropriate access to the proceedings of the Legislature without compromising the proper functioning of the Legislature and its rules of procedure.</p> <p>The Legislature shall have a non-partisan media relations facility.</p>	<p>A non-partisan media relations spokesperson.</p> <p>Accreditation of the media who specialise in parliamentary coverage.</p> <p>Monitor media reports on parliament.</p> <p>The budget speech and major debate are broadcast live.</p> <p>Media access to audio and visual recordings.</p>	<p>Some staff employed to deal with media relations.</p> <p>Establishment of twinning exchanges with more established media relations facilities.</p>	<p>Media advisers allocated to (most) committees.</p>
<p>The Legislature shall promote the public's understanding of the work of the Legislature</p>	<p>Tours of parliament for citizens.</p> <p>Use of radio to broadcast legislative events.</p> <p>Annual workshops with CSOs.</p> <p>Consultation with young people.</p> <p>Development of a communications strategy for parliament.</p>	<p>Publications (such as newsletters, parliamentary bulletins) explaining the work of the legislature.</p> <p>Installation of an internet site for the legislature.</p> <p>Live TV coverage of Parliament.</p> <p>Training programmes for journalists.</p> <p>Annual reports for all committees identifying objectives, impacts and plans.</p> <p>Parliament conveys information regarding the budget to the regions and districts of the country.</p> <p>Youth parliaments</p>	<p>Legislative public information units.</p> <p>Visitor information centres.</p> <p>Special publications for young children.</p> <p>Legislative proceedings broadcast online.</p> <p>Committees send information to interested individuals and groups on a regular and routine basis.</p> <p>Creation of a parliamentary television channel.</p>



Benchmark	Emerging Legislature	Developing Legislature	Mature Legislature
<p>Legislators shall maintain high standards of accountability, transparency and responsibility in the conduct of all public and parliamentary matters.</p> <p>The Legislature shall approve and enforce a code of conduct, including rules on conflicts of interest and the acceptance of gifts.</p> <p>Legislatures shall require legislators to fully and publicly disclose their financial assets and business interests.</p> <p>There shall be mechanisms to prevent, detect, and bring to justice legislators and staff engaged in corrupt practices.</p>	<p>Self-regulatory code of conduct/ethics.</p> <p>Development of an anti-corruption strategy.</p> <p>Positive actions in the prevention of corruption identified.</p> <p>Ethical training for political parties.</p>	<p>Codes of Conduct and Ethics Committees.</p> <p>Parliament's performance in preventing corruption is tracked with regular dialogue between executive and legislative branches on anti-corruption reforms.</p> <p>A publicly available register of members' interests with penalties for non-compliance and wilfully inaccurate statements.</p>	<p>Monitoring adherence the task of an independent or non-partisan entity.</p> <p>The power of recall.</p>

## VIII. Conclusions

The question as to how parliaments can improve their work and become more *effective* is now a focal point of international debate. International organisations and parliamentarians have of course discussed good practice in parliamentary performance, but the debate has moved on in recent years to the need to generate benchmarks and self-assessment frameworks for legislatures.

There is, perhaps, a slight paradox at the heart of the benchmark debate. At one level there is a need to identify a common standard or benchmark for legislatures to compare themselves against. Yet there are now a number of parliamentary assessment approaches in existence (although all are “work in progress”) and the CPA benchmarks are being modified on a regional basis. Each approach is trying to do something different – some are “minimum standards” while others have moved forward to become more ambitious, drawing on best practice. However, the end goal – improving the performance of parliament and therefore the wider democratisation process – is the same and the methodologies used are often similar. Common among such assessment schemes is the need to evaluate parliament against international criteria, but through national ownership of assessment. This provides a framework for parliamentarians to discuss the performance of their own legislature while engaging with other stakeholders (civil society, academia, donors etc.). Freedom of expression of everyone concerned in the assessment process is, naturally, essential.

This study has identified a number of assessment frameworks which can be used by legislatures looking to assess and ultimately strengthen their performance. The first is the IPU toolkit designed to assist parliaments in a systematic analysis of their performance leading to the identification of strengths and weaknesses, and the formulation of recommendations for reform and development. A second approach, the general focus of the original NDI discussion document and developed by parliamen-

tary organisations such as the CPA, is different in that benchmarks are phrased as minimum standards rather than as questions. A third approach is being developed by the European Commission which creates a framework specially devised to enable donors to relate their support to a parliament's stage of development.

Most of the differences between the frameworks can be explained by the goals, values, membership base and approach to parliamentary assessment taken by the relevant organisation. Yet, previous studies of the benchmarks have shown broad consensus exists over many key areas of parliamentary practice such as institutional independence; procedural fairness; democratic legitimacy and representation; parliamentary organisation; and core legislative and oversight functions. These are the areas which emerging and developing legislatures should focus upon in the first instance. At the same time, the differences between the benchmarks and frameworks have also allowed for wider debate and context to be studied. In this regard the CPA benchmark approach is perhaps the most interesting, as the international, or Commonwealth derived minimum standards, are now being tested within regions, demonstrating both the different experiences of the practice and policies relating to parliamentary democracy within the Commonwealth. This is allowing the development of more ambitious benchmarks in some regions; the danger is that it may also lead to the watering down of minimum standards agreed previously at the international level. For example the CPA benchmark stating that *legislators shall have the right to form interest caucuses around issues of common concern* was removed from the regional version in Asia, India and South-East Asia.

The study argues that, in practice, different pressures and motivations will come into play when using the assessment approaches depending on the extent of parliamentary development. *Emerg-*

*ing and developing legislatures* will probably undergo a benchmark assessment for a specific purpose, perhaps donor-oriented or because of a political desire to improve the functions of the parliament and to increase its power, rather than as an exercise undertaken in the course of regular work. However, there may be occasions when the demand is self-generated, especially in the case of developing legislatures. The IPU and EC approaches would help both sets of legislatures ascertain where they are based in terms of their development; the CPA benchmarks will be useful in that they can prioritise according to the stages in which a parliament may develop or strengthen to meet selected benchmarks under a plan of practical action to meet each objective. Prioritisation may prove problematic for some emerging legislatures because of the range of issues facing the legislature or because of a difficulty to identify where exactly the legislature stands: if the IPU exercise had been conducted previously, they may find it easier to pick out those CPA benchmarks in which they are weakest.

*Mature legislatures* will probably select areas needing attention which go beyond the benchmarks. The acceptable levels of implementation of the benchmarks in these mature legislatures should clearly be of the highest order and they should be in a position to aspire to the highest standards. Meeting minimum benchmarks is a necessary but insufficient test of their performance and the IPU Self-Assessment Toolkit is most likely to be useful for identifying strengths and weaknesses and formulating an action plan for development. Mature legislatures may also be more likely to consider questions of efficiency as well as effectiveness.

Emerging and developing legislatures are normally overburdened and lack the means to function effectively. Sometimes real power lies in the executive and in other cases there may be gaps in democratic practice (this is also true of some mature legislatures). Using the CPA framework as a guide, the study makes a tentative attempt at suggesting how some benchmarks may be given priority. It

argues that some of the benchmarks can be classified as first-order i.e. essential, whereas others, though desirable, are more second-order in nature. The paper also provides some practical steps that each category of legislature may wish to take when seeking to meet the benchmarks. These examples are intended to be thought-provoking and debate-generating rather than definitive.

While the value of assessment schemes will ultimately be gauged by the long-term results that follow from their use, it is still too early to attempt such judgements at this stage. The assessment schemes have the undoubted potential to be powerful change agents. Their success in that role has still to be fully recognised by parliamentarians and staff. It is only when a breakthrough is made on that front that legislatures will of their own accord proceed with assessing themselves as a matter of routine. One key prerequisite is that legislatures must possess the necessary political will for democratic development: some parliaments have the appropriate tools at their disposal but do not use them; others do not, but are more creative in presenting their views.

The end-game of parliamentary development is never certain. There is no automatic progression towards maturity in much the same way as democratisation is an uncertain process. Context and political will are of course important in understanding how a legislature functions and for assessing the likelihood of further strengthening. However, the current situation and conditions facing parliaments can also be explained in terms of how near or far they are from meeting international norms, whether these are phrased as minimum benchmarks or as aspirational good practices. The prospects for, and likely path of, further legislative strengthening will also be assisted by the implementation of a rigorous benchmarking exercise and self-assessment framework. Developing accepted norms and standards for the institution of parliament will probably take many decades (and may never be universally accepted), but the fact that the process has started and a debate been generated is to be welcomed.

# IX. Annexes A and B

## Annex A: Comparison of CPA, COPA, APF, SADC PF Benchmarks<sup>66</sup>

	CPA BENCHMARKS	COPA Recommended Benchmarks
1		1.1.1 The Constitution of the State must include basic rules to govern elections.
2	<p>1.1.1 Members of the popularly elected or only house shall be elected by direct universal and equal suffrage in a free and secret ballot.</p> <p>1.1.2 Legislative elections shall meet international standards for genuine and transparent elections.</p>	<p>1.1.2 Parliamentarians must be elected through universal suffrage, by free, direct and secret ballot. However, in the case of a bicameral parliament, the second chamber may be governed by special rules provided for in the Constitution or the legislation of the country concerned.</p> <p>1.1.3 Legislative elections must meet international standards for free, genuine and transparent elections.</p>
3		
4	1.1.3 Term lengths for members of the popular house shall reflect the need for accountability through regular and periodic legislative elections.	1.1.6 To foster accountability, elections must be held at regular intervals. A legislature must be of limited duration and be followed by new elections.
5		1.1.8 The principles of fair competition and equality must be observed, and general standards of conduct for political actors must be defined during election campaigns.
6		

66. The table extends the comparison charts created by Lisa von Trapp of the World Bank Institute (2010) and by the LSE-World Bank Capstone Project (2009). CPA benchmarks are presented in order and the other benchmarks are compared with them.

APF	SADC Parliamentary Forum
1.1.1 La Constitution de l'État doit comprendre les règles de base concernant les élections et le statut des parlementaires.	
1.1.2. Les parlementaires doivent être élus au suffrage universel lors d'élections libres, fiables, transparentes et conformes aux normes internationales et nationales. Cependant, les secondes chambres peuvent être régies par des règles particulières prévues par la Constitution ou les lois propres à chaque pays.	<p>10.1.2 MPs shall be directly elected through universal and equal suffrage in a free and secret ballot in accordance with regional and continental instruments for democratic elections.</p> <p>4.1 The electoral system shall be designed to ensure that the composition of Parliament reflects the will of the people as expressed through a voting process conducted in accordance with continental and regional instruments for democratic elections.</p>
	10.1.4 MPs that are nominated or appointed by the head of state shall comprise not more than 5 percent of the overall size of the National Assembly.
1.1.3 Les élections doivent être tenues à intervalles réguliers. La législature doit être limitée dans le temps et, à son terme, donner lieu à de nouvelles élections	10.1.3 Elections shall be held regularly and periodically.
1.4 Les élections doivent se dérouler sans aucune entrave ni aucune atteinte à la liberté, à l'intégrité physique, à la liberté d'opinion et d'expression, à la liberté de réunion et de manifestation et à la liberté d'association de tout électeur et de tout candidat.	
1.1.5. L'organisation et la gestion des élections, depuis les opérations préparatoires et la campagne électorale, jusqu'au dépouillement des votes et la proclamation des résultats, doivent être confiées à des instances dotées de prérogatives leur permettant d'effectuer un contrôle rigoureux du processus électoral, de garantir la loyauté du scrutin et la pleine participation des citoyens à ce dernier et d'assurer le traitement égal des candidats tout au long des opérations électorales.	

	CPA BENCHMARKS	COPA Recommended Benchmarks
7		
8		1.1.9 Each party must develop internal by-laws to ensure compliance with legislation respecting the fair and transparent financing of election campaigns.
9		1.1.4 The integrity and independence of the body that manages and supervises elections must be guaranteed with respect to its composition, mandate, powers and budget.
10		1.1.5 Discussion, research and consultation must be encouraged to achieve an electoral system and electoral structures that enjoy broad support within society.  1.1.7 The participation of persons from under-represented groups (e.g., young people, members of minorities, immigrants and handicapped persons) must be encouraged.
11		1.1.10 Regional and global networks for sharing expertise and developing standards must be promoted.
12		1.1.11 Legislation must allow international observers to conduct free and independent missions.
13	1.2.1 Restrictions on candidate eligibility shall not be based on religion, gender, ethnicity, race or disability	1.2.1 Restrictions on candidate eligibility must not be based on gender, religion, economic status, race, physical disability, or private life considerations
14		
15		
16		
17		

APF	SADC Parliamentary Forum
<p>1.1.6. Tous les partis politiques légalement constitués doivent pouvoir participer à l'ensemble des étapes du processus électoral, dans le respect des principes démocratiques consacrés par les textes fondamentaux et les institutions.</p>	
<p>1.1.7. La gestion du contentieux électoral doit être assurée par une autorité juridictionnelle indépendante et impartiale.</p>	<p>10.1.1 Parliament shall enact all necessary laws to establish an independent electoral management body to ensure free, fair and credible elections.</p>
	<p>9.1.1 The number of seats in Parliament and the resultant citizen-member ratio should be such as to facilitate meaningful member-constituent relations, taking into account equity, community of interest and geographic features.</p>
<p>1.2.1. L'inéligibilité d'un candidat ne doit pas dépendre du genre, de la race, de la langue, de la religion, de la situation économique, d'un handicap physique ou de considérations relevant du respect de sa vie privée.</p>	<p>10.2.1 Restrictions on candidate eligibility shall not be based on religion, creed, gender, ethnicity, race, marital status, or physical disability. However, citizenship, age, or residency requirements are permitted.</p>
	<p>10.2.2 Parliament shall enact laws to determine candidate eligibility.</p>
	<p>10.2.3 In constituency-based systems, nomination fees to become a candidate shall be reasonable and affordable so as not to unduly exclude potential candidates.</p>
	<p>10.2.4 Persons convicted of serious crimes shall be ineligible to stand for elections.</p>
	<p>10.1.6 Parliament shall take appropriate measures to assist MPs to increase their knowledge and skills through continuing education and training.</p>



	<b>CPA BENCHMARKS</b>	<b>COPA Recommended Benchmarks</b>
18	1.2.2 Special measures to encourage the political participation of marginalized groups shall be narrowly drawn to accomplish precisely defined, and time-limited, objectives.	1.2.2 Notwithstanding the preceding clause, special measures may be taken to ensure the representation of women, as well as of national or regional diversity and its components.
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20	1.3.1 No elected member shall be required to take a religious oath against his or her conscience in order to take his or her seat in the legislature.	1.2.3 Electoral processes must be fair and guarantee that no voter, candidate or party is systematically penalized or discriminated against.
21		1.2.4 Seats must be divided among the parties in a manner that reflects as faithfully as possible the votes obtained by each party.
22	1.3.2 In a bicameral legislature, a legislator may not be a member of both houses.	1.3.1.2 In bicameral parliaments, parliamentarians may not be members of both chambers simultaneously.
23	1.3.3 A legislator may not simultaneously serve in the judicial branch or as a civil servant in the executive branch.	1.3.1.1 Incompatible parliamentary offices must be defined by law.
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25		1.3.1.3 A specific procedure must be established to monitor and sanction incompatibilities.
26	1.4.1 Legislators shall have immunity for anything said in the course of the proceedings of legislature.	1.3.2.1 Parliamentarians must enjoy immunity for words spoken in the performance of their duties. Parliamentarians cannot be prosecuted, sued, wanted by the authorities, arrested, mistreated, detained, judged or imprisoned after expressing opinions verbally or in writing before Parliament, or after voting in the performance of their duties.
27		1.3.2.2 Parliamentary immunity may not be used to place parliamentarians above the law.

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<p>1.2.2. Nonobstant les dispositions de l'article précédent, la représentation de la diversité nationale ou régionale et de ses composantes peut être assurée par le biais de procédures spécifiques</p>	<p>10.2.5 Measures of affirmative action used to encourage the political participation of marginalised groups, shall be narrowly drawn to accomplish precisely defined and limited objectives.</p> <p>4.2 In relation to 4.1, the membership of Parliament shall reflect the social diversity of the population with respect to gender, language, religion, and ethnicity among other considerations.</p>
	<p>10.1.5 The selection of MPs for seats reserved for special groups shall be based on non-partisanship.</p>
<p>1.3.1.1. Pour siéger au Parlement, un élu ne peut être tenu de se soumettre à un serment religieux allant à l'encontre de sa conscience.</p>	<p>10.2.7 Members shall not be required to take a religious oath against the member's conscience in order to take a seat in Parliament. Members should be allowed to make an affirmation. Oaths and affirmations shall be in relation to loyalty to the Constitution and the State and shall be administered by the Chief Justice or his/her representative.</p>
<p>1.3.1.2. Dans un parlement bicaméral, un parlementaire ne peut pas être simultanément membre des deux chambres.</p>	
<p>1.3.1.3. Les incompatibilités parlementaires doivent être définies par la loi.</p>	<p>10.3.1 Members shall not simultaneously serve in the [executive] judiciary, or be a civil servant of the executive branch, or an employee or board member of a state-owned enterprise. Members shall not simultaneously be President and a local government official. Where the Attorney General is also a Member, the Attorney General shall be ex officio.</p>
	<p>10.3.2 The Attorney General shall not simultaneously serve as the Minister of Justice.</p>
<p>1.3.1.4. Le contrôle et la sanction des incompatibilités doivent faire l'objet d'une procédure particulière.</p>	
<p>1.3.2.2. Un parlementaire ne peut être poursuivi, recherché, arrêté, détenu, jugé ni emprisonné en raison des opinions exprimées, par oral ou par écrit devant le parlement, ni des votes émis dans l'exercice de ses fonctions.</p>	<p>10.4.1 Members shall have immunity for anything said in the course of parliamentary business proceedings and within the precincts of Parliament.</p>

	<b>CPA BENCHMARKS</b>	<b>COPA Recommended Benchmarks</b>
28	1.4.2 Parliamentary immunity shall not extend beyond the term of office; but a former legislator shall continue to enjoy protection for his or her term of office.	1.3.2.3 Parliamentary immunity does not extend beyond a parliamentarian’s term of office. However, former parliamentarians continue to enjoy protection for their term of office.
29	1.4.3 The executive branch shall have no right or power to lift the immunity of a legislator.	1.3.2.4 Parliament has exclusive jurisdiction to lift the immunity of a parliamentarian.
30	1.4.4 Legislators must be able to carry out their legislative and constitutional functions in accordance with the constitution, free from interference.	1.3.2.5 Parliamentarians must be able to perform the duties of office in accordance with the Constitution, free from any undue influence or pressure.
31		1.4.1 Parliamentarians may only be expelled from their party in accordance with the party’s internal by-laws, which must guarantee fair treatment, including the right to defend oneself.  1.4.2 Expulsion from a party must not automatically result in the loss of a parliamentarian’s seat, or a reduction of his or her term, in violation of the right to free expression.
32	1.5.1 The legislature shall provide proper remuneration and reimbursement of parliamentary expenses to legislators for their service, and all forms of compensation shall be allocated on a non-partisan basis.	1.5.1.1 Parliament must provide parliamentarians with appropriate and fair remuneration, proper material infrastructure and reimbursement for expenses incurred in the performance of their duties.  1.5.1.2 Any form of compensation paid to parliamentarians by Parliament must be allocated in a transparent manner on the basis of the duties performed.
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34	1.6.1 Legislators shall have the right to resign their seats.	1.6.1 Parliamentarians must be able to resign their seat at any time.
35		1.6.2 A replacement procedure must be established to fill vacant seats.

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1.3.2.3. L'immunité parlementaire est liée à la durée du mandat.	10.4.3 A former Member shall continue to enjoy protection for any speech and/or statements made during the Member's term of office.
1.3.2.4. La décision de la levée de l'immunité d'un parlementaire est du ressort exclusif du Parlement.	10.4.2 The executive branch shall have no right or power to lift the immunity of Members. Only Parliament can lift parliamentary privilege and the immunity of a Member.
1.3.2.1. Tout parlementaire doit pouvoir exercer son mandat librement et à l'abri de toute influence ou pression indue.	
<p>1.4.1.1. Le Parlement doit fournir aux parlementaires une rémunération appropriée et certains avantages matériels facilitant l'accomplissement de leur mandat ainsi qu'un remboursement des dépenses encourues dans le cadre de leurs fonctions.</p> <p>1.4.1.2. Toute forme de compensation versée au parlementaire par le Parlement doit être allouée de façon transparente sur la base des fonctions exercées.</p>	10.5.1 Parliament shall provide Members with fair and adequate remuneration.
	<p>10.5.2 Members' salaries and allowances shall be made public. allocated on a non-partisan basis.</p> <p>10.5.3 Condition of service shall be the same for all parties. Differences such as special privileges for certain office bearers must be determined in a transparent manner.</p> <p>10.5.6 All forms of remuneration and infrastructure shall be allocated on a non-discriminatory basis.</p>
	10.6.1 Members shall have the right to resign from Parliament.

	CPA BENCHMARKS	COPA Recommended Benchmarks
36		1.4.3 Only Parliament may decide to exclude a parliamentarian from Parliament.
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38	1.7.1 The legislature shall have adequate physical infrastructure to enable members and staff to fulfil their responsibilities.	1.5.1.1 Parliament must provide parliamentarians with appropriate and fair remuneration, proper material infrastructure and reimbursement for expenses incurred in the performance of their duties.
39	2.1.1 Only the legislature may adopt and amend its rules of procedure.	2.1.1.1 Only Parliament – or, as the case may be, each of the houses of parliament – may adopt or amend its rules of procedure.
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42		2.1.1.2 The rules of procedure of Parliament – or, as the case may be, of each of the houses of parliament – must be consistent with the Constitution.
43		2.1.1.3 Parliament must take special measures in order to establish and maintain an equal proportion of women and men at all levels of responsibility throughout its organization.
44	2.2.1 The legislature shall select or elect presiding officers pursuant to criteria and procedures clearly defined in the rules of procedure.	2.1.2.1 Parliament—or, as the case may be, each of the houses of parliament—must elect or select a presiding officer and at least one deputy presiding officer pursuant to criteria and procedures clearly defined in its rules of procedure.

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	11.8 In constituency-based systems, in the event of expulsion from a party an MP shall not lose his or her seat.
3.4.1.1. Le Parlement doit bénéficier d'infrastructures physiques et matérielles appropriées afin que ses membres puissent accomplir leur mandat dans des conditions satisfaisantes.	10.5.4 Parliament shall make available adequate infrastructure including designated offices and other amenities such as child care facilities.
2.1.1.1. Tout Parlement – ou, si tel est le cas, chacune des chambres qui le composent – doit rédiger, adopter et amender son règlement.	5.1.1 Parliament shall develop and adopt its own rules of procedure based on regional best practices.
	5.1.2 Only Parliament shall have the power to adopt and amend its rules of procedure subject to review by the judiciary only in cases of a constitutional nature.
	5.5.2 Parliamentary rules shall not be changed in the chamber. Waivers or suspension of rules shall be agreed to prior to plenary by the steering committee.
2.1.1.2.. Le règlement du Parlement – ou, si tel est le cas, de chacune des chambres qui le composent – doit être conforme à la Constitution.	5.1.3 As part of its advisory function, the parliamentary legal department shall review all draft laws and standing orders to ensure compliance with the constitution.
2.1.1.3. Le Parlement doit prendre des mesures significatives visant à établir et préserver une proportion équilibrée de femmes et d'hommes dans ses différentes instances à tous les niveaux de responsabilité.	
2.1.2.1. Le Parlement – ou, si tel est le cas, chacune des chambres qui le composent – doit désigner un président et au moins un vice-président selon les modalités définies dans son règlement.	5.7.1 Members shall have the right to elect their own Presiding Officers.

	CPA BENCHMARKS	COPA Recommended Benchmarks
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46	2.3.1 The legislature shall meet regularly, at intervals sufficient to fulfil its responsibilities.	2.1.3.1 Parliament must meet regularly, at intervals sufficient for it to fulfill its responsibilities.
47	2.3.2 The legislature shall have procedures for calling itself into regular session.	
48	2.3.3 The legislature shall have procedures for calling itself into extraordinary or special session.	2.1.3.2 Parliament must establish procedures for calling itself into regular or extraordinary session.
49	2.3.4 Provisions for the executive branch to convene a special session of the legislature shall be clearly specified.	2.1.3.3 Provisions allowing the executive branch or a group of Members to convene Parliament must be clearly specified.
50		2.1.4.1 Public sittings must be organized in such a way as to allow enough time for the items on Parliament's agenda to be examined.
51		2.1.4.2 Public sittings must be organized in such a way as to minimize interference with the work of other parliamentary organs.
52	2.4.1 Legislators shall have the right to vote to amend the proposed agenda for debate.	2.1.5.1 Legislators must have the right to vote on the agenda and the time allotted for each item.
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	<p>5.7.2 The Presiding Officer shall be impartial in the conduct of his or her duties.</p> <p>5.7.3 There shall be equitable gender representation in the election of Presiding Officers.</p> <p>5.7.4 The Presiding Officer shall be elected by secret ballot.</p> <p>5.7.5 The removal of a Presiding Officer from office shall follow due process established by Parliament's own rule of procedure. Removal from the position of presiding officer does not imply removal from Parliament, as a former presiding officer may become an ordinary member.</p> <p>5.7.6 The executive shall not have the power to remove Presiding Officers.</p>
<p>2.1.3.1. Les sessions parlementaires doivent se tenir à des intervalles suffisamment réguliers pour permettre au Parlement de s'acquitter de façon appropriée de ses responsabilités.</p>	<p>5.2.2 Parliament shall meet regularly and for lengths of time sufficient for Parliamentarians, the plenary, and committees to engage sufficiently in their responsibilities, including constituency work.</p>
<p>2.1.3.2. Le Parlement doit élaborer des règles de procédure encadrant la tenue d'une session ordinaire ou extraordinaire.</p>	
<p>See above.</p>	<p>5.3.1 One third of the MPs may petition the Speaker to call for an extraordinary meeting of Parliament.</p>
<p>2.1.3.5. Les conditions permettant à l'exécutif ou à une partie des membres du Parlement de réunir le Parlement doivent être clairement établies.</p>	<p>5.2.1 Only the Speaker shall have the power to convene Parliament for ordinary business, provided that the Head of State may call extraordinary or special sessions in consultation with the Speaker.</p>
<p>2.1.4.1. L'organisation des séances publiques doit prévoir le temps nécessaire à l'examen des affaires inscrites à l'ordre du jour du Parlement.</p>	<p>5.5.3 Parliament shall have equitable time allocations for motions, committee reports, ministerial statements, and bills and constituency issues.</p>
<p>2.1.4.2. L'organisation des séances publiques doit, dans la mesure du possible, éviter d'interférer avec les réunions d'autres organes du Parlement.</p>	
<p>2.1.5.1. Le Parlement doit pouvoir intervenir dans l'établissement de son ordre du jour et du temps affecté à chacun des points examinés.</p>	<p>5.4.2 Parliament shall have the right to amend the proposed plenary agenda which equitably allocates time for both government and private members' business.</p>
	<p>5.5.5 At each new meeting, Parliament shall allocate time for outstanding business from previous meetings.</p>

	CPA BENCHMARKS	COPA Recommended Benchmarks
54		2.1.5.2 A parliamentary body must be made responsible for setting the agenda.
55	2.4.2 Legislators in the lower or only house shall have the right to initiate legislation and to offer amendments to proposed legislation.	2.2.1.1 Members of Parliament or of the elected house must have the right to introduce legislation and amendments.
56		2.2.7.5 In the absence of a referendum, amendments to the Constitution must be approved by the Members of Parliament.
57		
58	2.4.3 The Legislature shall give legislators adequate notice of session meetings and the agenda for the meeting.	2.1.5.3 Parliament must give its Members and the public sufficient advance notice of meetings and the agenda for the meetings.
59		2.1.5.4 A calendar of legislative work must be set so that the legislative schedule is known.
60		2.1.5.5 The agenda must ensure that proposed legislation is carefully examined in a reasonable time frame by parliamentarians.
61	2.5.1 The Legislature shall establish and follow clear procedures for structuring debate and determining the order of precedence of motions tabled by Members.	2.2.5.1 Parliament must establish and follow clear procedures for structuring debate and determining the order of precedence of motions introduced by Members.
62	2.5.2 The Legislature shall provide adequate opportunity for legislators to debate bills prior to a vote.	2.2.5.2 Parliament must provide adequate opportunity for Members to debate proposed legislation prior to a vote.
63	2.6.1 Plenary votes in the Legislature shall be public.	2.2.6.2 Except for certain clear exceptions, plenary votes must be public.
64		2.2.7.4 Debates on proposed legislation must be open to the public.

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2.1.5.2. L'établissement de l'ordre du jour doit être confié à une instance parlementaire.	5.4.1 The agenda of Parliament shall be set by a steering committee chaired by the Speaker. The committee shall include the Speaker, leaders of parliamentary parties and/or party groups among others, and shall be made available to Members in advance of plenary meetings. This body is sometimes called the Business Committee, Standing Rules and Orders Committee, Committee of Committees, or the Bureau. Where the membership of such a body includes members of the executive, such members shall not outnumber backbenchers.
2.1.5.6. Les membres du Parlement ou de la chambre composée de parlementaires élus doivent pouvoir déposer des propositions de loi ainsi que des amendements.	7.2.5 Members shall have the right to initiate legislation and to offer amendments on proposed and existing legislation.
	7.5.1 In the absence of a national referendum, constitutional amendments shall require the approval of two thirds of the full membership of Parliament.
	7.5.2 All proposed amendments to the constitution shall be published in the Government Gazette at least 30 days prior to plenary debate.
2.1.5.3. Le Parlement doit informer suffisamment à l'avance les parlementaires de ses réunions ainsi que de leur ordre du jour.	7.2.7 Parliament shall give Members and citizens adequate advance notice of all meetings and their agendas.
2.1.5.4. Un calendrier du travail législatif doit être établi afin de permettre une prévisibilité de ce travail.	5.2.3 Parliament shall develop its own calendar.
2.1.5.5. L'ordre du jour doit faire en sorte que les projets et propositions de loi soient examinés dans un délai raisonnable et doit permettre aux parlementaires de débattre utilement des projets et des propositions de loi.	
2.2.5.1. Le Parlement doit établir et suivre des procédures claires structurant le déroulement des débats parlementaires et doit déterminer l'ordre de priorité des motions déposées par ses membres.	5.5.1 Parliament shall establish and follow transparent procedures for structuring debates and determining the order of precedence of motions tabled by Members.
2.2.5.2. Le Parlement doit fournir à ses membres des opportunités de débattre des projets et propositions de loi avant de procéder à leur vote.	5.5.4 Parliament shall provide meaningful opportunity for legislators to debate bills and consider committee reports in open session before adoption or a vote.
2.2.6.1. Sauf exception clairement explicitée, les votes en séance plénière doivent être publics.	5.6.1 Voting in plenary shall be public. Parliament shall make public any exceptions to this presumption and give advance notice before a secret vote.
2.2.7.4. Les débats sur les projets et propositions de loi doivent être ouverts au public.	

	<b>CPA BENCHMARKS</b>	<b>COPA Recommended Benchmarks</b>
65		4.1.2.2 Plenary sessions of Parliament must be open to the public.
66	2.6.2 Members in a minority on a vote shall be able to demand a recorded vote.	
67		
68	2.6.3 Only legislators may vote on issues before the Legislature.	2.2.6.1 Only Members of Parliament may vote in Parliament.
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70		2.2.6.3 Except where legislation clearly provides for exemption, Members of Parliament are forbidden from delegating their right to vote.
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72	2.6.4 The Legislature shall maintain and publish readily accessible records of its proceedings.	2.2.7.3 Information regarding legislation must be accessible not only to all parliamentarians, but also to the general public.
73		4.2.1.1 Pre-adjudication processes and key decision-making processes must be presented in detail when they are officially recorded.
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75	3.1.1 The Legislature shall have the right to form permanent and temporary committees.	2.4.1.1 The rules of parliamentary procedure must provide for the creation of standing or temporary committees.
76		2.4.1.3 Committee proceedings and voting procedures must be consistent with the rules of procedure.
77		2.4.1.4 The rules of procedure must clearly describe the process for referring to a committee and naming committee members.
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79		2.4.1.5 To avoid conflicts of jurisdiction, committees must have clearly-defined areas of competence.

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4.1.2.2 Les séances plénières du Parlement doivent être publiques.	
	5.6.2 Parliament shall establish and follow fair and transparent procedures for a specified minority of Members to demand a recorded method of voting to be used.
	5.6.3 When Parliament uses roll call voting, the public shall be given access to how Members voted.
2.2.6.2. Seuls les parlementaires peuvent voter au Parlement.	5.6.4 All Members shall have the right to vote in the chamber.
	11.10 Voting based on one's conscience, which may go against one's party, shall not be construed as floor crossing.
2.2.6.4. Sauf dérogation clairement prévue par la loi, la délégation du droit de vote doit être proscrite.	
2.2.6.3. Le vote doit revêtir un caractère personnel et non impératif.	
2.2.7.3. L'information concernant la législation doit être non seulement assurée à l'ensemble des parlementaires, mais également rendue disponible aux citoyens.	
	7.2.9 Private member's bills shall be governed by the same requirements, including advance notice, as all other types of bills.
2.4.1.1. Le règlement du Parlement doit prévoir la possibilité de constituer des commissions permanentes ou temporaires.	5.8.1 Parliament shall have permanent and temporary committees.
2.4.1.3. Le déroulement des travaux ainsi que les procédures de vote doivent être conformes au règlement du Parlement.	
2.4.1.4. Le règlement du Parlement doit prévoir avec précision la saisine et la composition des commissions.	5.8.3 Selection of Members of committees shall be the responsibility of a committee presided by the Speaker with leaders of parliamentary parties and/or party groups or party whips as members.
	5.8.4 With limited exceptions, membership to committees shall be for the entire term of the Parliament.
2.4.1.5. Les compétences des commissions doivent être clairement définies afin d'éviter tout conflit de compétence.	

	<b>CPA BENCHMARKS</b>	<b>COPA Recommended Benchmarks</b>
80	3.1.2 The Legislature’s assignment of committee Members on each committee shall include both majority and minority party Members and reflect the political composition of the legislature.	2.4.2.1 The membership of a committee must reflect that of Parliament as closely as possible, with special consideration given to gender.
81	3.1.3 The Legislature shall establish and follow a transparent method for selecting or electing the chairs of committees.	2.4.2.2 Committees must select or elect a chair and at least one vice-chair, according to the method described in the rules of procedure.
82	3.1.4 Committee hearings shall be in public. Any exceptions shall be clearly defined and provided for in the rules of procedure.	2.4.1.2 Where stated in the rules of procedure, the sittings of a committee must be public. Exceptions must be clearly defined and provided for in the rules of procedure.
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84	3.1.5 Votes of committee shall be in public. Any exceptions shall be clearly defined and provided for in the rules of procedure.	2.4.1.6 The conditions under which a committee may vote in public must be outlined in the rules of procedure.
85	3.2.1 There shall be a presumption that the Legislature will refer legislation to a committee, and any exceptions must be transparent, narrowly-defined, and extraordinary in nature	2.4.3.1 Proposed legislation must be referred to a committee for consideration. Exceptions to this rule must be transparent, clearly outlined in the rules of procedure and extraordinary in nature.
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87	3.2.2 Committees shall scrutinize legislation referred to them and have the power to recommend amendments or amend the legislation.	2.4.3.2 Committees examine the bills referred to them and have the power to amend them.
88	3.2.3 Committee shall have the right to consult and/or employ experts.	2.4.2.3 Committees must have the power to hire experts.
89	3.2.4 Committees shall have the power to summon persons, papers and records, and this power shall extend to witnesses and evidence from the executive branch, including officials.	2.4.3.3 Committees have the power to hold hearings and to summon any papers and records they require.
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91	3.2.5 Only legislators appointed to the committee, or authorized substitutes, shall have the right to vote in committee.	2.4.3.4 Only the members of a committee, or authorized substitutes, have the right to vote in committee.

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2.4.2.1. La composition des commissions doit refléter le plus fidèlement possible la composition du Parlement et notamment tenir compte du genre.	5.8.2 Membership of committees shall reflect the Parliament's political party composition and gender parity, and shall seek to include all parties and independent MPs.
2.4.2.2. Une commission doit choisir ou élire un président et au moins un vice-président conformément au mécanisme défini dans le règlement du Parlement.	5.8.5 Chairpersons and Vice Chairpersons of committees shall be elected by committee members and shall reflect gender equality.
2.4.1.2. Lorsque le règlement du Parlement le prévoit, les séances d'une commission doivent se tenir en public. Toute exception à cette règle doit être encadrée et explicitée dans le règlement.	5.8.6 Parliamentary committee meetings and hearings, except those of the business/standing orders committee, shall be open to the public. Parliament may, however, establish transparent procedures for determining in-camera committee meetings and hearings.
	5.8.7 Parliament shall notify the public in advance of committee meetings or hearings.
2.4.1.6. Le règlement du Parlement doit prévoir les conditions dans lesquelles les commissions peuvent s'exprimer en séance publique.	
2.4.3.1. Le Parlement doit renvoyer l'étude d'un projet ou d'une proposition de loi à une commission. Toute exception à cette règle doit être prévue dans son règlement.	5.9.1 All legislation shall be referred to an appropriate parliamentary committee for review before plenary debate. This includes bills and other forms of legislation such as regulations.
	5.9.2 Parliamentary committees shall have the power to call for public consultations on legislation and any matter under consideration.
2.4.3.2. Les commissions examinent les projets ou propositions de loi qui leur sont renvoyés et ont le pouvoir de leur apporter des modifications.	5.9.3 Parliamentary committees shall have the power to propose amendments to legislation.
2.4.2.3. Les commissions doivent pouvoir recourir aux services d'experts.	5.9.4 Parliamentary committees shall have the right to consult and/or hire experts if the required expertise is not available in Parliament.
2.4.3.3. Les commissions peuvent procéder à des auditions et se faire communiquer tout document qu'elles jugent utile au bon déroulement de leurs travaux.	5.9.5 Parliamentary committees shall have the power of summons to examine persons, papers and records from the executive and quasi-executive bodies.
	5.9.6 Parliament shall determine and enforce penalties for non-compliance with its powers and those of its committees.
2.4.3.4. Seuls les parlementaires membres d'une commission peuvent participer au vote organisé en son sein.	



	<b>CPA BENCHMARKS</b>	<b>COPA Recommended Benchmarks</b>
92	3.2.6 Legislation shall protect informants and witnesses presenting relevant information to commissions of inquiry about corruption or unlawful activity.	2.4.2.4 Persons appearing before a committee must be afforded some sort of protection.
93		2.4.4.1 Whenever possible, committees must strive for consensus in decision making.
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96	4.1.1 The right of freedom of association shall exist for legislators, as for all the people.	3.1.1.1 The right of freedom of association exists for parliamentarians, as for all people.
97	4.1.2 Any restrictions on the legality of political parties shall be narrowly drawn in law and shall be consistent with the International Covenant on Civil and Political Rights.	3.1.1.2 Any restrictions on the legality of political parties must be narrowly drawn in law and must be consistent with the International Covenant on Human and Political Rights.
98		3.1.1.3 Where it exists, public and private funding of political parties must conform to norms of transparency and accountability. A competent, independent judicial authority may oversee such funding. Equal access to public funding must be assured.
99	4.2.1 The criteria for the formation of parliamentary party groups, and their rights and responsibilities in the Legislature, shall be clearly stated in the rules.	
100		3.1.3.1 Political parties must be legally recognized and their legal existence certified by the State.
101		3.2.3 All parliamentary groups have the right to place items on the agenda, to take part in debates and to propose amendments to bills.
102	4.2.2 The Legislature shall provide adequate resources and facilities for party groups pursuant to a clear and transparent formula that does not unduly advantage the majority party.	3.2.4 Parliamentary groups must be provided with adequate resources and facilities according to a clear, transparent formula that does not unduly advantage the majority party.
103	4.3.1 Legislators shall have the right to form interest caucuses around issues of common concern.	

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2.4.2.4. Les personnes auditionnées par les commissions d'enquête doivent pouvoir bénéficier d'une forme de protection.	8.1.8 Parliament shall enact legislation to protect informants ("whistle blowers") and witnesses presenting credible information about corrupt or unlawful activities.
	8.1.9 Parliament shall have effective procedures to ensure that the executive responds to parliamentary committee reports and recommendations substantively and in a timely manner.
	11.1 Parliament shall enact a law to regulate political parties.
	11.2 MPs shall enjoy the right of freedom of association.
	11.3 Any restriction on the legality of political parties shall be narrowly defined in law and shall be consistent with the International Covenant on Civil and Political Rights and relevant regional and continental conventions.
3.1.1.1. Le financement public et privé des partis politiques, lorsqu'il existe, doit se faire selon des critères transparents. Une autorité juridictionnelle compétente et indépendante doit en assurer le contrôle. Un accès équitable au financement public doit être assuré.	11.11 Parties shall be publicly funded in proportion to the number of seats held in Parliament. This shall be legally protected.
3.1.2.2. Les critères définissant la formation d'un groupe parlementaire, ainsi que les droits et les responsabilités de ce dernier dans le Parlement, doivent être clairement edicts dans le règlement du Parlement.	
3.1.2.1. Les groupes parlementaires doivent jouir d'un statut juridique ou d'une autre forme de reconnaissance	
3.1.2.3 Tous les groupes parlementaires ont le droit d'inscrire des points à l'ordre du jour, de bénéficier d'un temps de parole et de proposer des amendements aux projets de loi.	11.6 All parties shall be given adequate opportunities to participate in debates.
3.1.2.4. Le Parlement doit fournir de manière équitable des ressources adéquates et des infrastructures aux groupes parlementaires.	
	11.4 MPs shall have the right to associate and form political caucuses or party groups just as citizens do. MPs shall have the right to form interest caucuses.

	CPA BENCHMARKS	COPA Recommended Benchmarks
104		<p>3.1.2.1 Political parties may promote democratic values, human rights, tolerance and the right to dissent.</p> <p>3.1.1.4 Parliament must encourage political parties to base their by-laws on principles of due process, clarity, transparency and accountability.</p> <p>3.1.3.2 Political parties must be free to organize as they see fit, so long as they do not undermine the fundamental rights of members or other citizens, or run counter to the principles of the constitutional State.</p> <p>3.1.3.3 Political parties have a duty to act within institutional channels, using peaceful means to lead their political struggle. Their actions vis-à-vis other parties must be respectful of democratic rules and procedures.</p> <p>3.1.3.4 Political parties must uphold democracy within their organization, that is, they must adhere to democratic procedures and protect the fundamental rights of their members.</p>
105		<p>4.1.2.4 Parliament must ensure that the interaction between political parties and civil society is based on dialogue and cooperation.</p>
106		<p>3.2.1 Parliamentary groups must be granted legal status or some other form of recognition.</p> <p>3.2.2 The criteria for forming a parliamentary group, as well as the rights and responsibilities of such groups, must be clearly stated in the rules of procedure.</p>
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APF	SADC Parliamentary Forum
	<p>11.7 Within the life of Parliament, MPs shall remain members of the political party on whose ticket they were elected unless there is good reason for the MP to resign from the party or if the MP is dismissed from the party against his or her will. Should an MP wish to join another party, a by-election becomes necessary in constituency-based systems.</p> <p>11.8 In constituency-based systems, in the event of expulsion from a party an MP shall not lose his or her seat.</p>

	CPA BENCHMARKS	COPA Recommended Benchmarks
108		<p>3.3.1 The role of the opposition must be seen as beneficial to the democratic process.</p> <p>3.3.2 Parliament must encourage conditions that guarantee a place for opposition parties in democratic parliamentary life.</p>
109		3.4.1 Parliament must be organized in such a way as to encourage the participation of women, so that they may fulfil their role in all activities equally with men.
110	5.1.1 The Legislature shall have an adequate non-partisan professional staff to support its operations including the operation of its committees.	3.5.1.1 The administrative management of Parliament must be left to permanent, professional, non-partisan personnel providing support for the various services.
111	5.1.2 The Legislature, rather than the executive branch, shall control the parliamentary service and determine the terms of employment.	3.5.1.2 Parliament must have control of parliamentary services and determine the terms of employment of its personnel, independently from the executive branch.
112		3.5.1.3 Parliamentary personnel must carry out their functions with impartiality and mindful of their duty of restraint.
113		3.5.1.5 Women must be adequately represented at all levels of parliamentary administration
114	5.1.3 The Legislature shall draw and maintain a clear distinction between partisan and non-partisan staff.	3.5.1.4 A clear distinction must be drawn and maintained between parliamentary service employees and political personnel (persons employed by a parliamentarian or parliamentary group and working exclusively for them).
115	5.1.4 Members and staff of the Legislature shall have access to sufficient research, library, and ICT facilities.	3.7.1.1 Parliament must have access to the physical and material facilities necessary for its Members to carry out their functions under appropriate conditions.
116	5.2.1 The Legislature shall have adequate resources to recruit staff sufficient to fulfil its responsibilities. The rates of pay shall be broadly comparable to those in the public service.	<p>3.5.2.1 Parliament must determine the terms for recruiting its permanent personnel, independently from the executive branch.</p> <p>3.5.2.2 Parliament must be provided with the resources necessary for recruiting the personnel it needs.</p>

APF	SADC Parliamentary Forum
	11.5 Parliament shall recognise the largest opposition party as the Official Opposition, give due recognition, remuneration and facilities to its leader, and legally guarantee the status of that position.
	10.2.6 Parliaments shall enact laws which require political parties to meet the provisions of the SADC Protocol on Gender and Development.
3.2.1.1. La gestion administrative d'un Parlement doit reposer sur un personnel permanent, professionnel, non partisan afin d'apporter un soutien aux opérations des différents services.	
3.2.1.2. Le Parlement doit, indépendamment du pouvoir exécutif, avoir le contrôle des services parlementaires et déterminer les conditions de recrutement et d'emploi de son personnel.	6.1.2 Parliament staff shall not be under the general civil service and its regulations.
3.2.1.3. Le personnel des services du Parlement doit faire preuve d'impartialité et faire preuve d'un devoir de réserve dans l'exercice de ses fonctions.	6.2.4 While parliamentary staff may belong to political parties, they shall not, while under the employ of Parliament, be active in partisan political activities.  6.3.2 Non-partisan staff may belong to political parties but shall neither hold office in such parties nor be active in partisan activities during their term of office.
3.2.1.5 La représentation des femmes doit être assurée à tous les niveaux de la hiérarchie de l'administration parlementaire.	
3.2.1.4. Le personnel des services du Parlement doit être clairement distingué du personnel politique (personnes au service exclusif d'un parlementaire ou d'un groupe politique et employés par eux).	6.1.3 Where applicable, a distinction shall be drawn between partisan and non-partisan staff.
	6.1.4 Parliament shall be availed adequate human, material and technological resources to support its operations and those of its committees.
3.2.1.1. La gestion administrative d'un Parlement doit reposer sur un personnel permanent, professionnel, non partisan afin d'apporter un soutien aux opérations des différents services.  3.2.1.2. Le Parlement doit, indépendamment du pouvoir exécutif, avoir le contrôle des services parlementaires et déterminer les conditions de recrutement et d'emploi de son personnel.	6.3.4 Parliament shall have adequate resources to recruit sufficient and adequately compensated staff to fulfil its responsibilities.

	<b>CPA BENCHMARKS</b>	<b>COPA Recommended Benchmarks</b>
117	<p>5.2.2 The Legislature shall not discriminate in its recruitment of staff on the basis of race, ethnicity, religion, gender, disability, or, in the case of non-partisan staff, party affiliation.</p> <p>5.3.1 Recruitment and promotion of non-partisan staff shall be on the basis of merit and equal opportunity.</p>	<p>3.5.2.3 The recruitment and promotion of non-partisan personnel must be based on merit, and the selection process must be fair and transparent.</p> <p>3.5.2.4 When hiring or promoting employees, Parliament must not discriminate based on gender, religion, financial situation, race or physical handicap.</p>
118	<p>5.4.1 The head of the parliamentary service shall have a form of protected status to prevent undue political pressure.</p>	<p>3.5.3.1 The status of parliamentary service employees must protect them from any form of undue political pressure.</p>
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120	<p>5.4.2 The Legislature should, either by legislation or resolution, establish corporate bodies, responsible for providing services and funding entitlements for parliamentary purposes and providing for governance of the parliamentary Service.</p>	
121		<p>3.5.3.2 Neither partisan nor non-partisan personnel may have any legislative or procedural authority, including a vote in Parliament.</p>
122	<p>5.4.3 All staff shall be subject to a code of conduct.</p>	<p>3.5.3.3 Permanent and political personnel must be subject to a code of conduct. A mechanism must be put in place to deter, detect and bring to justice any parliamentary employee engaged in fraudulent or corrupt practices.</p>
123	<p>6.1.1 The approval of the Legislature is required for the passage of all legislation, including budgets.</p>	<p>2.2.1.2 All legislation, as well as the budget, must be passed by Parliament. Exceptions to this rule must be clearly laid down.</p>
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126		<p>2.2.2.1 Legislative work must be governed by a clear set of rules that cover the introduction of bills, their consideration and their enactment.</p>



APF	SADC Parliamentary Forum
<p>3.2.2.3 Le recrutement et la promotion du personnel des services du Parlement doivent se faire selon un processus de sélection juste et transparent.</p>	<p>6.3.1 Non-partisan staff shall be recruited and promoted on the basis of merit and equal opportunity.</p> <p>6.3.3 In the recruitment and promotion of staff, the Parliamentary Service Commission shall not discriminate on the basis of ethnicity, religion, creed, gender, physical disability, or party affiliation in respect of non-partisan staff.</p>
<p>3.2.3.1. Le personnel des services du Parlement doit jouir d'un statut le protégeant de toute forme de pression politique indue.</p>	<p>6.2.1 The administrative arm of Parliament shall be headed by a Secretary General who shall be a public servant and whose office shall be protected from undue political pressure.</p>
	<p>6.2.2 The Secretary General shall be selected and appointed by the Parliamentary Service Commission.</p> <p>6.2.3 The Secretary General shall be accountable to Parliament and his or her tenure shall outlast that of Parliament.</p>
	<p>6.1.1 Parliament shall establish an independent Parliamentary Service Commission or its equivalent to determine the remuneration and other terms and conditions for Members and parliamentary staff.</p>
<p>3.2.3.2. Un mécanisme permettant de prévenir, détecter et traduire en justice le personnel des services ou le personnel politique du Parlement engagé dans des pratiques frauduleuses ou de corruption doit exister.</p>	<p>6.2.5 Parliament shall establish a code of conduct for staff to ensure among other things that staff do not use their membership in political parties to influence the functioning of Parliament in a partisan manner.</p>
<p>2.2.1.1. L'ensemble des lois ainsi que le budget doivent être votés par le Parlement. Toute exception à cette règle doit être clairement établie.</p>	<p>7.1.1 The approval of Parliament is required for the passage of all legislation, including the budget and any supplementary budgets.</p>
	<p>7.1.3 Parliament shall approve all grants, loans and guarantees, both domestic and international.</p>
	<p>7.1.4 Parliaments shall approve all treaties, protocols and conventions.</p>
<p>2.2.2.1. Le Parlement doit disposer d'une procédure législative clairement établie qui encadre le dépôt des textes de loi, leur examen par le Parlement et leur promulgation.</p>	

	<b>CPA BENCHMARKS</b>	<b>COPA Recommended Benchmarks</b>
127	6.1.2 Only the Legislature shall be empowered to determine and approve the budget of the Legislature.	3.6.1.1 Only Parliament may determine and approve its budget, and the executive branch may not question the appropriateness of the means required by Parliament for the exercise of its functions.
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129	6.1.3 The Legislature shall have the power to enact resolutions or other non-binding expressions of its will.	2.2.1.3 Parliament must have the power to adopt resolutions without advance notice, and to take a stand on certain issues of general interest.
130		2.2.1.4 Parliament must have the prerogative, under specific legal criteria, to delegate legislative functions to the executive branch for a limited period of time and with a view to achieving a clearly-defined goal.
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132	6.1.4 In bicameral systems, only a popularly elected house shall have the power to bring down government.	
133	6.1.5 A chamber where a majority of Members are not directly or indirectly elected may not indefinitely deny or reject a money bill.	
134	6.2.1 In a bicameral Legislature there shall be clearly defined rules for each Chamber in the passage of legislation.	2.2.2.3 In a bicameral parliament, the role of each of the houses must be clearly defined.
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136		2.2.2.4 In a bicameral parliament, a conciliation process must be in place to resolve potential disagreements between the two houses.
137		2.2.3.1 An independent judicial body must be made responsible for constitutionality review, that is, by ensuring that laws that have been enacted are consistent with the Constitution.

APF	SADC Parliamentary Forum
3.3.1.1. Seul le Parlement peut déterminer et voter son propre budget et le pouvoir executive ne doit pas être juge de l'opportunité des moyens dont le Parlement a besoin pour l'exercice de ses fonctions.	7.3.5 Only Parliament shall be empowered to determine and approve its own budget. Approved resources shall be made available to Parliament in quarterly or annual allotments.
	7.2.6 Costs for public consultation, legal drafting, printing and distribution of private members' bills and notices shall be incurred by Parliament. Best practice is for Parliament to have its own legal drafts person(s).
2.2.1.2. Le Parlement doit pouvoir adopter des résolutions sans préavis et prendre position sur certains sujets d'intérêt général.	
	7.4.1 Parliament may delegate some of its legislative powers to the executive branch. These powers shall, however, be temporary in nature, clearly defined, and confirmed by Parliament.  7.4.2 Parliament reserves the right to withdraw any delegated power.
	5.2.4 Parliament shall only be prorogued in consultation with the Speaker.
	7.1.5 In bicameral systems with a parliamentary system of government (as opposed to a presidential system), only a popularly elected house (national assembly) shall have the power to pass a vote of no confidence in the executive.
	7.1.6 A chamber where a majority of Members are not directly elected may not indefinitely deny or reject a money bill.
2.2.2.2. Dans un Parlement bicaméral, le rôle de chacune des chambres doit être clairement défini.	7.2.1 In a bicameral Parliament, there shall be clearly defined roles for each chamber in the passage of legislation.
	7.2.2 The main legislative function shall be exercised by the directly elected chamber. Where a second chamber exists, it shall have a secondary role.
2.2.2.3. Dans un Parlement bicaméral, une procédure de conciliation doit exister en cas d'absence d'accord entre les deux chambres.	
2.2.3.1. Un organe juridictionnel indépendant est chargé de veiller, par l'exercice du contrôle de constitutionnalité, à la conformité des lois votées vis-à-vis de la Constitution.	

	CPA BENCHMARKS	COPA Recommended Benchmarks
138		2.2.4.1 Every parliamentarian must have the right to propose amendments, in accordance with the rules governing their admissibility.
139		2.2.4.2 In order for debate to be organized and all opinions expressed, the order of amendments and the terms for discussion of amendments must be governed by strict regulatory provisions.
140	6.2.2 The Legislature shall have the right to override an executive veto.	2.2.2.2 Parliament must have the right to override a veto by the executive branch.
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142	6.3.1. Opportunities shall be given for public input into the legislative process.	2.2.7.1 Citizens must be part of the legislative process, notably via their representatives in Parliament.
143	6.3.2 Information shall be provided to the public in a timely manner regarding matters under consideration by the Legislature.	2.2.7.2 The public must be made aware in a timely manner of the issues being debated in Parliament. Enough information must be made available to allow civil society to express its opinions regarding bills.
144		2.3.1.1 Parliament must be empowered to oversee the actions of the Government.
145	7.1.1 The Legislature shall have mechanisms to obtain information from the executive branch sufficient to exercise its oversight function in a meaningful way.	2.3.1.2 The Government must provide Parliament with sufficient information for it to exercise its oversight function effectively.
146		2.3.1.3 A rigorous, systematic procedure must be established to govern questions (both written and oral) addressed to the executive branch by parliamentarians.
147	7.1.2 The oversight authority of the Legislature shall include meaningful oversight of the military security and intelligence services.	2.3.1.4 In addition to its oversight of government departments, Parliament must oversee publicly-owned enterprises and government agencies, including those in the defence and national security sectors.

APF	SADC Parliamentary Forum
2.2.4.1. Tout parlementaire doit pouvoir déposer des amendements, sous réserve de l'application des règles encadrant leur recevabilité.	
2.2.4.2. Des dispositions réglementaires précises doivent encadrer l'ordre d'appel des amendements et les modalités de leur discussion afin de permettre une organisation claire des débats et favoriser l'expression de toutes les opinions.	
	7.2.3 Parliament shall have the power to override an executive veto.
	7.1.2 Executive decrees shall not be used to bypass Parliament's legislative function. They shall be used only when Parliament is not in session, subject to ratification by Parliament.
2.2.7.1. Les citoyens doivent, notamment par l'intermédiaire de leur représentant parlementaire, être associés au processus législatif.	7.2.4 Opportunities shall be given for public input into the legislative process, including providing relevant information to the public in a timely manner.
2.2.7.2. Les citoyens doivent être informés, en temps opportun, des questions en cours d'examen par le Parlement.	7.2.8 Members shall be afforded reasonable time to consult their constituents and any interested parties on proposed legislation, including constitutional amendments.
2.3.1.1. Le Parlement doit pouvoir contrôler l'action du Gouvernement.	8.1.2 Parliament shall oversee the activities of all executive ministries and departments.
2.3.1.2. Le gouvernement doit assurer au Parlement l'accès aux informations nécessaires pour qu'il puisse exercer efficacement ses fonctions de contrôle.	8.1.4 Parliament shall have sufficient and effective mechanisms of obtaining information from the executive branch and statutory bodies.
2.3.1.3. Une procédure rigoureuse et systématique encadrant les questions, écrites ou orales, des parlementaires à l'exécutif doit être établie.	
2.3.1.4. Outre une supervision des ministères, la fonction de contrôle du Parlement doit inclure une supervision des entreprises publiques et des agences dépendantes du gouvernement y compris celles relevant du secteur de la défense et de sécurité nationales.	8.1.5 Parliament's oversight authority shall include meaningful oversight of security services and of state-owned enterprises.  8.1.1 Where the constitution does not make such provision, Parliament shall enact legislation to ensure that the size of cabinet does not upset the balance of power in Parliament resulting in limited parliamentary oversight capacity.

	CPA BENCHMARKS	COPA Recommended Benchmarks
148		2.3.1.5 In presidential systems, where ministers are not Members of Parliament, nominations for cabinet-level positions or high-ranking positions within the executive branch must be subject to parliamentary approval following a detailed study of the nominee's aptitude.
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151	7.2.1 The Legislature shall have a reasonable period of time in which to review the proposed national budget.	2.3.2.1 Parliament must be given sufficient time to review and discuss the budget.
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154	7.2.2 Oversight committees shall provide meaningful opportunities for minority or opposition parties to engage in effective oversight of government expenditures. Typically the Public Accounts Committee will be chaired by a Member of the Opposition Party.	2.3.2.3 Parliamentary committees specifically tasked with reviewing government expenditures must, in accordance with Parliament's rules of procedure, allow all parliamentary groups an in-depth review of government spending. They must have access to all necessary documents and the power to hear high-ranking officials within government departments and agencies.
155	7.2.3 Oversight committees shall have access to records of executive branch accounts and related documentation sufficient to be able to meaningfully review the accuracy of executive branch reporting on its revenues and expenditures.	
156	7.2.4 There shall be an independent, non-partisan supreme or national audit office whose reports are tabled in the Legislature in a timely manner.  7.2.5 The supreme or national audit office shall be provided with adequate resources and legal authority to conduct audits in a timely manner.	2.3.2.4 An independent, non-partisan body (a Tribunal of Accounts or Auditor General) must be put in place and provided with adequate resources and legal authority to carry out oversight and audit functions.  2.3.2.5 This body must report to Parliament in a timely manner so that follow-ups may be conducted effectively.

APF	SADC Parliamentary Forum
	8.2.2 Parliament shall consider presidential nominations for appointment to independent public institutions supporting democracy. Parliamentary approval shall also be required for the removal of such persons.
	8.1.7 Following the declaration of a state of emergency, the head of state shall seek the approval of Parliament within reasonable time.
	7.3.1 The proposed national budget shall require the approval of Parliament. Parliament shall have the power to amend the budget before approving it.
2.3.2.1. Le Parlement doit disposer d'une période de temps suffisante pour examiner et discuter le budget de l'Etat.	7.3.2 Parliament shall have a reasonable period of time in which to review the proposed budget, which aligns needs with the resource base, equitably distributes resources and sets national priorities.
	7.3.3 Parliament shall have a Budget Committee which reviews the draft annual budget (or estimates) and report to Parliament accordingly.
	7.3.4 Parliaments shall have a Parliamentary Budget Office, established by law, with qualified staff to assist in budget analysis and monitoring budget implementation, and advise Parliament at least on a quarterly basis.
2.3.2.2. Les commissions parlementaires doivent permettre à tous les groupes parlementaires, dans le cadre du règlement du Parlement, d'effectuer un contrôle efficace des dépenses gouvernementales.	8.3.1 Parliament shall ensure that public accounts committees provide Members in general and opposition parties and independent members in particular meaningful opportunity to engage in effective oversight on the budget. In this regard, the Chairperson of the Public Accounts Committee or its equivalent shall be from the opposition.
	8.3.2 Public Accounts Committees shall have access to statements of accounts, records and other documentation related to public expenditure to enable them to meaningfully review the accuracy of such reports.
2.3.2.4 Une instance indépendante et non-partisane (cour des comptes, vérificateur général) doit exister et disposer de ressources adéquates et de l'autorité nécessaire lui permettant d'exercer des fonctions de supervision, d'audit et de vérification.	8.3.3 There shall be an independent supreme Auditor-General's Office that conducts audits and reports to Parliament in a timely manner.
2.3.2.5. Le Parlement doit être destinataire des rapports de cette instance dans un délai raisonnable pour qu'il puisse efficacement assurer un suivi.	

	CPA BENCHMARKS	COPA Recommended Benchmarks
157		2.3.2.6 Parliament must have the power to solicit the help of this body.
158		2.5.1 Parliament must also exercise the function of public ombudsman, by creating a body with the power to investigate violations of human rights.  2.5.2 This body must be completely independent from the Government.  2.5.3 It must have broad investigative powers.  2.5.4 It must be provided with the necessary resources and be cost-free for citizens.  2.5.5 It must be easily accessible, both geographically, thanks to local offices, and electronically.  2.5.6 It must report to Parliament and be accountable to it.
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160		2.3.3.1 In Westminster-style parliamentary systems, clear mechanisms must be put in place to ensure a measure of independence between the legislative and executive branches.
161		2.3.2.2 The law must guarantee the right of parliamentarians to create commissions of inquiry. Such commissions must have the power to compel executive branch officials to appear and give evidence under oath.
162	7.3.1 The Legislature shall have mechanisms to impeach or censure officials of the executive branch, or express no-confidence in the government.	
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164	7.3.2 If the Legislature expresses no confidence in the government the government is obliged to offer its resignation. If the head of state agrees that no alternative government can be formed, a general election should be held.	



APF	SADC Parliamentary Forum
2.3.2.6. Le Parlement doit pouvoir solliciter le concours de cet organe.	
	8.1.3 Parliament shall receive annual reports and scrutinize the activities of all independent governmental and constitutional bodies, such as the human rights commission, ombudsman, director of public prosecutions and public protector, among others.
2.3.3.1. Les institutions doivent prévoir des mécanismes clairs permettant d’instituer un équilibre entre les pouvoirs législatifs et exécutifs.	
2.3.2.3. Les commissions parlementaires chargées spécifiquement d’examiner les dépenses du gouvernement doivent avoir accès à tous les documents nécessaires ainsi qu’aux témoignages des hauts responsables des ministères et agences gouvernementales afin d’exercer un contrôle efficace des dépenses de l’exécutif.	8.2.1 Parliament shall enact a law to guarantee the right of Parliament to create commissions of inquiry. Such commissions shall have the power to compel government officials and citizens to appear and give evidence under oath.
	8.4.1 Parliament shall have mechanisms to impeach or censure officials of the executive branch (in presidential systems) or to express no-confidence in the government (in parliamentary systems).
	8.4.2 Parliament shall develop rules for impeachment in a non-partisan manner.

	CPA BENCHMARKS	COPA Recommended Benchmarks
165		2.3.3.2 In presidential systems, an appropriate level of coordination must be established between the legislative and executive branches. To that end, the creation of special coordinating bodies or committees may prove essential.
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167	8.1.1 The Legislature shall provide all legislators with adequate and appropriate resources to enable the legislators to fulfil their constituency responsibilities.	
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169	8.2.1 The Legislature shall have the right to receive developmental assistance to strengthen the institution of parliament.	
170		2.7.4.1 Parliaments must be prepared to offer the best possible technical assistance to other parliaments.

APF	SADC Parliamentary Forum
	<p>8.5.1 Parliament's consent shall be required in the appointment and confirmation of judges.</p> <p>8.5.2 Parliament shall confirm appointments based on recommendations from the Judicial Service Commission or through such procedure as may be established to protect the appointment process from partisan political or other influences.</p> <p>8.5.3 There shall also be mechanisms for Parliament to impeach judges for serious crimes. Serious crimes shall be defined in the laws of the country.</p>
	<p>9.2.1 Parliament shall provide all Members with adequate and appropriate resources to enable them to fulfil their constituency responsibilities.</p>
	<p>9.2.2 Parliament shall establish constituency offices as well as provide sufficient human, financial and material resources to promote effective constituency relations.</p> <p>9.2.3 Constituency office staff shall be recruited by Parliament with the involvement of the MP.</p> <p>9.2.4 Constituency offices shall be organised and managed in a non-partisan manner.</p> <p>10.5.7 In constituency-based systems, Parliament shall establish and maintain non-partisan constituency offices.</p>
	<p>9.3.1 Subject to general national foreign policy guidelines, Parliament shall have the right to receive development assistance to strengthen the institution of Parliament. This includes technical and advisory assistance, networking and exchanging experiences with other Parliaments and inter-parliamentary organisations.</p> <p>9.3.2 The type of assistance, budget and the use of these funds shall be determined by Parliament in a transparent and accountable manner.</p>
<p>2.5.3.1. Dans la mesure de leurs moyens, les Parlements doivent pouvoir apporter une assistance technique à d'autres parlements.</p>	

	<b>CPA BENCHMARKS</b>	<b>COPA Recommended Benchmarks</b>
171	8.2.2 Members and staff of Parliament shall have the right to receive technical and advisory assistance, as well as to network and exchange experience with individuals from other countries.	2.7.4.2 Members of Parliament and parliamentary personnel must have the right to benefit from technical assistance.
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173		2.7.2.1 Parliament may participate in regional and international organizations, particularly in order to strengthen the parliamentary component of these organizations.
174		2.7.2.2 Parliament must have access to the necessary information, organization and resources for examining international issues.
175		2.7.2.3 Parliamentarians must have the opportunity to be included in government delegations during missions or international negotiations.
176		2.7.3.1 Mechanisms must be put in place to facilitate cooperation between parliaments, in order to make coexistence with a regional parliament possible.
177	9.1.1 The Legislature shall be accessible and open to citizens and the media, subject only to demonstrable public safety and work requirements.	4.1.2.1 The proceedings of Parliament and its committees must be accessible to the public, as long as this accessibility does not interfere with public security or parliamentary business.
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179	9.1.2 The Legislature should ensure that the media are given appropriate access to the proceedings of the Legislature without compromising the proper functioning of the Legislature and its rules of procedure.	4.1.1.1 Parliament must ensure that the media are given appropriate access to the proceedings of Parliament and its committees without compromising their proper functioning
180		4.1.1.2 Access by the media must be based on transparent, non-partisan criteria.

APF	SADC Parliamentary Forum
<p>2.5.3.2. Les membres et le personnel du Parlement doivent avoir le droit de recevoir une assistance technique.</p>	
<p>2.5.1.2. Les parlementaires peuvent participer à des structures ou à des manifestations leur permettant d'échanger leurs expériences avec leurs collègues d'autres parlements.</p>	
<p>2.5.1.1. Dans le cadre de la diplomatie parlementaire, les délégations doivent refléter le plus fidèlement possible la composition du Parlement et notamment tenir compte du genre.</p>	
<p>4.1.2.1. Le Parlement doit être accessible au public sous la réserve que celui-ci ne nuise pas à la sécurité publique et aux exigences du travail parlementaire.</p>	<p>2.1.1 Parliament shall be accessible and open to citizens, civil society organisations and the media, subject only to demonstrable public safety and work requirements.</p>
	<p>10.5.5 Parliament must be accessible to persons with disabilities.</p>
<p>4.1.1.1. Le Parlement doit veiller à ce que les médias disposent d'un traitement approprié leur permettant l'accès à l'ensemble des activités publiques du Parlement sans toutefois que cela ne compromette son bon fonctionnement.</p>	<p>2.1.2 Parliament shall ensure that the media are given appropriate access to its proceedings without compromising the proper functioning of Parliament and its rules of procedure.</p>
<p>4.1.1.2. L'accessibilité des médias au Parlement doit se faire sur des bases non-partisanes et transparentes.</p>	<p>6.4.5 Accredited journalists shall be allowed to cover parliamentary proceedings regardless of the media's political views.</p>

	CPA BENCHMARKS	COPA Recommended Benchmarks
181	9.1.3 The Legislature shall have a non-partisan media relations facility.	
182	9.1.4 The Legislature shall promote the public's understanding of the work of the Legislature.	4.1.2.3 Parliament must have access to resources for helping citizens understand its proceedings.
183		4.2.2.1 Parliament must foster a spirit of tolerance and promote all aspects of democratic culture in order to educate and raise awareness among public officials, political actors and citizens about the ethical requirements of democracy and human rights.
184		4.2.3.1 Laws, proposed legislation, committee reports and any other parliamentary document provided for by the rules of procedure must be made accessible to the public.
185		
186	9.2.1 Where the constitution or parliamentary rules provide for the use of multiple working languages, the Legislature shall make every reasonable effort to provide for simultaneous interpretation of debates and translations or records.	4.1.3.1 Parliament must facilitate the use of all working languages recognized by the Constitution or in the rules of procedure, including simultaneous interpretation in debates and proceedings and the enactment of laws in all working languages.
187		
188		4.1.1.3 Parliament must promote new information and communication technology and seek out ways in which technological advances could reinforce the democratic process and improve individual participation and decision making.
189		4.2.4.1 Parliament must encourage the use of widely-available information and communication tools to broadcast its proceedings.
190	10.1.1 Legislators shall maintain high standards of accountability, transparency and responsibility in the conduct of all public and parliamentary matters.	

APF	SADC Parliamentary Forum
	6.4.1 Parliament shall have a non-partisan media relations facility with dedicated staff. Such facility shall be sufficiently and consistently funded by Parliament and be under the administrative control of the office of the secretary general.
4.1.2.3. Le Parlement doit disposer de moyens lui permettant de faciliter la compréhension de ses travaux par les citoyens.	2.1.4 Parliament shall promote the public's understanding of its work.
4.2.1.1. Le Parlement doit contribuer à développer l'esprit de tolérance et promouvoir la culture démocratique dans toutes ses dimensions, afin de sensibiliser, par l'éducation et la formation, les responsables publics, l'ensemble des acteurs de la vie politique et tous les citoyens aux exigences éthiques de la démocratie et des droits de l'homme.	8.1.6 Parliament's oversight authority shall include oversight of compliance with regional and international human rights instruments, including those on gender equality and socio-economic justice.
4.2.2.1. Les lois, les projets et propositions de loi, les rapports des commissions et tout autre document parlementaire prévu par le règlement du Parlement doivent être rendus accessibles au public.	
4.2.3.1. Le Parlement doit, par le biais d'outils de communication et d'information accessibles à un large public, encourager la diffusion de ses travaux.	
4.1.3.1. Si la constitution ou le règlement du Parlement prévoient l'utilisation de plusieurs langues de travail, le Parlement doit faire les efforts raisonnables pour garantir la compréhension mutuelle entre les membres du Parlement.	2.2.1 Where the constitution or parliamentary rules provide for the use of multiple working languages, Parliament shall provide for simultaneous interpretation of debates and translation of records. Multiple languages shall include the use of Braille, sign language and hearing aids. 6.4.3 Parliamentary records shall be produced in all official languages, including Braille, and be readily accessible to Parliamentarians, staff and citizens.
	2.1.5 Dress codes in Parliament shall be culturally inclusive and shall not unduly limit public access.
	6.4.2 Parliament shall have a regularly updated website to enhance and promote information sharing and interaction with citizens and the outside world.
	6.4.4 Citizens shall have access to parliamentary business through broadcasts of plenary and committee meetings via multimedia such as the Internet, live television and radio.
	3.1 Parliament shall require Members and staff to maintain high standards of accountability, transparency and integrity in the conduct of all personal, public and parliamentary matters.

	CPA BENCHMARKS	COPA Recommended Benchmarks
191	10.1.2 The Legislature shall approve and enforce a code of conduct, including rules on conflicts of interest and the acceptance of gifts.	<p>1.5.2.1 Parliament must establish rules, applicable to all parliamentarians, to govern transparency and the conduct of public and parliamentary activities.</p> <p>1.5.2.2 There should be a legal mechanism to govern relations between public office holders and interest groups. The mechanism may be a public register of such interest groups and their activities.</p>
192		1.5.2.4 Parliamentarians must avoid placing themselves in situations in which their personal interests may influence the performance of their duties.
193	10.1.3 Legislatures shall require legislators to fully and publicly disclose their financial assets and business interests.	<p>1.5.2.3 Conflict of interest rules must be established to foster the independence of parliamentarians as regards private interests and undue political pressure.</p> <p>1.5.2.5 A financial asset and business interest declaration procedure must be established for parliamentarians.</p> <p>4.2.1.2 Politicians must disclose their assets before, during and at the end of their term.</p>
194	10.1.4 There shall be mechanisms to prevent, detect, and bring to justice legislators and staff engaged in corrupt practices.	<p>1.5.2.6 There must be legislation to prevent and sanction fraudulent practices by parliamentarians</p> <p>1.5.2.7 Preventive and repressive measures to fight corruption must be reinforced and enforced. Independent disciplinary bodies must be put in place to investigate corruption.</p>
195		<p>2.6.1 Parliament must promote national cohesion by supporting democratic processes and institutions throughout the country.</p> <p>2.6.2 Parliament must help settle political conflict in its country democratically, through dialogue and compromise.</p>
196		<p>4.1.1.4 Parliament must promote freedom of expression.</p> <p>4.2.2.2 Any restriction of freedom of expression must be prescribed by law. If restrictions prove necessary (for reasons of national security or to protect rights or reputations, for example), they must be proportional to their objectives.</p>



APF	SADC Parliamentary Forum
<p>1.4.2.1. Lorsqu'elles ne sont pas déjà édictées par la Constitution ou par la loi, le Parlement peut établir des règles relatives à la transparence et à la conduite des activités publiques et parlementaires, auxquelles chaque parlementaire doit se conformer.</p> <p>1.4.2.5 Un mécanisme légal doit encadrer les rapports entre les titulaires de charge Publique et les groupes d'intérêt. Ce mécanisme peut prendre la forme d'un registre public de ces groupes d'intérêt et de leurs activités.</p>	<p>3.1.2 Parliament shall enact legislation to enforce parliamentary codes of conduct, including rules on conflicts of interest and acceptance of gifts for Members and parliamentary staff.</p>
<p>1.4.2.2. Un parlementaire doit éviter de se placer dans une situation où son intérêt personnel peut influencer sur l'exercice de ses fonctions.</p>	
<p>1.4.2.3. Une procédure de déclaration de patrimoine des parlementaires est établie.</p>	<p>3.1.3 Parliament shall enact legislation requiring legislators and staff to fully and publicly disclose their financial assets and business interests.</p>
<p>1.4.2.4. La législation doit permettre de prévenir et de sanctionner les pratiques frauduleuses des parlementaires.</p>	<p>3.1.4 Parliaments shall have internal mechanisms to prevent, detect and bring to justice Members and staff engaged in corrupt practices.</p>

## Annex B: Comparison of IPU and EC Assessment Frameworks

IPU SELF-ASSESSMENT	EC ASSESSMENT QUESTIONS
<p><b>1. The Representativeness of Parliament</b></p> <p>1.1 How adequately does the composition of parliament represent the diversity of political opinion in the country (e.g. as reflected in votes for the respective political parties)?</p> <p>1.2 How representative of women is the composition of parliament?</p> <p>1.3 How representative of marginalized groups and regions is the composition of parliament?</p> <p>1.4 How easy is it for a person of average means to be elected to parliament?</p> <p>1.5 How adequate are internal party arrangements for improving imbalances in parliamentary representation?</p> <p>1.6 How effective are arrangements for ensuring that opposition and minority members or groups and their members can effectively contribute to the work of parliament?</p> <p>1.6 How adequate are arrangements for ensuring that opposition and minority parties or groups and their members can effectively contribute to the work of parliament?</p> <p>1.7 How conducive is the infrastructure of parliament, and its unwritten mores, to the participation of women and men?</p> <p>1.8 How secure is the right of all members to express their opinions freely, and how well are members protected from executive or legal interference?</p> <p>1.9 How effective is parliament as a forum for debate on questions of public concern?</p> <p>What has been the biggest recent improvement in the above?</p> <p>What is the most serious ongoing deficiency?</p> <p>What measures would be needed to remedy this deficiency?</p>	<p><b>iv) The Representative Function</b></p> <p>1a. How far does parliament reflect the diversity of the electorate?</p> <p>1b. How easy is it for an average person to be elected?</p> <p>1c. How representative of women is the parliament?</p> <p>1d. How representative of marginalized groups is the parliament?</p> <p>1e. How adequate are mechanisms for ensuring that all groups are represented in the parliamentary process?</p> <p>[Points 2-4 are shown elsewhere]</p> <p>5. What changes would improve the quality of representation?</p>

IPU SELF-ASSESSMENT	EC ASSESSMENT QUESTIONS
<p><b>2. Parliament Oversight over the Executive</b></p> <p>2.1. How rigorous and systematic are the procedures whereby members can question the executive and secure adequate information from it?</p> <p>2.2. How effective are specialist committees in carrying out their oversight function?</p> <p>2.3 See section below.</p> <p>2.4 How effectively can parliament scrutinize appointments to executive posts, and hold their occupants to account?</p> <p>2.5. How far is parliament able to hold non-elected public bodies to account?</p> <p>2.6. How far is parliament autonomous in practice from the executive, e.g. through control over its own budget, agenda, timetable, personnel, etc.?</p> <p>2.7. How adequate are the numbers and expertise of professional staff to support members, individually and collectively, in the effective performance of their duties?</p> <p>2.8 How adequate are the research, information and other facilities available to all members and their groups?</p> <p>What has been the biggest recent improvement in the above?</p> <p>What is the most serious ongoing deficiency?</p> <p>What measures would be needed to remedy this deficiency?</p>	<p><b>iii) The Oversight and Accountability Function</b></p> <p>1a. How good are the mechanisms for individual parliamentarians, committees or parliamentary parties to secure information from a government department?</p> <p>1b. Are there formal obligations to provide information to Parliament, either in the constitution or the rules of procedure.</p> <p>1c. What capacity has parliament to request information or evidence from public sector bodies or executive agencies?</p> <p>1d. What capacity has parliament to request information or evidence from the private sector?</p> <p>2a. How far do parliamentarians use the system of written questions to elicit information from government? Is there a limit on the number of questions that each parliamentarian can ask?</p> <p>2b. Is there a regular cycle of ministerial questions in parliament? How well do parliamentarians use this provision?</p> <p>2c. What capacity does the parliament have to submit urgent questions, interpellations or emergency debates that require the presence of a minister in parliament?</p> <p>2d. Does the prime minister appear before parliament to answer questions from parliamentarians? How far does this contribute to government accountability?</p> <p>3a. How far do committees balance their oversight function with their legislative function? Are there ways to ensure balance?</p> <p>3b. What capacity do committees have to call ministers and officials to give evidence?</p> <p>3c. How far can the committees influence the activity of departmental agencies?</p> <p>3d. Shown below.</p> <p>3e. How good is the staffing and support to committees in their oversight function?</p> <p>4a. How efficiently does the executive respond to questions and requests for information?</p> <p>4b. How far does parliament follow up requests for information? Does it keep a record of unanswered questions?</p> <p>4c. Does parliament have the capacity to censure ministers for non-attendance or failure to respond?</p> <p>4d. To what extent do committees have links with their related ministries, outside of the formal channels?</p> <p>5. What changes would improve the quality of oversight?</p>

IPU SELF-ASSESSMENT	EC ASSESSMENT QUESTIONS
<p><b>1. Parliament Oversight over the Executive</b></p> <p>2.3 How well is parliament able to influence and scrutinize the national budget, through all its stages?</p>	<p><b>iii) The Budget Scrutiny Function</b></p> <p>1a. How is the budget process for determining spending allocations initiated?</p> <p>1b. How far are the opinions of parliamentary committees taken into account by ministries in setting their budget priorities?</p> <p>1c. In countries with Poverty Reduction Strategies, are there adequate mechanisms for including parliamentary committees or parliamentarians in technical working groups?</p> <p>1d. Are there adequate opportunities for individual parliamentarians, parliamentary parties and committees to contribute to budget-setting?</p> <p>2a. How good are the opportunities for parliamentarians to debate the budget?</p> <p>2b. How good is the financial information provided by government to parliamentarians as part of the debate?</p> <p>2c. Is there adequate time available for parliamentarians to debate the budget?</p> <p>2d. How closely does the government’s provision of the budget conform to a budget cycle?</p> <p>3a. How far can parliament vary allocations within the budget or alter the total budget figure?</p> <p>3b. Are there opportunities for committees to examine and amend the detailed spending allocations?</p> <p>3c. Does parliament reflect on the gender-related issues of a budget and is it making gender-sensitive budget analyses?</p> <p>3d. How far can the committees make use of outside expertise as part of their examination?</p> <p>3e. Is there sufficient staffing of committees for detailed financial work?</p> <p>3f. Are there sufficient structures and processes for detailed financial scrutiny?</p> <p>4a. What powers do committees have to call ministers and officials to account for their spending? How well are these powers used?</p> <p>4b. Does a supreme audit institution provide reports to parliament? If so, how good are the mechanisms for using this information at making government accountable? To what extent can and do the supreme audit institution and parliament work together to strengthen audit and monitoring?</p>

IPU SELF-ASSESSMENT	EC ASSESSMENT QUESTIONS
	<p>4b. Does a supreme audit institution provide reports to parliament? If so, how good are the mechanisms for using this information at making government accountable? To what extent can and do the supreme audit institution and parliament work together to strengthen audit and monitoring?</p> <p>4c. Does parliament have sufficient financial scrutiny resources? For example, does a budget scrutiny office (or other staff) exist to provide support to parliamentarians and committees?</p> <p>4d. How effectively can parliament draw on external expertise, CSOs and individuals when taking evidence on government spending?</p> <p>4e. How good are the structures and procedures for scrutinizing public expenditure?</p> <p>5. What changes would improve the quality of budget scrutiny?</p>
<p><b>5. Parliament's legislative capacity</b></p> <p>3.1 How satisfactory are the procedures for subjecting draft legislation to full and open debate in parliament?</p> <p>3.2 How effective are committee procedures for scrutinizing and amending draft legislation?</p> <p>3.3 How systematic and transparent are the procedures for consultation with relevant groups and interests in the course of legislation?</p> <p>3.4 How adequate are the opportunities for individual members to introduce draft legislation?</p> <p>3.5 How effective is parliament in ensuring that legislation enacted is clear, concise and intelligible?</p> <p>3.6 How careful is parliament in ensuring that legislation enacted is consistent with the constitution and the human rights of the population?</p> <p>3.7 How careful is Parliament in ensuring a gender-equality perspective in its work?</p> <p>What has been the biggest recent improvement in the above?</p> <p>What is the most serious ongoing deficiency?</p> <p>What measures would be needed to remedy this deficiency?</p>	<p><b>(i) The legislative function</b></p> <p>1a. Who has the power to initiate legislation?</p> <p>1b. How well are bills drafted by the time they are presented in parliament?</p> <p>1c. How good is the drafting expertise available for parliamentarians and committees?</p> <p>1d. How fair is the balance between government-initiated legislation and legislation initiated by parliament?</p> <p>2a. How is time allocated to debating the overall principles of legislation?</p> <p>2b. Are there adequate opportunities for all parliamentarians who want to contribute to the debate?</p> <p>2c. How well does the plenary session perform in examining the detailed provisions of legislation?</p> <p>2d. Does the plenary session have the opportunity to amend the bill, or vote on a bill that has been amended by a committee?</p> <p>2e. How adequate are the structures and procedures for debating legislation?</p> <p>2f. What opportunities exist for the public to contribute to debates?</p> <p>3a. Who within parliament has the capacity and power to amend legislation?</p> <p>3b. How adequate are the opportunities for different parliamentary parties to shape legislation?</p>

IPU SELF-ASSESSMENT	EC ASSESSMENT QUESTIONS
	<p>3c. Is adequate time allocated to committee scrutiny of legislation?</p> <p>3d. How much expert support does the committee have access to in scrutinizing legislation?</p> <p>3e. Is there sufficient staffing of committees for detailed financial work?</p> <p>3f. What opportunities exist for committees to take evidence from the public and civil society in the examination of legislation? How well are these used?</p> <p>3g. Is a gender-specific analysis undertaken when scrutinizing legislation?</p> <p>4a. What powers are used by parliament in the final approval of legislation?</p> <p>4b. How much of the legislation approved by parliament is implemented?</p> <p>4c. How effective are the parliamentary mechanisms for tracking the implementation of legislation?</p> <p>4d. To what extent do parliamentary committees follow up on legislation in their policy area?</p> <p>4e. What opportunities exist for the public to identify problems with the implementation of legislation?</p> <p>5. What changes would improve the quality of legislative scrutiny?</p>
<p><b>6. The Transparency and Accessibility of Parliament</b></p> <p>4.1 How open and accessible to the media and the public are the proceedings of parliament and its committees?</p> <p>4.2 How free from restrictions are journalists in reporting on parliament and the activities of its members?</p> <p>4.3 How effective is parliament in informing the public about its work, through a variety of channels?</p> <p>4.4 How extensive and successful are attempts to interest young people in the work of parliament?</p> <p>4.5 How adequate are the opportunities for electors to express their views and concerns directly to their representatives, regardless of party affiliation?</p> <p>4.6 How user-friendly is the procedure for individuals and groups to make submissions to a parliamentary committee or commission of enquiry?</p> <p>4.7 How much opportunity do citizens have for direct involvement in legislation (e.g. through citizens' initiatives, referenda, etc.)?</p>	<p><b>(i) The Legislative Function</b></p> <p>2f. What opportunities exist for the public to contribute to debates?</p> <p><b>(ii) The Budget Scrutiny Function</b></p> <p>2e. What opportunities exist for the public, including diverse civil society / interest groups, to contribute to the budget debate?</p> <p><b>iii) The Oversight and Accountability Function</b></p> <p>3d. To what extent do committees use public evidence from civil society and individuals in their investigations?</p> <p><b>iv) The Representative Function</b></p> <p>2b. How systematic are the procedures for ensuring that parliamentarians regularly consult and communicate with their voters?</p> <p>2c. In constituency-based systems, are adequate time and resources given to parliamentarians to do constituency work?</p>

IPU SELF-ASSESSMENT	EC ASSESSMENT QUESTIONS
<p>What has been the biggest recent improvement in the above?</p> <p>What is the most serious ongoing deficiency?</p> <p>What measures would be needed to remedy this deficiency?</p>	<p>2e. How easy is it for voters to get information about their representative's parliamentary activity (e.g. their voting record)?</p> <p>3a. How accessible are the systems for ensuring that voters can contribute to the parliamentary process?</p> <p>3b. Are there adequate mechanisms for committees to consult the public on legislation, the budget or policy inquiries?</p> <p>3c. How easy is it for individuals to submit written or oral evidence to committees?</p> <p>3d. How extensive is collaboration between parliamentary committees and civil society in policy development?</p> <p>4a. How effectively does parliament communicate its activity to the public?</p> <p>4b. How much are parliamentary proceedings reported or broadcast by the media? How far does parliament restrict what might be reported?</p> <p>4c. How open and accessible is the parliamentary building to members of the public?</p>
<p><b>7. The Accountability of Parliament</b></p> <p>5.1 How systematic are arrangements for members to report to their constituents about their performance in office?</p> <p>5.2 How effective is the electoral system in ensuring the accountability of parliament, individually and collectively, to the electorate?</p> <p>5.3 How effective is the system for ensuring the observance of agreed codes of conduct by members?</p> <p>5.4 How transparent and robust are the procedures for preventing conflicts of financial and other interest in the conduct of parliamentary business?</p> <p>5.5 How adequate is the oversight of party and candidate funding to ensure that members preserve independence in the performance of their duties?</p> <p>5.6 How publicly acceptable is the system whereby members' salaries are determined?</p> <p>5.7 How systematic is the monitoring and review of levels of public confidence in parliament?</p> <p>What has been the biggest recent improvement in the above?</p> <p>What is the most serious ongoing deficiency?</p> <p>What measures would be needed to remedy this deficiency?</p>	<p><b>iv) The Representative Function</b></p> <p>2a. How accessible are individual parliamentarians to their voters?</p>

IPU SELF-ASSESSMENT	EC ASSESSMENT QUESTIONS
<p><b>8. Parliament’s involvement in International Policy</b></p> <p>6.1 How effectively is parliament able to scrutinize and contribute to the government’s foreign policy?</p> <p>6.2 How adequate and timely is the information available to parliament about the government’s negotiating positions in regional and universal/global bodies?</p> <p>6.3 How far is parliament able to influence the binding legal or financial commitments made by the government in international fora, such as the UN?</p> <p>6.4 How effective is parliament in ensuring that international commitments are implemented at the national level?</p> <p>6.5 How effectively is parliament able to scrutinize and contribute to national reports to international monitoring mechanisms and ensuring follow-up on their recommendations?</p> <p>6.6 How effective is parliamentary monitoring of the government’s development policy, whether as “donor” or “recipient” of international development aid?</p> <p>6.7 How rigorous is parliamentary oversight of the deployment of the country’s armed forces abroad?</p> <p>6.8 How active is parliament in fostering political dialogue for conflict-resolution, both at home and abroad?</p> <p>6.9 How effective is parliament in inter-parliamentary cooperation at regional and global levels?</p> <p>6.10 How far is parliament able to scrutinize the policies and performance of international organizations like the UN, World Bank and the IMF to which its government contributes financial, human and material resources?</p> <p>What has been the biggest recent improvement in the above?</p> <p>What is the most serious ongoing deficiency?</p> <p>What measures would be needed to remedy this deficiency?</p>	



IPU SELF-ASSESSMENT	EC ASSESSMENT QUESTIONS
	<p><b>v) The role of Parliament in National Policy Dialogue and the Capacity to Manage Conflict</b></p> <p>1a. Is parliament engaged in the elaboration of national policy frameworks?</p> <p>1b. Does government provide timely information during the different stages of development of the policy frameworks?</p> <p>1c. Is parliament contributing amendments to the draft policy frameworks?</p> <p>1d. Does the adoption of such policy frameworks require the approval of or a vote in parliament?</p> <p>2a. Does parliament debate issues and concerns that challenge stability and does it reach consensus on those issues?</p> <p>2b. Do committees work to build confidence between political factions in a conflict?</p> <p>2c. How do power-sharing arrangements affect the ability of parliament to reach compromise?</p>

## X. List of acronyms

- ACP** – African, Caribbean and Pacific Group of States  
**AG** – Auditor General  
**APF** – Assemblée Parlementaire de la Francophonie  
**ASGP** – Association of Secretaries General of Parliaments  
**CCAF-FCVI** – Canadian Comprehensive Auditing Foundation/LA Fondation pour la vérification intégrée.  
**COPA** – Parliamentary Confederation of the Americas  
**CPA** – Commonwealth Parliamentary Association  
**CSO** – Civil Society Organisation  
**DFID** – Department for International Development  
**EALA** – East African Legislative Assembly  
**ECHR** – European Convention of Human Rights  
**EC** – European Commission  
**EIDHR** – European Initiative for Democracy and Human Rights  
**EP** – European Parliament  
**EU** – European Union  
**GOPAC** - Global Organisation of Parliamentarians Against Corruption  
**ICT** – Information and Communications Technology  
**IDS** – Institute of Development Studies  
**IFES** – International Foundation for Electoral Systems  
**International IDEA** – International Institute for Democracy and Electoral Assistance  
**IPO** – Inter-Parliamentary Organisation  
**IPU** – Inter-Parliamentary Union  
**OECD** – Organisation for Economic Co-operation and Development  
**OPPD** - Office for Promotion of Parliamentary Democracy  
**OSCE** – Organisation for Security and Co-operation in Europe  
**PAC** – Public Accounts Committee  
**PILDAT** – Pakistan Institute of Legislative Development and Transparency  
**PRSP** – Poverty Reduction Strategy Paper  
**MDGs** – Millennium Development Goals  
**MP** – Member of Parliament  
**NDI** – National Democratic Institute for International Affairs  
**SADC** – Southern African Development Community  
**SADC PF** – Southern African Development Community Parliamentary Forum  
**SAI** – Supreme Audit Institution  
**TI** – Transparency International  
**UK** – United Kingdom  
**UN** – United Nations  
**UNDP** – United Nations Development Programme  
**USAID** – United States Agency for International Development  
**WBI** – The World Bank Institute

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