



Joint Vienna Institute

CONCLUDING STATEMENT

PARLIAMENT, AID EFFECTIVENESS AND CONFLICT PREVENTION

**A WORKSHOP BY THE COMMONWEALTH PARLIAMENTARY ASSOCIATION
AND THE WORLD BANK INSTITUTE
AT THE JOINT VIENNA INSTITUTE**

Representatives from eight Commonwealth Parliaments in countries recently or currently affected by violent conflicts, meeting at the Joint Vienna Institute in Vienna, Austria, from 25 to 29 October 2010, have agreed recommendations to expand the role of Parliament in preventing and resolving serious conflicts that destabilize entire nations.

Based on their countries' experiences in conflict and post-conflict recovery and assisted by specialists from six international organizations, the 14 Parliamentarians analyzed the types of conflicts affecting nations today, their causes, the economic and social conditions which help escalate disputes into violent conflicts and the responses of Parliament and other state institutions. They recognized that Parliamentarians have a leading role in conflict prevention and building a durable peace. Parliament must therefore be strengthened by improving democratic governance, particularly its oversight functions and systems for ensuring accountability by the executive, including the budget process and public sector financial management. Parliament must also raise standards of natural resource management, a leading cause of tension in many states today, by ensuring that there are fair and equitable systems for the distribution of benefits to all segments of the nation.

They identified the following principal external and internal causes of conflicts serious enough to destabilize entire states and cause post-conflict states to return to violence:

- Poverty;
- Abuses of the rule of law and the constitution;

- Effects of climate change;
- Tribal, ethnic and class differences;
- Inequitable distribution of the benefits of resource development along tribal, personal and family lines, and
- Corruption.

They therefore recommend the following actions to equip all Parliaments, and especially those in fragile or conflict-affected states, to settle disputes before they become conflicts, to resolve conflicts and to prevent post-conflict states from falling back into conflict. These recommendations were formulated by consolidating the results of two working groups which met separately to distil discussions into a concrete programme of action. The reports of the groups are annexed to the recommendations.

Conflict Resolution and Peace Building

Parliamentarians and development partners must be proactive in responding to grievances before they become conflicts and in reducing tensions in post-conflict situations rather than waiting until violence erupts to respond to a situation.

1. Parliament must use its legislative function to enact laws that are effective, fair, sufficient, appropriate and acceptable and which are implemented to sustain the nation rather than an individual government. Legislation must tackle poverty, enable the provision of employment for all and especially for the young, punish bad government, address the causes of discontent and implement, where necessary, affirmative action to correct disparities.
2. Parliament must involve the people in the consideration of legislation through a dialogue so grievances are aired and people are aware that Parliament is listening.
3. Parliament must strengthen its oversight role to ensure that the executive is fully accountable to it and that the rule of law is fully applied.
4. Parliament must use its scrutiny authority to ensure that all institutions of governance and law enforcement act without political bias and interference; and
5. Parliament must apply its advocacy role and the communications expertise of its Members to engage actively in parliamentary diplomacy on a country-to-country basis and internally to promote harmony and peaceful co-existence.

Budget, Natural Resources and Aid

Parliament must control the budget process to ensure that all programmes and all revenues are applied in a fully transparent and equitable way to prevent and resolve grievances and conflicts.

1. Parliament must use its financial approval authority to ensure the budget is used as a tool for the equitable distribution of resources, including aid and revenue from natural resource extraction and other development initiatives, throughout the country for the benefit of all its citizens.
2. Parliament must participate in the formulation of the budget to ensure that the issues and grievances of all sections of the country are dealt with.

3. Parliament must use its oversight powers to ensure that the benefits of government programmes are provided to all citizens as a right and not as a favour dispensed by the ruling party.
4. Government and aid donors must be fully transparent and accountable to Parliament in the use of their aid money.
5. Local authorities must be fully transparent and accountable in their spending of state resources;
6. Parliament must legislate to ensure all public procurement, a major source of corruption, is conducted in a fair, transparent and effective manner.
7. Parliament's Public Accounts Committee must be fully independent of the executive and must have full powers to scrutinize executive spending through audit reports and its own inquiries into government transactions regardless of whether those transactions are covered by audit reports;
8. The proceedings of the Public Accounts Committee must be open to the public and the committee must be adequately supported by direct access to independent expertise and its own secretariat and be empowered to receive public submissions in its inquiries into government spending.
9. The office of Auditor General and national audit commissions must be fully independent from the executive and must have the statutory authority and sufficient resources so their investigations are not compromised by the executive and they are able to report on government spending without fear or favour.
10. Parliament must require that environmental impact assessments are part of all natural resource extraction contracts and that an effective national environmental protection authority is in place and is involved in the negotiation of all extractive industries contracts.
11. All contracts for the extraction of resources must be scrutinized and approved by Parliament.
12. Parliament must require that environmental impact reports are undertaken for each extractive industry contract and the reports must be subject to approval by the national environmental protection authority.
13. Parliament must ensure that natural resources are developed in a sustainable manner so future generations are not deprived of their benefits; and
14. Parliament must ensure that the revenue derived from natural resource extraction is managed in a transparent way as part of the national budget so the executive is fully accountable to Parliament for its use of this revenue.

Good Governance and Anti-Corruption Measures

Parliament must promote adherence to the best principles of democratic governance at the local, national and international levels.

1. Parliament must be free to amend the national constitution in accordance with constitutional provisions and processes in order to address injustices and remedy deficiencies in the institutions of good governance and their operation.
2. Parliament, the executive and the judiciary must work together but each must respect the strict separation of powers between them as defined by the Commonwealth's Latimer House Principles.

3. Parliament must use its oversight, legislative and budgetary powers to ensure respect for and the protection of the human rights of all religious, ethnic, racial, cultural and other minority groups in the society.
4. Parliament must ensure that laws and systems are in place to enable it to scrutinize government performance through an effective system of parliamentary committees, including a strong Public Accounts Committee, and the effective application of other parliamentary oversight practices and procedures.
5. All elections must be run by a fully independent electoral commission so elections are conducted freely and fairly, and accurately reflect the aspirations of the people.
6. Parliament must ensure that the executive always acts within the constitution and respects and enforces all the country's laws.
7. Parliament must ensure that the executive operates in a fully transparent way and is fully accountable to it.
8. Parliament must ensure that natural resources are developed for the benefit of the people rather than for the personal benefit of the ruling elite.
9. All government leaders, all civil servants and all relevant leaders of non-governmental organizations must be required to make regular public declarations of their assets.
10. Parliament must use its legislative authority to remove from government anyone convicted of corruption and to prevent their future return to government; and
11. The executive must respect and listen to the views of the opposition no matter how small their numbers.

The Parliamentarians offer their recommendations to guide Commonwealth Parliaments and Legislatures, the Commonwealth Parliamentary Association, the World Bank Institute and the wider global community. While agreeing that solutions to disputes and to conflicts must always take account of the individual circumstances in each situation, they recognized trends and factors that contribute to the identification of dangerous disputes and to their resolution.

The participating Parliaments and organizations extended their thanks to the Joint Vienna Institute for facilitating the Workshop discussions and to the Parliament of Austria for familiarizing the group with Austrian parliamentary and political practices.

Annex 1

Report Back – Group A

Recognizing that Parliaments and Parliamentarians must play a leading role in conflict prevention and peace-building, Group A examined the issue from three perspectives: conflict; aid and corruption, and good governance.

It identified the following principal external and internal causes of conflicts serious enough to destabilize entire states:

- Poverty;
- Abuses of constitutional law;
- Climate change;
- Tribal, ethnic and class differences;
- Inequitable distribution of the benefits of resource development along tribal, personal and family lines, and
- Corruption.

It therefore recommends the following actions to equip all Parliaments, and especially those in fragile or conflict-affected states, to settle disputes before they become conflicts, to resolve conflicts and to prevent post-conflict states from falling back into conflict.

Conflict Resolution

6. Parliament must use its legislative function to enact strong laws to prevent conflict and to promote harmony;
7. Parliament must strengthen its oversight role to ensure that the government is fully accountable to it and that the rule of law is fully applied;
8. Parliament must use its financial approval authority to ensure the budget is used as a tool for the equitable distribution of resources, including natural resource extraction and other development initiatives, for the benefit of all its citizens;
9. Parliament must engage actively in parliamentary diplomacy, both on a country-to-country basis and within its own community, to promote peaceful co-existence, and
10. Parliamentarians must apply their advocacy role and their communications expertise to campaigns for peace and harmony.

Aid Oversight and Anti-Corruption Measures

15. Government and aid donors must be fully transparent and accountable to Parliament in the use of aid money in order to combat corruption and misuse of funds;
16. Parliament must exercise its financial approval power to ensure that all public funds, including aid, are applied equitably throughout the country;

17. Local authorities must be fully transparent and accountable in their spending of state resources;
18. Parliament's Public Accounts Committee must be fully independent of the executive and must have full powers to scrutinize executive spending through audit reports and its own inquiries into government transactions regardless of whether those transactions are covered by audit reports;
19. The proceedings of the Public Accounts Committee must be open to the public and it must be empowered to receive public submissions in its inquiries into government spending;
20. The office of Auditor General and national audit commissions must be fully independent from the executive and must have the statutory authority and sufficient resources so their investigations are not compromised by the executive and they are able to report on government spending without fear or favour, and
21. All government leaders, all civil servants and all relevant leaders of non-governmental organizations must be required to make regular public declarations of their assets.

Good Governance

12. Parliament must be free to amend the national constitution to address injustices and remedy deficiencies in the institutions of good governance and their operation;
13. Parliament must promote adherence to the best principles of democratic governance at the local, national and international levels;
14. Parliament, the executive and the judiciary must work together but each must respect the strict separation of powers between them as defined by the Commonwealth's Latimer House Principles;
15. Parliament must use its oversight, legislative and budgetary powers to ensure respect for and the protection of the human rights of all religious, ethnic, racial, cultural and other minorities;
16. All elections must be run by a fully independent electoral commission so elections are conducted freely and fairly, and accurately reflect the aspirations of the people;
17. Parliament must ensure that the executive always acts within the constitution and respects and enforces all the country's laws;
18. Parliament must ensure that the executive operates in a fully transparent way and is fully accountable to it;
19. Parliament must ensure that natural resources are developed for the benefit of the people rather than for the personal benefit of the ruling elite, and
20. The executive must respect and listen to the views of the opposition no matter how small their numbers.

Annex 2

Report Back – Group B

Recognizing that Parliaments and Parliamentarians must play a leading role in conflict prevention and peace-building, Group B examined Parliament's role in:

- Building a durable peace;
- Improving the budget process and financial management, and
- Raising standards of natural resource management.

It identified the following principles and particular practices which must be adhered to in order to avoid or resolve conflicts serious enough to destabilize entire states. The Group agreed a principal recommendation and subsidiary recommendations in each area.

Peace Building

Parliamentarians and development partners must be proactive in responding to grievances before they become conflicts and in reducing tensions in post-conflict situations rather than waiting until violence erupts to respond to a situation.

1. Parliament must enact sufficient, appropriate and acceptable laws to prevent conflicts and to remove the causes of discontent;
2. Legislation must be sustainable for the nation, rather than for any individual government, and must tackle poverty, enable the provision of employment for all and especially for the young, punish bad government, address the causes of discontent and implement where necessary affirmative action to correct disparities and redress grievances;
3. Parliament must involve the people in the consideration of legislation through a dialogue that enables them to air grievances and to see that Parliament is considering their views, and
4. Parliament must use its scrutiny authority to ensure that all institutions of governance and law enforcement act without political interference.

Budget Process

Parliament must control the budget process to ensure that programmes and revenues are applied in a fully transparent way to resolve grievances and conflicts.

1. Parliament must participate in the formulation of the budget to ensure that the issues and grievances of all sections of the country are dealt with;
2. Parliament must use its oversight powers to ensure that government programmes are provided to all citizens as a right and not as a favour dispensed by the ruling party;
3. Parliament must ensure that laws and systems are in place to enable it to scrutinize government performance through a strong Public Accounts Committee, an effective system of other parliamentary committees and the effective application of other parliamentary oversight practices and procedures, and

4. Parliament must use its legislative authority to remove from government anyone convicted of corruption and to prevent their future return to government.

Natural Resource Management

Parliament must require that environmental impact assessments are part of all natural resource extraction contracts and that an effective environmental protection authority is in place and is involved in the negotiation of all extractive industry contracts.

1. Parliament must legislate to ensure all public procurement is conducted in a fair, transparent and effective manner;
2. All contracts for the extraction of resources must be scrutinized and approved by Parliament;
3. Parliament must require that environmental impact reports are undertaken for each extractive industry contract and the reports must be subject to approval by the national environmental protection authority;
4. Parliament must ensure that natural resources are developed in a sustainable manner that prevents them from being depleted so rapidly that future generations are deprived of their benefits, and
5. Parliament must ensure that the revenue derived from natural resource extraction is managed in a transparent way as part of the national budget so the executive is fully accountable to Parliament for its use of this revenue.