

Mobilizing parliamentary support for the Brussels Programme of Action for the Least Developed Countries



INTER-PARLIAMENTARY UNION



UNITED NATIONS OFFICE OF THE HIGH REPRESENTATIVE FOR THE LEAST DEVELOPED COUNTRIES, LANDLOCKED DEVELOPING COUNTRIES AND SMALL ISLAND DEVELOPING STATES

Foreword

They are known as the Least Developed Countries (LDCs). They are the forty nine poorest countries in the world. Thirty three of them are located in Africa, fifteen in Asia and the Pacific and one in the Caribbean. Together they account for eleven percent of the world population, or 780 million people. Their needs are at the top of the international development agenda.

In 2001, the international community joined them in adopting the Brussels Declaration and Programme of Action 2001-2010 (BPOA) at the Third United Nations Conference on the Least Developed Countries (LDCs). The BPOA aims at improving living conditions of the population of the LDCs through the implementation of a set of commitments with the time bound goals and targets. The BPOA provides a framework for cooperation between LDCs and their development partners to accelerate growth and development, end marginalization, and enable them to integrate into the global economy.

Economic growth in LDCs was strong in the years immediately following the adoption of the Brussels Programme of Action. However, today's global economic crisis, compounded by climate change, the energy crisis and severe and recurring food shortages, is reversing the trend and increasing their vulnerability. These are all powerful and urgent reasons for stepping up our efforts to turn the BPOA into everyday reality. Such renewed efforts are also timely as the international community is preparing for the Fourth UN Conference on the LDCs to undertake the final review of the implementation of the BPOA.

Parliaments have important responsibilities in securing the implementation of the BPOA, especially in relation to the rule of law and good governance upon which the BPOA is predicated. That said, parliaments in the LDCs had no role in preparing the BPOA and few of them have taken an active part in its implementation.

This guide represents an effort to redress this imbalance. It is a practical tool for LDC parliaments on action they can take in support of the BPOA, including by establishing or strengthening already existing parliamentary structures. It is also intended for use by UN field offices in LDC countries to provide them with a better understanding of how they can interact with such parliaments more effectively and assist them in their work.

The Inter-Parliamentary Union and the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Countries and Small Island Developing States are pleased to present this Guide. It is part of our efforts to

help parliaments tackle issues of governance and mainstream the objectives of the BPOA into national development strategies. We are convinced that parliaments have a crucial role in ensuring that these strategies reflect the priorities and needs of the people they are intended to serve and in holding their governments accountable for the implementation of these strategies.

Cheick Sidi Diarra

*Under-Secretary-General
and High Representative UNOHRLLS*

Anders B. Johnsson

*Secretary General
Inter-Parliamentary Union*

TABLE OF CONTENTS

Introductory note: some definitions

1. The UN-OHRLLS and UN Resident Coordinator offices and the Programme of action for Least Developed Countries for the decade 2001-2010
2. The Inter-Parliamentary Union (IPU)

I. Introduction

- i. *What this guide contains*
- ii. *Why the need for such a guide*
- iii. *Rationale for co-operation between international organisations and parliaments: divergent roles but convergent objectives*

II. Role and responsibilities of a Parliament in a democracy

- i. *The division of powers in a State*
- ii. *What is a parliament?*
- iii. *How are parliaments formed?*
- iv. *How are parliaments structured?*
- v. *What are the functions of a parliament?*
- vi. *What are the basic requirements of a democratic parliament?*

III. How UN-OHRLLS and un Resident Coordinator Offices can secure parliamentary support for priority programmes

1. Law making and standards setting
 - 1.i. *What can parliaments and parliamentarians do?*
2. Oversight
 - 2.i. *What can parliaments and parliamentarians do?*
3. Budget allocation
 - 3.i. *What can parliaments and parliamentarians do?*
4. Representation
 - 4.i. *What can parliaments and parliamentarians do?*

IV. How UN-OHRLLS and UN Resident Coordinator Offices can proceed in establishing contacts with parliaments and their members

- i. What parliaments and parliamentarians need?*
- ii. Potential entry points: who to target*
- iii. How to target*
- iv. Where to reach parliaments and parliamentarians*

V. Parliaments and international relations: the role of inter-parliamentary organisations such as the IPU in furthering the agenda of inter-governmental organisations

- i. What UN-OHRLLS and UN Resident Coordinator Offices should do?*

Annex: Brussels Programme of Action

Annex: List of LDC's

Annex: Criteria for the identification of LDC's

Introductory Note: Some Definitions

The present Guide has been written with several audiences in view: first, the members of the LDC parliaments, (see Annex for full list), will find this Guide useful in that it will enable them to understand better their role in contributing to the implementation the Brussels Programme of Action (BPOA), as well as the resources available to them through the UN Resident Coordinator offices; second the UN-OHRRLLS and relevant UN field offices in the LDC's; third, the national focal points in LDC's.

UN-OHRRLLS and the UN Resident Coordinator Office

The United Nations Office of the High Representative for the Least Developed Countries (LDCs), Landlocked Developing Countries (LDCs) and Small Island Developing States (SIDS), was established by the United Nations General Assembly in January 2002 with the responsibility of mobilizing international support for the effective implementation of the Brussels Programme of Action for the Least Developed Countries for the Decade 2001–2010; the Almaty Programme of Action for Transit Transport Cooperation for Landlocked Developing Countries; and the Barbados Programme of Action for Small Island Developing States as outlined in the Mauritius Strategy.

The office undertakes advocacy and awareness-raising activities on issues of concern to the most vulnerable countries. In addition, it has monitoring, coordination and reporting responsibilities.

More information about the office can be found at www.unohrrls.org

Functions of the Office of the High Representative

The key functions of the Office of the High Representative as recommended by the United Nations Secretary-General in 2001 and approved by the UN General Assembly are as follows:

- (a) To assist the Secretary-General in ensuring the full mobilization and coordination of all parts of the United Nations system, with a view to facilitating the coordinated implementation of and follow-up and monitoring of the Programme of Action for the Least Developed Countries at the country, regional and global levels;
- (b) To provide coordinated support to the Economic and Social Council as well as the General Assembly in assessing progress and in conducting the annual review of the implementation of the Programme of Action;
- (c) To ensure the effective implementation of the Almaty Declaration and Almaty Programme of Action: Addressing the Special Needs of Landlocked Developing Countries within a New Global Framework for Transit Transport Cooperation for Landlocked and Transit Developing Countries;
- (d) To support, as appropriate, the coordinated follow-up of the implementation of the Mauritius Strategy for the Further Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;

- (e) To undertake appropriate advocacy work for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States in partnership with the relevant parts of the United Nations as well as with the civil society, media, academia and foundations;
- (f) To assist in mobilizing international support and resources for the implementation of the Programme of Action for the Least Developed Countries and other programmes and initiatives for Landlocked Developing Countries and Small Island Developing States;
- (g) To provide appropriate support to group consultations of Least Developed Countries, Landlocked Developing Countries and Small Island Developing States.

Least Developed Countries

The Programme of Action for the Least Developed Countries (LDCs) for the Decade 2001 - 2010 adopted on 20 May 2001 in Brussels aims at improving the human condition of the people of the Least Developed Countries and provides a framework for partnership between LDCs and their development partners "to accelerate sustained economic growth and sustainable development in LDCs; to end marginalization by eradicating poverty, inequality and deprivation in these countries; and to enable them to integrate beneficially into the global economy". Since the creation of this category of countries in 1971, on the basis of specific criteria, the actual number of LDCs has doubled from 25 to 50.

The overarching goal of the Programme of Action for the Least Developed Countries is "to make substantial progress toward halving the proportion of people living in extreme poverty and suffering from hunger by 2015 and promote the sustainable development of the Least Developed Countries". The Programme of Action contains 30 international development goals, including those contained in the Millennium Declaration.

The Programme is based on mutual commitments of the LDCs and their development partners and articulates policies and measures to be undertaken in seven interlinked areas:

- ✧ fostering a people-centred policy framework;
- ✧ Good governance at national and international levels;
- ✧ Building human and institutional capacities;
- ✧ Building productive capacities to make globalization work for LDCs;
- ✧ enhancing the role of trade in development;
- ✧ reducing vulnerability and protecting the environment; and
- ✧ mobilizing financial resources.

The Programme of Action recognizes the following cross-cutting priority issues: poverty eradication, gender equality, employment, governance at national and international levels, capacity-building, sustainable development, special problems of landlocked and small island LDCs, and challenges faced by LDCs affected by conflict.

In September 2006, a high-level meeting of the General Assembly undertook a mid-term review of the implementation of the Brussels Programme and adopted resolution 61/1 in which Member States recommitted themselves to meeting the special needs of LDCs by making progress towards poverty eradication, peace and deve-

lopment. A joint IPU-OHRLLS parliamentary meeting was held on that occasion to focus attention to the role of parliaments in good governance (Commitment 2 of the BPOA).

UN Resident Coordinator Office

The Resident Coordinator system encompasses all organizations of the United Nations system dealing with operational activities for development, regardless of their formal presence in the country. The RC system aims to bring together the different UN agencies to improve the efficiency and effectiveness of operational activities at the country level. Resident Coordinators, who are funded and managed by UNDP, lead UN country teams in more than 130 countries and are the designated representatives of the Secretary-General for development operations. Working closely with national governments, Resident Coordinators and country teams advocate the interests and mandates of the UN drawing on the support and guidance of the entire UN family.

A UN RC office is present in virtually every LDC and provides a key resource to assist countries with the implementation of the BPOA. A complete list of UNDP country offices (where most Resident Coordinators are lodged) can be found online at the following website: **www.undp.org/countries**

Inter-Parliamentary Union

The IPU, for its part, is the world organisation of parliaments which administers institutional co-operation between the United Nations and its specialised agencies, and the world's legislatures. At the present time 32 LDC parliaments are members of the IPU.

Promoting democracy is at the core of the mandate of the Inter-Parliamentary Union. As the international organisation of parliaments, with more than 150 Members, the IPU naturally focuses on parliament as a key institution in the promotion of democracy.

For parliament to play its role effectively, it must be elected and must be representative of all components of society. It must have the requisite powers and means to express the will of people through its law-making and oversight functions. In this way, it can contribute effectively to guaranteeing the people's rights and liberties, securing civil peace and ensuring harmonious development.

The IPU assists parliaments in building up their capacity to discharge their constitutional responsibilities. The IPU's Technical Cooperation Programme is increasingly involved in building post-conflict democratic institutions in countries such as Afghanistan, Burundi, Rwanda and Timor Leste. Projects typically include advisory services, capacity building for parliamentarians and parliamentary staff (through seminars and study visits) and the provision of basic equipment.

The IPU also supports the central goals of the international development agenda, particularly as reflected by the Millennium Development Goals. IPU work under this rubric extends to the field of development cooperation, i.e., Official Development Assistance, which constitutes a vital source of development financing for the LDCs.

More information about the IPU can be found on its official website **at www.ipu.org**.

Landlocked Developing Countries

Lack of territorial access to the sea, remoteness and isolation from world markets and high transit costs continue to impose serious constraints on the social and economic development of Landlocked Developing Countries (LDCs).

Their sea-borne trade unavoidably depends on transit through other countries. Additional border crossings and long distance from market centres substantially increase their transport expenses.

Landlocked Developing Countries are generally among the poorest of the developing countries, with the weakest growth rates, and are heavily dependent on a very limited number of commodities for their export earnings. Of the 31 Landlocked Developing Countries, 16 are classified as LDCs.

The Declaration and Programme of Action on Addressing the Special Needs of Landlocked Developing Countries, which was adopted at the 2003 United Nations Ministerial Conference in Almaty, Kazakhstan, reflects the strong commitment of the international community to address the special needs and problems of Landlocked Developing Countries as called for in the United Nations Millennium Declaration.

The objective of the Almaty Programme of Action, the first universally agreed document of its kind, is to establish a new global framework for developing efficient transit transport systems in landlocked and transit developing countries, taking into account the interests of both landlocked and transit developing countries.

The Programme aims to (a) secure access to and from the sea by all means of transport; (b) reduce costs and improve services so as to increase the competitiveness of their exports; (c) reduce the delivered costs of imports; (d) address problems of delays and uncertainties in trade routes; (e) develop adequate national networks; (f) reduce loss, damage and deterioration enroute; (g) open the way for export expansion; and (h) improve the safety of road transport and the security of people along the corridors.

Small Island Developing States

The Small Island Developing States (SIDS) are exposed to unique social, economic and environmental vulnerabilities in view of their exposure to the oceans and the seas. The inhabitants of small islands experience a variety of challenges arising from the interplay of such factors as small population and economies, remoteness from international markets, susceptibility to natural disasters, climate change, fragility of land and marine ecosystems, dependence on international markets, and vulnerability to external economic shocks.

In 1994 at the Global Conference on the Sustainable Development of Small Island Developing States in Barbados, a Programme of Action was developed to integrate the small islands into the world economy and tackle their socio-economic development problems. The Programme identified priority areas and indicated necessary action to address the challenges faced by Small Island Developing Countries.

In January 2005, a United Nations International Meeting to review the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States was held in Mauritius. The Mauritius Strategy for the further implementation of the Programme of Action for the sustainable development of Small Island Developing States was adopted. It re-emphasized the need for enhancing international cooperation and increase in financial flows to enable Small Island Developing States to cope with the vulnerabilities that they confront.

I. Introduction

During the past several years, parliaments have taken on a more prominent role in the management of public affairs as a result of the drive towards democratisation and therefore good governance. The fact that out of the some 200 States in the world today, some 181 currently have a parliament testifies to their growing importance. Parliaments are increasingly being recognised as playing a crucial role in the management of the affairs of society both nationally and internationally.

The Brussels Programme of Action provides parliaments with an opportunity to exercise their role at home and in the international arena.

i. What this guide contains

This Guide has been prepared by the IPU for use by parliaments, the UN-OHRLS, UN Resident Coordinators offices and government focal points in LDC countries. It provides basic information on the role of parliaments, how they function and how they can be engaged in promoting the BPOA particularly through the establishment of dedicated support groups. The guide will outline various options in which such groups can be organised. Also the guide will illustrate how LDC parliaments and UN field offices can work more closely to better fulfil their respective missions.

ii. Why the need for such a guide

Up until recent years, international organisations, including those of the UN system, have worked almost exclusively with representatives of the Executive arm of government. Working with parliament was seen as some kind of intrusion into the internal political affairs of a country with all the complications it entails. Besides, many parliaments still bore the stigma of rubber stamps. This situation has changed dramatically and many international organisations are now working with parliaments. One reason is that parliaments, especially those in the emerging democracies have gained prominence on the wave of democratisation that has taken place since the early 1990s. Parliaments and parliamentarians are increasingly being recognised as choice partners for the international organisations, especially those working in the area of development.

However, this increased co-operation has not always been accompanied by a better understanding of the role and working methods of parliaments. Officials of international organisations are not always fully conversant with the type of resources they can tap into within parliaments and how to access those resources. This has led to a lot of ad hoc working relationships which have yielded limited results.

On their own side, Parliaments and parliamentarians are not aware of the benefits to be derived from partnering with international organisations. Even when they have such awareness, they do not know how to target these organisations, leading to a lot of misconceptions and misunderstanding.

iii. Rationale for co-operation between international organisations and parliaments: divergent roles but convergent objectives

The respective roles of parliaments and international organisations are clearly distinct. International organisations are set up to manage issues of international concern and tend to see things from a global perspective. Often, parliaments are

absent from global fora at which decisions are negotiated and adopted. When these decisions are then brought to the national level, parliaments have very limited leeway and usually are placed before a *fait accompli*. It follows therefore, that parliaments should be involved in the process of negotiating and adopting decisions at the global level, so as to bring in the voice of the people and facilitate the implementation of internationally negotiated decisions at the national level. Besides, parliaments are being called upon to play an important role in the management of global politics so as to provide popular legitimacy to the international decision-making process. In this connection, greater demands for transparency and accountability in the management of international affairs, including of those organisations that have been set up for this purpose, call for greater involvement of parliaments in international processes.

International organisations have a major interest in involving parliaments in their activities mainly because these organisations are usually funded from public resources which are allocated by and/or with the authorization of parliaments. It is parliament that, in each State, is responsible for laying down the legal framework within which society functions. It is in the interest of international organisations, therefore, to engage parliaments in a partnership which ensures that parliaments take budgetary and other legislative decisions that allow these organisations to carry out their programmes. On the other hand, parliaments have an interest in working with international organisations insofar as the latter can contribute to the improvement of the living conditions of the people they represent. The mutual advantages of such an alliance are therefore both political and material.

In the case of the UN and OHRRLLS they have a close-up view of developments at the national level and want to assist countries in fulfilling their commitments. They regard parliaments as key partners in that effort.

II. Role and responsibilities of a Parliament in a democracy

i. The division of powers in a State

Traditionally, power in a State is exercised by three separate institutions which are and should be independent of one another. This division of powers is intended to curb the excesses that may occur when all powers are concentrated in the hands of a single individual or institution.

- Legislative power is exercised by a parliament which debates and therefore helps to shape policy, adopts laws, provides resources to the Executive for the implementation of this legislation and monitors implementation thereof;
- Executive power is exercised by a Head of State assisted by a government responsible for formulating and implementing policies for the common good of society;
- Judicial power is exercised by the courts which are responsible for ensuring that the laws are implemented properly and that any misconduct is punished appropriately.

ii. What is a parliament?

A parliament is a generic term depicting a representative body of individuals to whom the people have entrusted the responsibility of representing them by laying down the legal framework within which society shall be governed and seeing to it that these legal conditions are implemented in a responsible manner by the Executive.

Parliament comes under different appellations in different countries. In the US, it is known as the Congress, in Japan the Diet, in Cameroon the National Assembly, in China the National People's Congress, in Israel the Knesset, etc.

Regarding the structure of parliament, some are monocameral that is composed of a single Chamber/House (Tanzania, Zimbabwe, Zambia, Sweden, Denmark, Viet Nam, etc). Others are bicameral, composed of 2 Chambers/Houses such as Gabon (National Assembly and Senate), Nigeria (House of Representatives and the Senate), Russian Federation (State Duma and Council of the Federation), South Africa (National Assembly and National Council of Provinces), United Kingdom (House of Commons and House of Lords), United States (House of Representatives and Senate), etc. Of the 181 parliaments in existence in 2003, 66 are bicameral.

In some countries, generally those with a federal structure, there is a national parliament and then there are regional parliaments. They perform basically the same functions with the national parliament focussing on major issues of national concern while the regional parliaments are given decentralised authority to legislate in areas of local or regional significance. In this Guide, parliament refers to both categories of parliaments.

iii. How are parliaments formed?

Generally speaking, most parliaments are elected in the context of elections that are held at more or less regular intervals on the basis of universal suffrage. However, in some systems, especially the bicameral systems, one of the Houses may be appointed. Such mode of designation is usually applied to ensure the representation of certain sectors of society that may otherwise not be represented in parliament. In yet other situations, such as in a country which is in the midst of civil strife or is just coming out of one and where the holding of elections is not yet feasible, the membership of parliament is entirely appointed. Whether parliament is wholly or partially appointed does not diminish the important role it can and should play.

Most parliaments in the world are multi-party parliaments. This means that there is, on the one hand, a party or group of parties that make up the governing majority and which support the government of the day. On the other hand, there is a party or group of parties that make up the opposition whose main task is to hold the government in check and to make sure that it acts in a responsible and accountable manner. The opposition is also there to serve as a government-in-waiting, that is ready to take over should the current government fail or be voted out of office.

iv. How are parliaments structured?

Generally, parliaments have a two-tier management structure.

- There is the **political structure** (Bureau, General Business Committee, Presidium, Mesa, etc) which is responsible for taking decisions regarding the political issues before the parliament. These bodies are usually representa-

tive of the political configuration of the parliament, that is both governing and opposition parties are represented therein. Normally, this body is presided over by a Speaker, President or Chairperson.

- There is the **administrative structure** which supports the political decision-making process. Generally, this function is performed by a secretariat headed by a Secretary General/ Clerk, working under the authority of the Speaker and the leadership and providing administrative and other back-up services to the members of parliament. Usually, the secretariat is staffed by persons recruited and remunerated by parliament and who are independent of the political authorities and are required to provide services irrespective of the political affiliations of the members concerned. Many parliaments have an independent parliamentary service distinct from the Executive civil service.

Parliaments perform their work mainly through various types of **committee** (standing, select, and portfolio, specialised or ad hoc committees) that are each entrusted with responsibility for a specific sector of State business. The composition and number of members of each committee usually reflect the political configuration of the parliament.

In addition, in many parliaments informal issue-specific caucuses can be organized to bring together MPs sharing a common concern. Such groupings can help raise awareness of issues or perspectives that would not otherwise have any visibility in official processes. Caucuses can also function as incubators of ideas or as a way of forging important political alliances.

v. What are the functions of a parliament?

Parliaments are the **principal representative institution** in each State and are therefore responsible for representing the interests of all sectors of society, articulating these interests into relevant policies and seeing to it that these policies are implemented efficiently. Broadly speaking, they are responsible for protecting and promoting the human rights of the people.

Irrespective of their nature and structure, parliaments perform three main functions:

- Parliaments **legislate**: they adopt laws that govern society in a structured manner.
- Parliaments **oversee** the Executive: they monitor performance by the Executive to ensure that the latter performs in a responsible and accountable manner and therefore for the overall good of society.
- Parliaments **allocate financial resources** to the Executive: through their budgetary function, parliaments generally have responsibility for approving and allocating the revenue that the Executive requires to carry out the policies that it has formulated. They also monitor government spending.

In addition to the above functions, in the Commonwealth system, parliaments also have the function of forming a government. The Prime Minister is usually the parliamentary leader of the party or coalition of parties which has a majority of seats in parliament. The majority party is thus considered the government and all ministers must be members of parliament.

vi. What are the basic requirements of a democratic parliament?

In order to perform its functions in an efficient and legitimate manner, parliament should meet the following basic conditions:

- Its powers (law-making and oversight) should be enshrined in and guaranteed by the Constitution.
- It should be constituted in such a way as to be representative of all sectors of society in its diversity: political trends, sexes, races, ethnic groups, minorities, etc. In this context, it should be chosen by the sovereign people in free and fair elections by universal and equal suffrage.
- It should be independent of the Executive. It must have its own autonomous resources (budget and administration).
- It should allow for plurality of expression: all its members should be able to express themselves freely without undue pressure or fear of repression.

III. Areas in which the UN-OHRLS secretariat and un resident coordinator offices can secure parliamentary support for the implementation of the BPOA

In seeking to work with parliament, it is important to seek to establish institutional relations with the parliament concerned. Decisions taken within this framework stand a greater chance of being followed up. It is also important to target Members of Parliament in their individual capacity.

1. Law making and standards setting

In many countries, much of the legislative initiative lies with the government. Especially in the emerging democracies where the parliament does not have sufficient resources in terms of legislative drafting services, the bulk of draft legislation comes from the Executive. The role of parliament is to scrutinize this draft legislation and to make sure it is consistent with international standards and requirements for the well being of the people. Most constitutions give the parliament the right to reject and/or amend draft legislation that does not meet these requirements. It is therefore said that in the legislative sphere, the Executive proposes and the parliament disposes.

1. i. What can parliament and parliamentarians do?

- Ratification of international instruments: While responsibility for the negotiation and adoption of international instruments lies with governments, these international instruments often require ratification by parliament. In other countries, ratification is done by the government but with prior authority from the parliament. Parliamentarians can therefore play an important role in this regard by ensuring ratification of international treaties relevant to the im-

plementation of the BPOA. In this context, they can seek from the Executive information on action it intends to take to ratify and implement the international instruments in question. Should any instrument require parliamentary approval prior to ratification, parliament can urge the Executive to bring the said instrument before parliament for ratification purposes. Thereby, parliament can bring about early ratification and therefore speedy entry into force of the instruments.

- *Harmonising national legislation with international legislation:* After ratification of international instruments, their provisions have to be incorporated into the national body of law for implementation. In some cases, new legislation has to be adopted while in others existing legislation needs to be reviewed and amended. Responsibility for ensuring that this happens lies squarely within the realm of parliament. Parliamentarians can therefore pressure government to bring before parliament legislation that is consistent with international norms. Furthermore, parliamentarians should be encouraged to use their constitutional power of initiating legislation by proposing private members' bills for consideration and adoption by the parliament.
- *Assistance in drawing up national programmes of action:* Parliamentarians, as representatives of the people and the emanation of civil society, are well placed to articulate the interests of the people. They maintain close contact with the people and electorate and so are fully aware of the problems and issues facing them. They can play a useful role in participating in the preparation of action plans meant to fulfil the country's obligations under international and national law. In this way, these plans can adequately reflect the real needs and concerns of the people.
- *Assistance in fulfilling national reporting obligations:* Many international instruments require national authorities to submit periodic reports on the action they have taken to implement the obligations entered into. Again, as representatives of the people, parliamentarians can participate in preparing such reports as they are present on the ground, often participate in such action in the field and therefore are in good stead to assess the impact thereof.

2. Oversight

As mentioned previously in this guide, parliaments have responsibility for holding the Executive to account by overseeing its work and making sure that it does not infringe on the rights of citizens and does not lead to the wastage of State resources and is consistent with the public interest. Parliament performs its oversight role in a number of ways: receiving regular reports from the Executive on its activities; putting questions and interpellations to members of the Executive, setting up special commissions and organising field visits to carry out enquiries into Executive conduct and propose remedial action, etc.

2.i. What can parliaments and parliamentarians do?

- *Ensure compliance by the Executive with international standards:* Parliaments and their members can bring pressure to bear on the Executive to make sure that they take action to comply with the State's obligations under international law.

- Push for the establishment of a parliamentary commissioner or an ombudsman: This official who may be responsible to parliament would investigate any complaints by citizens who may deem themselves the victims of discrimination in a particular field (e.g. Education)
- Promote debate in parliament on issues of relevance to the BPOA: Parliamentarians can use their constitutional powers to question members of the Executive on issues of importance in the areas of concern to the BPOA, and urge them to take the necessary action to correct discrepancies.
- Participate in the audit/assessment of the Executive's performance in the areas of relevance to the BPOA, for example the educational or health sectors, and thereby promote policy reforms that are favourable to these sectors

3. Budget allocation

In most countries, the national budget must be approved by the parliament which thus has a major say in how State resources are allocated.

3.i. What can parliaments and parliamentarians do?

- Ensure that substantial resources are allocated to the sectors of relevance to the BPOA: Parliaments usually have the right to propose amendments to the draft national budget within the overall total volume of this budget. Parliamentarians can therefore make sure that adequate resources are allocated to national programmes of action to ensure implementation of the BPOA.
- Ensure that Official Development Assistance and other sources of foreign aid are brought on budget, either as Direct Budget Support or as an attachment to the budget document. LDCs are highly aid-dependent. Parliaments in LDCs have a special responsibility to ensure full accountability and transparency of aid according to the principles established by the Paris Declaration on Aid Effectiveness and other such commitments.
- In many African countries (Cameroon, Gabon, Republic of Congo, for instance), individual parliamentarians receive an allocation which they can use to carry out development projects in their constituencies. They can thus be encouraged to invest a substantial portion of these resources in a specific sector (e.g. in Education: building and equipping schools; Health and sanitation: building health clinics and ensuring proper water sanitation facilities).

4. Representation

Parliamentarians are, above all, representatives of the people who have elected them and in their various activities, they seek always to represent their interests. Besides, they are opinion leaders who wield considerable influence as parliamentarians or as members of political parties. In many countries, especially in the developing world, apart from the purely parliamentary functions of the MPs, they are often called upon to play diverse roles: community leaders, development agents, etc. They are also very good disseminators of information within society. In this regard, they can serve as a useful channel for conveying the BPOA message to the grassroots communities.

4.i. What can parliaments and parliamentarians do?

- Initiate and implement community-based projects: Since they maintain close contact with the people, they know very well their needs and interests and can advise on what type of projects to initiate. They can also participate in the implementation of the projects in a cost-effective manner.
- Organise campaigns to mobilise community support for BPOA-related activities: Parliamentarians not only can carry the BPOA message to the local communities, but they can also convey the needs and interests of these communities to UN Resident Coordinator offices, who can then integrate them within activities intended to promote and implement the BPOA. The advocacy role of MPs needs to be emphasized in this regard.
- Ensure that their political parties include in their manifestos and other policy documents, implementation of the BPOA as a matter of priority: MPs can certainly play an important role in ensuring that national programmes of action for the implementation of the BPOA are known by all political parties.

IV. Interaction between the UN-OHRLLS Secretariat and UN Resident Coordinator Offices, and parliaments and their members

i. What do parliaments and parliamentarians need?

In order to legislate efficiently, parliamentarians need to be informed adequately of facts underlying draft legislation and of its implications. It is therefore important that the UN-OHRLLS secretariat and UN Resident Coordinator Offices, in their contacts with parliaments, should endeavour to:

- Provide **relevant documentation** including texts of relevant instruments, facts, statistics, data, etc.
- Propose **technical assistance/advisory services, on a non-partisan basis, in the form of experts and consultants** as well as **briefing notes/digests** on the salient issues. These persons could also provide advice to parliament and its committees.
- Help facilitate draft **legislation** and or **amendments** to pieces of legislation before the parliament.
- Organise **briefing sessions (seminars, roundtables, lectures, etc.)** for MPs, committee staff and other parliamentary officials (including staff of the parliamentary political groups) on the issues pertaining to the proposed legislation.
- Encourage the creation of **a local network of MPs on BPOA issues**, provide them with relevant information and encourage debate, including through the use of the Internet. Internet access for these MPs could give them wider access to the resources available within the UN system as a whole and specifically the UN-OHRLLS (e.g. various data bases, portals, websites etc).

In order to play their *oversight functions* efficiently, parliamentarians need:

- *Factual and accurate information* on the status of the implementation of the BPOA in the country as well as the status of the country in graduating from its LDC status.
- *Useful tips on questions of concern* that should be raised with Ministers, government national focal points and other government officials.

ii. Potential entry points: who to target

It is important to identify specific entry points for co-operation with parliament and its members. They need to understand clearly the role of each actor and the contribution they can make to the advancement of the implementation of the BPOA and the countries graduation from its LDC status. Also, they must understand the distinction between the UN-OHRLLS secretariat and the UN Resident Coordinator Offices. A list of the prominent potential entry points is provided below.

Parliamentary leadership:

- The leadership of the Parliament, that is the Speaker and other members of the Bureau (or General Business Committee, Mesa, Presidium, etc.), is generally responsible for managing the affairs of parliament. They fix the agenda of parliament, assign various matters before parliament to the relevant committees and generally coordinate the proceedings. It is therefore useful to establish a channel of co-operation with the leadership, first of all to obtain institutional backing for activities related to the implementation of the BPOA and also to ensure that, as a matter of priority, matters of relevance to the BPOA are placed on the parliament's schedule of business.

Parliamentary committees:

- Most parliamentary work is done in various kinds of committees which may be standing or ad hoc committees. Generally, when matters are brought to the plenary session of parliament, the relevant decisions have already been made, agreements have already been reached at the committee stage and are only then endorsed and formalised. The role of these committees is to scrutinise draft legislation referred to them, to propose necessary amendments, to ensure that the legislation is consistent with international standards and the interests of the people and to scrutinise government performance. Most parliaments have committees dealing with issues within the spheres of competence of the BPOA. It is important to identify in each parliament the relevant committees, their leadership and to establish co-operation with them.

Individual parliamentarians:

- While it would be ideal for the entire membership of parliament to be favourable to the views and ideals espoused by the BPOA, it may not always be possible to achieve this ideal and so it may often prove fruitful to target individual parliamentarians or groups of parliamentarians.

Political groups represented in parliament:

- Members of parliament usually constitute themselves into political groups or coalitions of groups in order to adopt a coordinated approach to issues dealt with in parliament. Many parliaments grant official recognition to these groups to which they give certain privileges and facilities proportionate to their respective numerical strengths. Some have their own secretariats with research services. They are also represented in the management structure of the parliament. It is important to deal with all the parliamentary groups and refrain from targeting only some.

Women's parliamentary caucuses':

- In many parliaments, women are playing an increasing role and often constitute themselves into caucuses to promote gender equity and equality in parliamentary processes. Such caucuses exist in Rwanda, Burundi, South Africa, etc. They constitute an important entry point for interaction with parliaments and should thus receive particular attention.

Parliamentary library, research and documentation services:

- Parliaments generally have services which provide information that members of parliament require in their work as legislators. They prepare notes, information documents, and background papers; obtain other resource material from various sources on the items of legislation or issues on the parliamentary agenda. In this way, members can take decisions in an informed manner. It is useful to be in contact with staff of these services and to make available to them relevant documentation on such issues and legislation. These staff need to be sensitised on what the issues are and should have all the relevant facts.

iii. How to target:

- Establish within each UN Resident Coordinator Office a focal point for information exchange and co-operation in parliamentary affairs¹. This person would be responsible for monitoring parliamentary activity on a permanent basis and identifying potential entry points for interaction with parliaments and parliamentarians.
- Encourage the parliament to appoint a parliamentary focal point for relations with the UN Resident Coordinators offices at the local level. This would help to give the parliament's institutional backing to the relationship. The parliamentary focal points may consist of one or two MPs or of a group. Where the BPOA is already the subject of a special committee than the committee as a whole may be considered as a focal point.
- Promote formal/informal contacts and exchanges with Members of Parliament through various fora: their parliamentary political groups, their political parties, constituency offices, and women's caucuses. Organise events to which MPs are invited: television debates, prize-award ceremonies. Parlia-

¹ UN RC focal points are expected to be established in the second RC part of 2009 in order to assist with the national-level review of the BPOA as part of preparations for the Fourth UN Conference on the LDCs. A full list of these focal points should be available on the website of the UN-OHRLLS.

mentarians can attend these events not only as State actors but also as representatives of civil society.

- Encourage membership by parliamentarians in management structures of projects and activities supporting the implementation of the BPOA. As representatives of the people, they can help ensure that the projects respond to the actual needs of the people. They can ensure accountable management and secure State backing for some of the projects.
- Institute mechanisms for regular reporting to parliament on the activities of the UN system in each LDC Country.
- Provide assistance to parliaments to raise visibilities of the BPOA through practical means such as parliamentary websites. Dedicated pages may be created to post not only the BPOA but also all the implementation reports submitted by the government as well as the country profiles provided by the UN.

iv. Where to reach parliaments and parliamentarians:

Apart from the local directories, it is possible to find contact information for each parliament from the PARLINE database on the website of the Inter-Parliamentary Union: www.ipu.org. This database provides detailed information including the names of the Presiding Officer, Clerk/Secretary General of the Parliament, their telephone and fax numbers and their Internet address. Besides, most Parliaments now maintain a website on which they publish detailed information on their structure and working methods. These websites can also be accessed from the IPU website.

In many countries, parliamentarians have constituency offices where they can consult with their constituents. These are also important points of contact with parliamentarians. They can also be contacted through their political party offices.

V. Parliaments and international relations: the role of inter-parliamentary organisations such as the IPU in furthering the agenda of inter-governmental organisations

The management of international affairs has traditionally been considered a preserve of the Executive. However, increasingly, parliaments have become involved in this sphere of activity. For example, they are playing a stronger role in the approval of treaties and confirmation of foreign service nominees such as Ambassadors. They are also increasingly debating global issues and making their views heard on these issues. This involvement should not be seen as attempts to interfere with the work of the Executive or to usurp its role. Rather, as instruments and actors of democracy, parliaments and parliamentarians bring legitimacy to the international decision-making process and ensure that these processes are transparent, accountable and are consonant with the interests of the people.

Parliaments have therefore, individually or collectively, been active in international co-operation. Many inter-parliamentary organisations have been created to channel

parliaments' inputs into international affairs. The main objectives of these organisations are to:

- Foster the participation of parliaments in the management of global issues
- Make sure that interests of the people occupy centre stage at the international level
- Make the functioning of international organisations more transparent and accountable in order to build an atmosphere conducive to human development.

i. What the UN-OHRLS secretariat and UN Resident Coordinator system should do:

- *Establish official working relations with these organisations.* It is important that such relations are established with those organisations whose membership has the institutional backing of the various parliaments. Decisions taken in such fora are most likely to be followed up by the parliaments, whereas those taken by networks of individual parliamentarians may not have the full support of the parliaments especially when the decisions involve delicate political issues.
- *Organise joint activities with these organisations at global, regional and local level:* conferences, symposia, and seminars on issues of relevance to implementation of the BPOA.
- *Establish partnerships with these organisations, such as the IPU in building capacity within parliaments to perform their role more efficiently.* Many parliaments in developing countries and emerging democracy still need external assistance in terms of equipment and the strengthening of human resources to be able to cope with the challenges of democratisation. Well-functioning parliaments will be in better stead to promote BPOA activities. Activities that can help build this capacity include the training, information and awareness-raising seminars and workshops organised by the IPU in the context of its technical co-operation projects. UN Resident Coordinator offices could participate in the identification of themes for such seminars, provide documentation and expertise and sponsor participation by parliamentarians in regional capacity-building programmes.

Annex

PROGRAMME OF ACTION FOR THE LEAST DEVELOPED COUNTRIES FOR THE DECADE 2001-2010

The Programme of Action for the Least Developed Countries for the Decade 2001-2010 was adopted by the Third United Nations Conference on the Least Developed Countries in Brussels on 20 May 2001 and endorsed by the General Assembly in its resolution 55/279 of 12 July 2001.

Framework for partnership The Programme of Action for the Least Developed Countries for the Decade 2001-2010 aims at improving human conditions of the population of the LDCs and provides a framework for partnership between LDCs and their development partners “to accelerate sustained economic growth and sustainable development in LDCs, to end marginalization by eradicating poverty, inequality and deprivation in these countries, and to enable them to integrate beneficially into the global economy.” The overarching goal of the Programme of Action for the Least Developed Countries (PoA) is “to make substantial progress toward halving the proportion of people living in extreme poverty and suffering from hunger by 2015 and promote the sustainable development of the LDCs”

Goals and targets. The Programme of Action contains 30 international development goals, including those contained in the Millennium Declaration (annex 1).

Commitments The Programme is based on shared but differentiated responsibilities of the LDCs and their development partners, known as commitments, in seven interlinked areas: 1) fostering a people-centred policy framework; 2) good governance at national and international levels; 3) building human and institutional capacities; 4) building productive capacities to make globalization work for LDCs; 5) enhancing the role of trade in development; 6) reducing vulnerability and protecting the environment and 7) mobilizing financial resources.

Cross-cutting issues The Programme contains ten cross-cutting priority issues: poverty eradication, gender equality, employment, governance at national and international levels, capacity-building, sustainable development, special problems of landlocked and small island LDCs, and challenges faced by LDCs affected by conflict.

Guiding principles The implementation of the Programme of Action is guided by the following principles:

1. An integrated approach: The development process should be viewed in a comprehensive, coherent and long-term manner by LDCs and their partners, including the multilateral agencies within and outside the United Nations system. When addressing economic development and poverty eradication, there should be a balance between economic and other objectives of development. The implementation of the Programme of Action should be integrated into all international processes of concern to the LDCs.

2. Genuine partnership: With greater alignment between national policies and strategies in LDCs and the external assistance strategies of their partners, the scope for more effective dialogue between them has expanded. Open and transparent development cooperation, underpinned by strong political will, can help bring about rapid transformations in LDCs.

3. *Country ownership*: All efforts should be made by LDCs and their partners to ensure genuinely country-led development. This will be aided by the joint identification of development priorities by LDCs and their development partners. Also, LDCs will need to be effectively involved in areas such as aid coordination and debt relief.

4. *Market considerations*: While acknowledging the importance of market forces in the sustained process of economic growth and poverty reduction, there is a need to ensure an appropriate mix of public-private participation. However, this cannot be achieved without adequate attention to market weaknesses as well as government weaknesses, and consideration of the preparedness of the private sector. It is necessary to work towards a good balance between public action and private initiative. To be fully productive, however, a market must operate within a stable legal and economic framework.

5. *Result orientation*: Only positive concrete processes and outcomes can sustain public confidence in the development partnership between LDCs and their development partners. The process of identifying, assessing and monitoring progress on processes and concrete outcomes will be a key aspect of the implementation of the Programme of Action and its success will be judged by its contribution to progress of LDCs towards achieving international development targets, as well as their graduation from the list of LDCs.

Three track approach to the follow-up The Programme recognizes that success in attaining its objectives will depend critically on the effective follow-up, implementation, monitoring and review at the national, regional and global levels. It further emphasizes that “the implementation and the follow-up at the national level are of primary importance”.

National level Follow-up and implementation of the Programme of Action at the national level includes mainstreaming the Programme “in the national development framework and poverty eradication strategy , including where they exist, PRSPs, CCAs and UNDAF”; identification of the national mechanism (national forum) that could provide a broad based platform for the regular follow-up, review and monitoring of the implementation of the Programme at the country level and, finally, ensuring linkages between the national forum and existing country review mechanisms such as the World Bank’s consultative group and UNDP round-table meetings that “should continue as principal coordination forums for development cooperation, as well as for mobilizing external development resources for LDCs”. In this regard, the Programme emphasizes that there should be “strong complementarities between the country review process and the national forums”.

Annex

List of Least Developed Countries

- | | |
|--------------------------------------|---------------------------------|
| 1. Afghanistan | 25. Madagascar |
| 2. Angola | 26. Malawi |
| 3. Bangladesh | 27. Maldives |
| 4. Benin | 28. Mali |
| 5. Bhutan | 29. Mauritania |
| 6. Burkina Faso | 30. Mozambique |
| 7. Burundi | 31. Myanmar |
| 8. Cambodia | 32. Nepal |
| 9. Central African Republic | 33. Niger |
| 10. Chad | 34. Rwanda |
| 11. Comoros | 35. Samoa |
| 12. Democratic Republic of Congo | 36. Sao Tome and Principe |
| 13. Djibouti | 37. Senegal |
| 14. Equatorial Guinea | 38. Sierra Leone |
| 15. Eritrea | 39. Solomon Islands |
| 16. Ethiopia | 40. Somalia |
| 17. Gambia | 41. Sudan |
| 18. Guinea | 42. Timor Leste |
| 19. Guinea-Bissau | 43. Togo |
| 20. Haiti | 44. Tuvalu |
| 21. Kiribati | 45. Uganda |
| 22. Lao People's Democratic Republic | 46. United Republic of Tanzania |
| 23. Lesotho | 47. Vanuatu |
| 24. Liberia | 48. Yemen |
| | 49. Zambia |

Annex

The Criteria for the identification of the LDCs

In its latest triennial review of the list of Least Developed Countries (LDCs) in 2006, the Committee for Development Policy used the following three criteria for the identification of the LDCs:

- a low-income criterion, based on a three-year average estimate of the gross national income (GNI) per capita (under \$745 for inclusion, above \$900 for graduation);
- a human capital status criterion, involving a composite Human Assets Index (HAI) based on indicators of: (a) nutrition: percentage of population under-nourished; (b) health: mortality rate for children aged five years or under;

(c) education: the gross secondary school enrolment ratio; and (d) adult literacy rate; and

- An economic vulnerability criterion, involving a composite Economic Vulnerability Index (EVI) based on indicators of: (a) population size; (b) remoteness; (c) merchandise export concentration; (d) share of agriculture, forestry and fisheries in gross domestic product; (e) homelessness owing to natural disasters; (f) instability of agricultural production; and (g) instability of exports of goods and services.

To be added to the list, a country must satisfy all three criteria. In addition, since the fundamental meaning of the LDC category, i.e. the recognition of structural handicaps, excludes large economies, the population must not exceed 75 million. To become eligible for graduation, a country must reach threshold levels for graduation for at least two of the aforementioned three criteria, or its GNI per capita must exceed at least twice the threshold level, and the likelihood that the level of GNI per capita is sustainable must be deemed high.

With regard to the 2006 triennial review of the list, the CDP recommended that Papua New Guinea be included in, and Samoa be graduated from, the list of least developed countries. Equatorial Guinea, Kiribati, Tuvalu and Vanuatu were found eligible for graduation for the first time by the Committee. The General Assembly decided in its recent resolutions (59/209, 59/210 and 60/33) on the graduation of Cape Verde at the end of 2007 and Maldives in January 2011.

Mobilizing parliamentary support for
the Brussels Programme of Action for
the Least Developed Countries

