



UN-OHRLS

Parliamentary panel on governance in the Least Developed Countries

United Nations, 15 September 2006

SUMMARY REPORT

1. As a contribution to the United Nations Mid-term Comprehensive Global Review of the Programme of Action for the Least Developed Countries (2001-2010), the IPU, together with the Office of the High Representative for the Least Developed Countries, organized a panel discussion on the role of parliaments in supporting governance and development in the Least Developed Countries. The event was part of the programme of the High Level Meeting of the General Assembly that was convened in New York on 18 and 19 September to review progress made in the implementation of the Brussels Programme of Action (BPOA) and reassess priority actions for the next five years.
2. Opening statements were made by Anda Filip, Permanent Observer of the IPU to the United Nations, on behalf of the IPU Secretary General (Mr. Anders B. Johnsson); Ms. Harriet Schmidt, Director, Office of the Nations High Representative for the LDCs, on behalf of the High Representative (Mr. Anwarul K. Chowdhury), and Mr. Oussou Edouard Aho-Glele, Chair of the LDC Group at the United Nations. Mr. Guido Bertucci, Director, UN Division for Public Administration and Development Management, and Mr. Martin Chungong, Director, IPU Division for the Promotion of Democracy, contributed comments throughout and presented the main conclusions of the discussions at the end of the meeting.
3. Three key aspects of governance from the perspective of parliament were on the agenda. Each theme was introduced by two panellists and was followed by an interactive question and answer period.

Strengthening parliament as a decision-making organ of the State in LDCs

Presenters: Hon. Anne Makinda, Deputy Speaker, Tanzania; Mr. Joseph Gnonlonfoun, former MP and minister, Benin

4. In most countries, constitutions and other legal provisions assign a strong role to parliaments. However, the system of checks and balances does not work properly in the LDCs, where the executive branch holds most of the decision-making powers and is reluctant to submit to the scrutiny of parliament. Parliament is too often reduced to a rubber stamp role. Typically, it is the government that introduces legislation; it is very rare for individual members of parliament to table their own bills. Rules of procedure are often devised to prevent MPs from questioning the government or individual ministers.

5. Lack of parliamentary oversight of government action contributes to an environment of corruption and mismanagement. Weak parliaments in the LDCs are a factor in the slow pace toward overall economic and social development. Like the MDGs and other international commitments, the Brussels Declaration and Programme of Action remain fairly unknown to LDC parliaments and remain the preserve of governmental action.

6. An important reason for the weak position of parliaments vis-à-vis the executive branch is that they have limited information gathering as well as research and analytical capacities. Members of parliament (and especially newly elected ones) have little training in parliamentary processes and often lack sufficient specialized knowledge to question ministers and other government officials. Parliament depends too heavily on the executive branch of government for information and policy advice.

7. The weakness of parliaments in the LDCs also results from their inability to represent all of the people, especially minorities, as well as children and refugees who do not have the right to vote. There are not enough public hearings and other opportunities for people to follow the work of parliament and provide direct input.

8. Women in particular are still under-represented. A stronger gender perspective in politics is needed not only as a matter of basic human rights but also as a way of improving on policy making and engaging the large female electorate. It is important also to develop women's leadership qualities in preparing them for public office. Political parties must adopt internal working methods and practices that allow for adequate participation of both men and women and are more open to the grassroots.

9. LDC parliaments must also devise inclusive decision-making processes so as to allow, among other things, political oppositions to stimulate real debate. Dual mandates, in which MPs also serve as cabinet ministers, sometimes contribute to confusion of roles between the two branches of government and should be managed carefully. Cross-party thematic caucuses can also help to overcome party loyalty constraints

10. Parliaments and their members should play a more active role in overseeing the management of development aid. Select and oversight committees are crucial in this respect. The rule of law must be promoted as it is critical to good governance and sustainable development.

Enabling parliament to represent the people's will: civil society and the media

Presenters: Hon. Rebecca Kadaga, Deputy Speaker, Uganda; Dr. Gopal Krishna Siwakoti, President, INHURED International

11. Good governance requires the establishment of government processes that are participatory, inclusive, equitable, accountable and consensual. In this context, civil society organizations provide an effective gauge of public opinion. They can also be a source of expertise and knowledge of local communities. A strong partnership between parliaments and civil society is therefore necessary to ensure that adopted legislation

corresponds to the will of the people and more specifically of those constituencies that are directly impacted.

12. LDC parliaments often foreclose interaction with civil society organizations either for fear of being outdone politically or for lack of capacities. As a first step toward change, each parliament should adopt a clear legal framework to govern the relationship with outside interest groups and associations. Measures should also be taken to educate civil society on their role and responsibilities and to provide them with information on the parliament's activities.

13. A free and independent media is critical to help motivate people politically and thus raise their interest in the work of parliament. In many LDCs the media are state-owned or in the hands of private monopolies that tend to present a one-sided picture of the various issues and political actors. Parliament in these countries does not have adequate public information capacities (e.g., website, newsletter, parliamentary TV channel) to broadcast their internal processes. A special effort should be made to build these capacities. A diversity of sources of information is therefore important to provide a balanced picture. parliaments should promote the adoption and implementation of freedom of information legislation.

14. A closer relationship with the media may tempt politicians to sidestep parliament as the main forum for political dialogue and to use the media as a tool to wage political wars in the public arena. This happens frequently in the LDCs and poses the risk of further diminishing the authority of parliament.

15. Doing politics through the media should not be mistaken as a way for politicians to relate to constituents: people want to speak with their MPs, not just read about them. A way must be found to engage the media constructively to cover the actual work of parliament and its members instead of focusing their coverage on the political squabbling. At any rate, the right of parliamentarians to speak to the media and the right of the media to ask hard questions of elected representatives should never be called into question.

16. Action is required to build capacity among media practitioners to enable them to do their work in a more professional manner. The UN Democracy Fund, among other donors should fund projects in this direction.

17. Generally, parliamentarians in LDCs need to work harder to build relations with constituents through dialogue, in an open and transparent manner. For the most part people do not know what their MP is doing and rarely get to meet with him or her. Parliaments need to establish and uphold a code of conduct that imposes minimum obligations on members to work with constituents and to disclose information about their personal assets and finances.

18. Corruption can affect MPs directly and is a major factor contributing to disillusionment with the political world among the general public. Parliaments in LDCs

must endow themselves with rules to deal with MPs who have been found in breach of basic conflict of interest guidelines or have broken the law. In case of a serious breach of trust properly ascertained, the MPs involved should be promptly stripped of their parliamentary mandate so as not to tarnish the whole institution. Allegations of corruption and other crimes that might involve parliamentarians should always be fully investigated. In sum, members of parliament should be shining examples of integrity.

19. Parliaments should also be able to address emerging issues such as natural disasters, HIV/AIDS, which have a substantial and direct impact on their constituents.

Building the capacities of members of parliament for effective representation

| |
|-----------------------------------------------------------------------------------------|
| Presenters: Hon. Ezéchias Rwabuhiri, Rwanda; Hon. Luisa Morgantini, European Parliament |
|-----------------------------------------------------------------------------------------|

20. Many LDC parliaments operate on shoestring budgets and with too few resources at their disposal. Especially in post-conflict countries where democratic institutions had been suppressed, parliament is often little more than a ruined town hall without adequate office space, electronic equipment, library or other essential services.

21. With enough support, the first phase of reconstruction of the basic infrastructure can progress quickly to allow parliament to perform basic functions. A bigger challenge however consists in providing continuous support to build capacities over the long term in order to endow the parliamentary institution with its rightful authority. For that to happen a comprehensive, multi-year strategic plan must be drawn up and implemented by parliament itself.

22. Building parliamentary capacities is a key condition to strengthening democracy. Institutional capacities mean more than physical infrastructure and equipment but also decision-making processes and bodies. Parliamentary committees assigned to specific policy areas (and properly serviced) are indispensable to any parliament. Capacity building should also extend outside the parliament proper to provide for ombudsman offices, issue-specific rapporteurs and other watchdog bodies which report to parliament and whose findings can assist MPs in their deliberations.

23. Too much external assistance for parliamentary support and development is given to government ministries with the risk that the funds end up being utilized for other purposes or given to parliaments with too many strings attached. It is important that parliament acquire their own financial independence to formulate and implement their own capacity-building plans. External assistance for parliamentary capacities should therefore be allocated directly to parliaments.

24. Technical assistance should be provided by donor agencies as well as directly by the parliaments of more established democracies, as is the case for the European Parliament, with the aim of sharing good practices and resources. South-South inter-parliamentary exchanges are also effective to help train newly elected MPs and to develop more effective procedures and organizational models.

25. Information technologies are becoming more and more important as a tool for parliaments to speed up and streamline their processes, engage in public consultations, and acquire more independent analytical capacities. Their mainstreaming in all LDC parliaments is a top priority.

26. It is important to draw up an inventory of projects of assistance to parliament in order to reduce the scope for overlap and duplication. The IPU can play a key role in this respect.

Main recommendations

27. Parliaments must take a more active role in popularising the BPOA, in initiating debate about its various provisions, and in holding governments to account for its implementation. Similarly, LDC parliaments must become more proactive in the formulation of national development strategies to achieve the Millennium Development Goals.

28. The international community must devote more resources to training of new parliamentarians and their staff as well as to buttressing key information capacities for MPs to be better able to question government members, understand proposed legislation, develop their own policy recommendations, and communicate with constituents. Assistance should also go to support more inter-parliamentary exchanges and to codifying and sharing parliamentary best practices.

29. A key to making parliaments relevant and effective in the LDCs is for them to open their doors to constituents, civil society and the media and thus assume greater popular legitimacy. Parliaments must devise ways and means to bring more people into the political process, such as through more public hearings and media contacts, and thus develop a culture of participation. This will require more capacities but also political will within parliaments themselves.

30. Parliaments must acquire their own financial resources to grow stronger without government interference. Donor funding should go directly to parliaments in order to uphold their independent role from the outset. A key objective of assistance should be to help develop the information technologies of parliaments as well as their own media capacities to make their work known to the general public.

31. The IPU is called upon to further provide and coordinate technical assistance to LDC parliaments and to focus more directly on them as part of its activities in support of democracy and good governance.