Parliamentary Support – Strategies, instruments, and interventions

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Elections and parliaments – closing the circle

- Fair elections provide foundation for accountable, effective governance.
- Conversely, credible elections are not meaningful if the institutions they create are dysfunctional or incapable.
- In fact, it is questionable whether effective parliaments and credible elections are even possible independent of each other
- The discussion of supporting effective parliaments in this EC-UNDP-IDEA training is thus both pertinent, and very welcome.

Generalizations about parliaments in emerging democracies

- Tend to be substantially under-resourced in physical space, operating budgets, and human capital
- There is typically an imbalance of power between the executive and legislature
- Parliaments are often poorly understood by the population
- Relationships with civil society tend to be weak
- *BUT, there is a notable and general tendency for parliaments to become stronger*

A few reasons why parliaments are important to democracy

- Parliaments vote laws, oversee the executive, vote and oversee the national budget, and represent the population – without parliaments all these activities would be carried out behind closed doors

- There is much research showing that countries with effective parliaments have more stable democratic systems and better development outcomes

- Parliaments, along with an effective judiciary, provide a necessary balance to executive power.

Parliamentary development is often sidelined

- Support to parliaments is rarely a priority for governments
- When development assistance is provided through budget support negotiated with governments, parliaments rarely receive support
- Development agencies, both bilateral and multilateral, often find it easier to work with the executive and with civil society rather than with parliaments
- *Therefore*, good governance assistance often ends up increasing the imbalance between a competent and effective executive and an under-resourced and marginalized parliament.

Considerations in designing parliamentary support programming

- The constitutional heritage in which a parliament has developed is usually crucially important in determining areas of likely success and failure in development initiatives

- Parliaments operate within institutional contexts and cannot be effective where other state institutions are weak – programming often needs to include more than one state institution in order to generate good results

- It is necessary to differentiate between parliaments and political parties: even when we work with party caucuses in parliament we are not working with political parties but with parliamentary structures

- Often, parliamentary development programming is not appropriate – the democratic climate is not right, institutional support is not there, etc. Programming should never be forced through because it is 'needed' if the conditions for its success are not present. Nor should undemocratic parliaments be given credibility by the international community.

Steps to parliamentary support programming

- Institutional buy-in is obviously crucial. Champions need to be identified and their support confirmed. If the speaker and the chief of staff do not support the initiative it is probably doomed
- A 'reform committee' of parliament should be identified or created in which key constituents are represented
- Sometimes, opposition representatives are weakly represented in formal structures – they do need to play an important role in parliamentary development
- The first step would usually be to conduct a needs assessment. Again this needs to *genuinely* be driven by parliament, although it is important it receives input from outside.

The needs assessment

- ✓ Usually beneficial to involve national and international expertise

- ✓ Important to involve broad range of stakeholders – executive, donors, civil society, media, former parliamentarians, etc

- ✓ Important to maintain a feedback loop with the parliamentary reform committee

- ✓ Studies of public perceptions of parliament can be very effective in helping parliamentarians see that the institution may have an image problem

- ✓ Forums with civil society, former parliamentarians, etc. can be very useful in identifying issues *and* building support for a support initiative

- ✓ One option is to use some of the 'standards' approaches (CPA, NDI, IPU, etc.) as a tool for measuring how parliaments stack up against international norms.

Delivery mechanisms

Funding	Delivery

Funding

- Multi-donor programmes are difficult to set-up but reduce duplication and build confidence on both sides
- Programmes with real contributions from parliament itself are much more likely to be sustainable
- Funding through budget support mechanisms desirable but few examples
- Competing support programmes often a problem

Delivery

- Depends on programme adopted and local environment – pros and cons of all models
- Delivery entirely through existing parliamentary structures
- Development unit established within parliament
- Autonomous 'expert team'
- Indigenous NGO delivery
- International democracy-building organization

The strategic plan

many parliamentary development programmes are built around a strategic plan – there are advantages and disadvantages

Advantages	Disadvantages
- A longer-term comprehensive vision of institutional development - Reduces risk of duplication and repetition of activities - Possible to measure progress - Many reform activities will only succeed if other aspects of the institution are also improved - May facilitate resource mobilisation	- Can easily become an unrealistic shopping list - Does not stop parliament in practice from 'cherry-picking' desirable activities - Donors often want to fund 'their' activity rather than a broader whole - Parliaments sometimes prefer to work one-on-one with individual donors

Areas of parliamentary development

Legislative responsibilities

- Legislative drafting skills are often upgraded – but we should not assume that parliaments will, or even ought to generate a high percentage of legal initiatives – this depends on the constitutional heritage as well as capacity

- Often skills in analyzing legislative proposals are more useful than drafting legislation from scratch

- Expanding opportunities for expert and public interest input into legislative proposals is often helpful

- Hansard is often a weakness so that rationale for decisions is lost – this can give space for undemocratic executive practices later

- In this area exchanges can be very valuable as long as they are well-planned.

Oversight

- Perhaps the most important parliamentary function, particularly in 'continental' constitutional systems
- Numerous areas for potential support:

➢ Improving staff and caucus research skills

➢ Supporting committee field missions

➢ Clarifying executive accountability to parliament and support better use of questions, interpellations, etc.

➢ Supporting focused analysis of executive actions (eg gender impact, anti-poverty impact, etc.)

Representation

- Parliaments are often poorly perceived – providing parliamentarians are aware of this and genuinely wish to improve the situation there is much that can be done:

➢ Regular dialogue and outreach with populations (also see Oversight)

➢ Strengthening media and internal communications capacities (both are needed)

➢ Ensuring parliamentary debates are broadcast

➢ Reducing number of closed committee meetings (but see constitutional heritage)

Budget

- Improved parliamentary input to budget process contributes significantly to good governance
- Proper parliamentary oversight of budgets very important to donors in an era of budget support
- Budget needs to be seen as a cycle – development, debate, implementation oversight, auditing and evaluation

➢ Parliaments can provide for public input into budget development (expect executive and sometimes IFI resistance)

➢ Budget / finance committees often have strong members and high absorption capacity – training and missions often reap big dividends

➢ Parliaments need to be more involved in public finance reform initiatives (eg PEFA)

➢ Strengthening budget systems typically requires also strengthening the other budget cycle institutions.

Parliamentary administration

- Often quite weak and excessively subordinate to political leadership
- Constitutional status and political independence of the parliamentary civil service is often an issue
- Sometimes parliamentary support programmes focus on parliamentary staff to the exclusion of parliamentarians – typically a two-pronged approach is needed
- Missions and training need to be very focused on building specific skills.

Inclusivity

- Civil society often legitimately criticises parliaments for representing only a small proportion of the population
- Increasing attention in parliamentary development on gender – both representation and understanding gender policy impact

➢ Gender quotas are under discussion in many countries – they are effective but of course have strong opponents

➢ There are good resources available to support gender focus, for example iKNOW Politics

- There has been less attention in parliamentary development programming to minority representation – this is crucial in preventing conflict and recovering from conflict

Thank you!