

Common Principles for Support to Parliaments





Inter-Parliamentary Union
For democracy. For everyone.

A Working Group comprising representatives from the French National Assembly, the European Parliament, the United Nations Development Programme (UNDP), the National Democratic Institute (NDI) and IPU led the effort to identify the Common Principles and develop the commentary on them. The group's members were François Duluc, Dirk Toornstra, Scott Hubli, Charles Chauvel, Norah Babic and Andy Richardson.

The Inter-Parliamentary Union (IPU) will continue to be the recipient of endorsements and focal point for future revisions of the Common Principles. The Common Principles can be endorsed by a letter of notification addressed to the IPU Secretariat (postbox@ipu.org).

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Foreword

It has been over four decades since support to parliaments in its present form was initiated. Prior to that, there has been a long history of parliaments assisting each other by sharing experiences and challenges.

In recent times, parliaments around the world have increasingly sought advice about how to modernize their institution, maintain close contact with citizens and effectively fulfil their constitutional functions of law-making, oversight and representation. The number of parliaments has also increased, and the solidarity displayed by parliaments as they continually seek to share their experiences with one another is to be emulated.

Parliaments are without a doubt essential to a vibrant democracy, maintaining peace, upholding the rule of law and human rights, promoting gender equality, advocating for inclusive politics, increasing economic prosperity and promoting social justice. Accordingly, parliaments must be well structured, resourced and empowered to effectively fulfil their mandate. Today more than ever parliaments are working harder to develop their capacity to better

respond to the increased scrutiny and growing expectations from people for more efficient and effective service from their representatives.

The international community has also come to understand the importance of parliaments to peace and sustainable development, and to recognize the need to invest in parliamentary development. The substantial growth in support available to parliaments from the international community in recent years is testament to the latter's enhanced understanding of parliament's importance. However, the increase in support raises a number of questions related to coordination, cooperation, coherence and quality, meeting the challenge of harmonizing support, as well as instilling common values in the support provided.

The Common Principles summarize the most important and aspirational elements of parliamentary development and aim to guide support initiatives by examining all the factors that need to be considered in designing and managing effective parliamentary support.

The Common Principles affirm that support programmes must take account of the variety of

cultural, religious, political and institutional contexts, and seek to balance competing tensions that are a regular part of the work of parliaments, given their complex and highly political nature.

Indeed, the complexity and political nature of parliaments pose many challenges to providing support. Overcoming these challenges is only possible from within parliament.

The first and core tenet, therefore, is that only parliament can take responsibility for its own development. External partners must recognize that parliament is a quintessentially political environment, where needs can evolve and opportunities arise without warning. At the same time, parliaments should take an inclusive approach to their development by involving members of every political persuasion, as well as parliamentary staff and other relevant stakeholders. These are the foundations that should underpin successful parliamentary development.

All members of the parliamentary community are called on to give life to these Common Principles by incorporating them into their work. By raising the quality

of support to parliaments, we can help to strengthen parliaments and raise the quality of democracy itself.

The Common Principles are an invitation to all, parliaments and partners alike, to work together to improve the quality of support to parliaments. The IPU was pleased to convene the working group that led this effort.

We hope they will inspire a better quality of parliamentary support throughout the parliamentary community, gain momentum in the years to come and continue to make an important contribution to the field of parliamentary development.

Martin Chungong
Secretary General



Introduction

Common principles for support to parliaments

The Common Principles developed to support to parliaments comprise one overarching General Principle and nine specific Principles and are designed to achieve two main objectives:

- Assist partners engaged in the front line of parliamentary support and parliaments worldwide to work together with enhanced relevance, sensitivity and effectiveness.
- Enable partners and parliaments to work towards sharing a fundamental approach to the design and implementation of parliamentary support.

Support available to parliaments has grown significantly in recent years. As a result, there is now extensive experience in this field shared between a range of organizations and individuals partnering with parliaments. This has made the present distillation

of Common Principles possible. The aim has been to capture the fundamentals of parliamentary support for the benefit of all parliaments and their partners¹ in a single, accessible document.

The Principles are intended to provide an inclusive and enabling framework for partners that:

- Reflects an effective, practical approach to support for parliaments.
- Takes full account of the uniqueness of each parliamentary institution, while recognizing emerging international standards for all democratic parliaments.
- Emphasizes inclusive parliamentary ownership of its development and change process.
- Advances a culture of partnership, trust and mutual respect.

¹ The largely interchangeable terms “partners”, “parliamentary support partners” and “parliamentary partners” are used throughout the document to refer to those actors that are external to parliaments and who are engaged in parliamentary support work. “Partnership” refers to the relationship between partners and parliaments. “Support to parliaments” and “parliamentary support” are used interchangeably throughout the document.

In particular, the Principles are designed to promote effective communication and cooperation at the local, regional and global levels, and to assist in ensuring that partners' roles and responsibilities in providing parliamentary support are transparent, mutually agreed and complementary.

The present Principles will undoubtedly undergo changes and refinements over time. This process will take account of partners' and parliaments' experience and development, thereby ensuring their continuing relevance to effective parliamentary support.

Adoption of these Principles by parliaments and partners as a common framework for parliamentary support should ensure, therefore, that support activities are made progressively more effective and efficient. This, in turn, will enhance the capacity of parliaments to fulfil their core functions.

Parliamentary support – rationale and nature

Rationale

Well-structured and resourced parliaments are essential to a vibrant democracy, maintaining peace, upholding the rule of law and human rights, advancing gender equality and youth participation, increasing economic prosperity and promoting social justice. Parliaments' growing legislative, oversight and representative responsibilities in these areas imply that all citizens have a vital stake in the institution.

There is a strong desire by many parliaments to develop their capacities in response to the growing expectations of people for more efficient and effective service delivery from their representatives, which needs to be acknowledged in all support work.

Democracy in its broadest sense, however, implies a world community and it is, therefore, appropriate that parliaments should be able to draw upon

appropriate and robust external technical support from an international community with a common interest and stake in the functioning of all key democratic institutions. This common purpose provides the rationale for parliamentary support.

Nature

Parliaments are complex organizations with distinct political, procedural and administrative aspects. This complexity presents significant challenges when devising effective external support.

Parliaments comprise elected politicians, assisted by a range of officials and staff providing procedural and other support. They often have a shared goal of ensuring that parliament manages competing social priorities, passes sound laws, holds the government to account and provides members of parliament with resources to represent their constituents. While these

roles are interlinking, capacity requirements are often very distinct. Effective parliamentary support needs to be sufficiently sophisticated and responsive to reflect these complex requirements adequately.

To meet the growing requirements for parliamentary support, a range of partners have emerged over the past two or three decades. Established parliaments have provided support to assist their more recent counterparts. In addition, specialized international organizations, training institutes, donors, civil society groups and consultancy firms have come forward to provide niche resources. Parliamentary support has emerged as a recognized field of expertise and the resources dedicated to it have increased, while the potential of parliaments to promote good governance, political inclusion, economic prosperity and social justice has become more widely appreciated.

Parliamentary support requires local and international input. Just as there has been a proliferation of international actors recognizing the importance of strong, effective parliaments to democratic development, civil society organizations in many countries have also recognized the critical importance of parliament to the health of their own democracies and are increasingly engaged in monitoring parliamentary performance and supporting issues of parliamentary development and reform. Engagement of national actors in parliamentary development is often vital to the success of parliamentary support work.

The main purpose of parliamentary support is to assist parliaments in developing to the full the capacity to perform their basic legislative, oversight and representative roles. This support must take account of parliaments' potential to aggregate input from individual citizens, civil society organizations and

subordinate oversight and governance bodies such as subnational legislatures and major municipalities, where these exist. It must also take account of parliament's potential to take the lead nationally in promoting the rule of law, human rights, including women's rights and child protection, and democracy in their country, and establish themselves as credible national institutions committed to the peaceful resolution of conflict.

The difficulties inherent to these parliamentary functions and the complexity of parliamentary institutions pose many challenges for effective parliamentary support. These include the need to adequately assess the national sociopolitical context, understand the parliament's wider institutional and governance environment and encourage strong local support. Understanding how to operate effectively within parliaments and how to overcome those challenges is possible only with strong support from

within the country, particularly of the parliament itself, at all levels.

Successful parliamentary support initiatives, therefore, need to be led strongly and consensually by the "family" of stakeholders surrounding a parliament. Internally, this includes both government and opposition parties, leadership and backbenchers, and members and staff. Externally, it includes citizens and civil society stakeholders that engage with parliament. Whether internal or external, support should be based firmly on parliament's own well-defined priorities. A parliament's close and consensual partnership with external support partners in this process will help facilitate the identification of these priorities and allow ready access to relevant international standards expected of 21st-century democratic parliaments.

The past 20 years have seen increasing demands on parliaments and parliamentarians by ordinary citizens.

This pressure for parliaments to live up to their central place within the institutional architecture of countries, through demonstrating improved business efficiency and progressively higher standards of personal probity by parliamentarians, is likely to increase in future. Parliamentary support also offers parliaments help in meeting these challenges.

Parliaments are at the heart of political events and parliamentary support activities frequently take place and develop as a result of changing political priorities and dynamic alignments. The range of technical support mechanisms must, therefore, be designed to be progressively more imaginative and appropriate if they are to result in a positive outcome within parliaments.

Multiparty political championing for both the substance and form of parliamentary support will always be essential to a positive outcome. Lastly, successful

interventions are unlikely to be achieved unless they fall within a framework of support that is both long-term and matched in sophistication by parliaments' own complexities.

Common principles – process and form

Process

Acknowledging these challenges, a number of parliaments and parliamentary support partners met in Geneva in October 2013 and agreed that it was timely to find out if devising a set of Common Principles to provide a framework for parliamentary support work would be possible.

The Principles were developed through a consultative process. A five-member working group,² convened by IPU, led the process with support from an independent consultant. Parliaments provided input during the process through the Association of Secretaries General of Parliaments and the governing bodies of IPU. Partners in parliamentary support provided comments on successive drafts.

Form

The document below is the fruit of that initiative and comprises one overarching Principle and nine specific Principles, each of which crystalizes one common aspect of parliamentary support. The first Principle provides a rationale for parliamentary support generally. Each Principle is accompanied by a commentary. Parliaments and parliamentary support partners will wish to interpret the Principles in the context of their own work.

The Principles are designed to apply to all activities aimed at strengthening parliament. In addition, they are intended to be relevant to all countries and contexts where support is made available to assist parliaments in building their capacity and applicable to the work of all parliamentary support partners.

² Inter-Parliamentary Union, United Nations Development Programme, National Assembly of France, European Parliament, National Democratic Institute



Pelayanan Klien?
Kendala apa?
Maka perlu solusi
Pelayanan standar & khusus
Kendala pelayanan & proses kerja
Kendala pelayanan & proses kerja
Kendala pelayanan & proses kerja
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General principle for support to parliaments

Effective parliaments are essential to democracy, the rule of law, human rights, gender equality, and economic and social development. Parliaments require access to excellent technical support to contribute fully in these areas.

Parliaments and democracy

Democracy has many forms but is usually predicated upon an effective separation of powers between the executive, the judiciary and the parliament to share power and maintain checks and balances. This structure requires a democratic parliament broadly rooted in society, whose internal business structures have the required capacity to perform its functions.

The core legislative, oversight and representative functions of parliaments provide an essential contribution to the quality of a country's overall governance by adding value to government policy in areas of modern state activity, providing additional legitimacy for government action and activities, initiating policy independently of government, and enabling policy to be translated into social reality through laws.

Underpinning these functions and providing a benchmark for decision-making, a democratic parliament ensures that the rule of law prevails, safeguards human rights, promotes the goal of gender equality, regulates the economy to promote sustainable growth and is responsive to changes in society requiring social development and modernization. While aspects of work in these areas are shared with the executive and judiciary, the absence of a strong, effective and democratic parliament will deny the state legitimacy.

Democratic parliaments also provide an opportunity for all sectors of society to be heard through their representatives, for disputes and disagreements over policy direction and issues of national importance to be debated, and for peaceful solutions to be reached and sustained within the framework of the rule of law.

Support for parliaments from partners

Many parliaments seek external assistance to helping fulfil their complex role. External assistance – whether it takes the form of bilateral or multilateral programmes – must be (a) fully suited to the requirements of the parliament and (b) of a quality that is commensurate with the importance of parliament within the overall national governance structure.

Support to parliamentarians and parliamentary officials should, therefore, be available across all areas of parliamentary activity both from internal and local sources, and from other parliaments and the international parliamentary support community. These international exchanges should stress the integrity and independence that underpins all successful parliamentary institutions. Such support may be delivered at times through formal meetings, events and processes, and informal contacts.

Lastly, parliamentary support must reflect the reality that all parliaments, whether newly established or long-standing, are able to learn from each other. Beyond the vital role parliamentary partners play in meeting the specialized requirements for support from individual parliaments, the reciprocal sharing of experience among parliamentarians and parliamentary staff is invaluable to the development of democracy throughout the world and should be strongly encouraged.

Specific principles for support to parliaments

Principle 1: Parliamentary support partners are guided by the needs of parliament

A prerequisite for successful parliamentary support is a trustful, open and inclusive relationship between parliament and its support partners. This trust must be reflected in the practical implementation arrangements for parliamentary support – for example, the inclusive and open management of activities.

Support to a particular parliament must fully reflect the parliament's needs, which are best articulated through an inclusive process that takes into account the diversity of a parliament's members, political parties, parliamentary officials and others. Parliament alone is best placed to articulate its needs and to define broad strategic objectives, as well as tactical approaches to particular activities, although external partners can often also be helpful in facilitating a strategic planning process.

Parliaments are not stand-alone institutions but an intrinsic part of wider institutional and other contexts. It

follows, therefore, that interest in the development of parliament and future external support normally extends well beyond parliament itself. In these circumstances, the views of external institutions and bodies are also relevant, including the executive.

Good national governance depends upon the main state institutions working on the basis of cooperation. While it would be inappropriate for the executive to play a direct role in the development of parliamentary support given the imperative of the separation of powers, the development of constructive legislative–executive relations is an important aspect of parliamentary support. Timely consultations with the executive can be helpful in informing parliamentary development efforts.

Parliaments are busy places with often intense and competing daily pressures, especially when in session.

Therefore, parliamentary support needs to fit well within the demands of an institution at work.

Indeed, long-term parliamentary support may best be approached through embedding it within an overall parliament-“owned” strategic plan, developed through an inclusive process. Such a plan may cover all areas of a parliament’s work and may usefully identify priority areas for intervention, the interests of those in parliament and the best entry points for support. Indeed, the drafting of such a strategic plan might itself be a feature of external support.

While recognizing that parliamentary support must be driven by the parliament’s needs, the relationship between parliament and its partners should help to ensure that the latter’s expertise is used well and given full weight and that advice offered is carefully considered. Parliamentary support partners often possess deep

knowledge of, and reflect extensive experience with, parliaments. It is, therefore, clearly in the best interests of the overall work of developing parliament that such expertise is utilized to the maximum.

The basic conditions identified above are important both in determining a successful overall outcome for parliamentary support activities and in identifying the practical arrangements required to drive that success. Practical arrangements for successful implementation on the ground include:

- Establishing sound management, including financial and administrative management for activities, in which the diversity of parliamentary perspectives are appropriately represented. Such management structures should be minimum and streamlined within parliament’s existing administrative architecture, to the extent possible.

- Fully reflecting the structure of parliament (e.g. unicameral or bicameral) in programme design, and engaging the secretariat in the delivery of parliamentary support.
 - Encouraging the practical involvement of parliament where possible in support activities, including periodic staff participation, cost sharing or in-kind contributions.
 - Ensuring that support activities are coordinated with the daily work of parliament and the work of members and parliamentary officials who most closely determine parliament's programme. This will normally entail, for example, the close involvement of the Speaker and Secretary General/Clerk or their representatives, although the input of other parliamentary stakeholders is also vital.
 - Pacing support activities at a rate with which all partners and parliament are comfortable and avoiding over-ambitious plans or timetables.
- Frequently reassessing the strategic objectives of support and the tactical approaches adopted to ensure that the quality of outputs is progressively improved.
 - Conducting "final" evaluations of specific interventions to assess value for money and impact, and to inform future support work.

Principle 2: Parliamentary support partners are attentive to the multiple, overlapping social, economic and political contexts in which parliaments operate

However complex parliaments may appear, their fundamental *raison d'être* is to transform the political, economic and social aspirations of citizens into legal and social realities through legislation, oversight and representation.

The more deeply embedded a parliament is in society's fabric, and the more sensitive it is to its multiple contexts, the greater its capacity to contribute peaceful and politically acceptable solutions to the country's pressing challenges.

Parliamentary support partners have a role to play in assisting parliaments in working towards developing a positive image within their contextual environments by encouraging a parliament's efforts to deepen its relevance to all citizens.

Therefore, successful parliamentary support operations take close account both of the internal constitutional,

institutional and procedural architecture of parliament and the multiple external social and political contexts in which parliaments are situated, and that act on parliament and parliamentarians on a daily basis. Solid support will involve assistance to parliament in its drive to be inclusive and to reach out to and engage with its constituents within all social and political contexts.

There is an important role for parliamentary outreach activity in providing opportunities to demonstrate a parliament's relevance to citizens. In particular, partners require a keen understanding of a country's political economy context, including the nature and role of political parties, as well as an understanding of the country's constitutional position.

Parliamentary outreach – the country as context: Engaging all citizens

Fully functioning parliaments are highly accessible national centres where the issues of national and often

individual significance for citizens, irrespective of sex, ethnic background, social status or political beliefs, may be debated and resolved.

This is unlikely to be possible in the absence of substantial and vigorous, parliament-driven outreach programmes in which citizens and civil society organizations are strongly encouraged to relate to their parliament, and where parliaments and parliamentarians are expected to be outward-looking and responsive both to their constituents and the overall national interest.

Parliamentary outreach is relatively new to many parliaments (including some long-standing ones) but is now considered a normal feature of parliamentary life. Outreach may take a variety of forms, from simple reciprocal visits to complex engagement on policy issues.

It will always be important to consider outreach from the point of view of gender relations and the particular challenges to women and youth, and to reflect carefully on ways in which such development support may be offered. Women's participation may be encouraged by systematically engaging with women's grassroots organizations, women community leaders, gender-focused research institutes and think tanks.

Equally important is youth outreach. Youth may be drawn into a parliamentary environment, including the establishment of parliamentary internships for students at national universities and colleges as a means of promoting openness, cooperation and learning, and the creation of youth parliaments.

Parliaments also have a special responsibility to ensure that the voice of minorities and marginalized groups are heard, and support activities should take account of the

need to reach out to these vulnerable constituencies. In countries with remote constituencies, a weak transport system or ethnic groups in inaccessible areas, strong outreach will be of particular importance.

There are a multitude of practical ways in which outreach can be conducted and supported, and the priorities agreed will depend largely on the national and regional modes of communication habitually used: radio; television; dedicated parliamentary media channels; a meaningful parliament website; newsletters in the relevant languages; inward and outward visits by citizens and local and international parliamentarians respectively; seminars, and conferences.

Whatever the forms of outreach agreed, depending on the particular context, parliamentary support partners should invariably consider a parliament's capacity to engage with its citizenry as a foremost priority for action.

Outreach support activities should:

- Promote a strong spirit of parliamentary inclusiveness and strengthen links to the citizens.
- Ensure that participation in support activities reflects national diversity.
- Include specific training to address diversity issues in parliament where required.
- Assist parliaments and parliamentarians in promoting an awareness of equal opportunities and tackling discrimination in all forms in their legislative, oversight and representative work, and within the secretariat administration.

Constitutional and political economy contexts

Parliaments are a part of, and operate within, a formal constitutional and institutional context. At the same time, parliaments are a dynamic part of a less transparent, overlapping political economy context extending beyond parliament.

Support partners must always seek to take account of both the constitutional/institutional *and* political economy contexts within which a parliament exists. Activities to assist parliaments in designing suitable support programmes will be contingent on such understanding.

Parliamentary support partners have an obligation, therefore, to inform themselves about the country's institutional history and should have a good sense of the country's general political environment (electoral system, political parties, relevant provisions of the Constitution, human rights situation, gender equality, recent experience of conflict, the budgetary and fiscal situation, the economic context and national development plans.

Partners also need to consider international and regional issues (trade, political, economic and cultural relations) and disputes, as well as the country's international and regional obligations, all of which are likely to be

continuing features of parliament's interest and concern. Political parties are the bridge between organized political opinion and the institutions of the state, including parliament. Parliament is the place where major national political tendencies are represented, in line with the country's electoral law, and political parties are a vital feature of a country's political economy.

The capacity of a parliament to operate well rests partly on well-designed procedural rules and, to a considerable extent, on the stability, discipline and capacities of the political parties, groupings and alignments within a country. Where parties are weak or even non-existent, parliament is unlikely to be able to effectively represent its citizens. Political parties, as crucial players in the democratic life of a nation and parliamentary democracy, are, therefore, an additional key context and focus for support. It will be important for partners to be aware of the history and political background of the main parties represented in parliament.

Principle 3: Parliamentary support aims for sustainable outcomes

Sustainability of parliamentary support means that the benefits of external assistance continue to accrue to the institution even after the assistance ceases. This implies that parliaments develop the capacity to manage change and renewal processes.

Parliamentary support should focus on tools to sustain development assistance and on institutionalizing a process for continued institutional development. These tools include (1) a strategic approach to development and (2) greater effectiveness of parliamentary staff.

Strategic planning for sustainability

While parliaments may be functionally unique, they behave in many ways like other institutions; in particular, they evolve, whether they plan to or not.

Parliaments should, therefore, invariably be encouraged to adopt strategic and corporate management techniques to exert control over their own development by prioritizing activities, managing external support

and, in the context of overall institutional objectives, revisiting and reviewing previous initiatives and reforms, ensuring resources are used with value for money in mind, accountability and transparency.

Such techniques also provide parliaments with an opportunity to showcase to citizens progress in agreed national institutional targets and objectives, and therefore to gradually develop a more positive public image for parliament.

Strategic planning is the main tool a parliament has for managing rational and sustainable change by establishing consensus on strategic objectives and consequential annual corporate and operational planning.

Where no parliament strategy exists, therefore, support partners should encourage parliaments to agree to an early assessment of whether it is timely to begin planning for one, and stand ready to assist with the lengthy process of embedding a strategic outlook in

parliament. Where there is a strategy, then one priority should be to review and update it where required.

Staff and institutional continuity

Parliaments exist to enable members to exercise their democratic mandate. This cannot be carried through effectively in the absence of a cadre of permanent staff. The main potential resource for continuity and sustainable change in a parliament is the permanent secretariat, although many other actors, such as the Speaker, party leaders and members (especially re-elected ones) also have extremely important roles.

Strong parliaments need impartial, highly professional and qualified staff that are loyal to the parliamentary institution. Parliamentary support activities may help achieve this aim by promoting staff selection and careers based on merit and by ensuring that employment contracts or regulations contain appropriate employee protection guarantees.

Parliamentary support may promote measures intended to encourage women's promotion to leadership positions in the secretariat.

Every parliament finds an institutional memory invaluable; that memory invests primarily in the staff, mainly in senior secretariat positions. This does not necessarily mean that all individuals will stay in the secretariat for their entire working lives. Indeed, taken to the extreme, this could result in an institution that is resistant to change. A balance of continuity and change in parliamentary staff is thus required.

Assistance in the form of ongoing training and mentoring of secretariat staff, possibly the development of a parliament research or training centre, the production of handbooks or facilitating parliament's access to independent qualified expertise are all initiatives in which partners might engage with parliamentary staff, alongside targeted support for members of parliament.

Partners' role in promoting sustainable parliamentary development

To promote sustainability, partner support activities must be a clear part of the development process agreed and driven by parliament itself. Such a position:

- Ensures that partners are genuinely supporting parliament's own development vision and confirms the legitimacy of this support.
- Allows for close coordination between activities and parliament's overall development.
- Enables a holistic approach to be taken to parliamentary support in which all areas of parliament gain from partners' support. Sustainable parliamentary support activities imply capacity-building that benefits the whole institution, its different components, members and staff.

Members and staff are normally more likely to enter willingly and enthusiastically into partner-sponsored activities, contribute to their success, and take real ownership of the results if they are included in a

process of sustainable development that is both owned and led locally.

Nevertheless, there are often instances when there may be requests for support activities which might not be foreseen as part of a longer-term planning document. Not all parliaments may have had the opportunity to develop a long-term development plan through an inclusive process. Even where one exists, there are often gaps between an election and the development of a new parliamentary development plan, and institutional development priorities may sometimes change with new political leadership. Legislatures often find themselves having to adapt their schedule and priorities in response to the emerging needs of the country, as well as to new political developments. To be effective, parliamentary support activities must also be responsive to the emerging needs expressed by parliament and parliamentarians, even if not reflected in a long-term strategic planning document.

Principle 4: Parliamentary support is inclusive of all political tendencies

Parliament is the place where all political tendencies are represented, in line with the country's electoral law. Political parties are crucial players in democratic life, and parliamentary democracy is intended to give a voice to all groups with significant electoral support. While the primary focus of parliamentary support must be the effective functioning of parliament as a whole, it is important for parliamentary support partners to be aware of the history and political background of the main parties represented in the parliament in question.

Inclusiveness means providing opportunities, wherever possible, for support and assistance to all political tendencies represented in parliament, to the extent that they abide by generally accepted democratic practice, such as respect for the rule of law and for the rights and privileges of political opponents. Both members of the majority and of the opposition should benefit from parliamentary support activities, and no group should be entitled to veto support for others.

Some foundations and organizations involved in parliamentary support are tied to specific political parties. While there is an appropriate role for party-to-party assistance and exchanges among parties sharing a similar ideology or affiliation, political inclusiveness should be reflected in the design and implementation of parliamentary support activities – recognizing that the overall goal of parliamentary support is to strengthen the democratic functioning of parliament as a whole.

Inclusiveness does not require that identical assistance be provided to each political party group, since the needs and priorities of these groups may differ substantially depending on their role in parliament (ruling party, opposition, junior coalition partner, etc.). In some contexts, parliamentary support partners need to have an understanding of, and engage with, significant political groups or tendencies that are absent from parliament – for example, because they did not meet the threshold to gain representation in parliament or were unable to fully participate in the electoral process.

Principle 5: Parliamentary support is grounded in emerging international democratic parliamentary standards

National parliaments are each unique, a product of the changes they have experienced, the place they hold in their overall national governance architecture, and their individual and typical conventions and procedures. Nevertheless, some aspects of parliamentary practice are universal, which enables us to refer to a genuinely international parliamentary community.

Parliamentary support partners recognize the unique character of each parliament and seek to reinforce these universal practices that are grounded in emerging international standards for democratic parliaments. The commendable efforts of IPU,³ and of parliamentary associations such as the Commonwealth Parliamentary Association (CPA)⁴ and the Assemblée parlementaire de la Francophonie (APF)⁵ to develop such international standards should be expanded.⁶

Any tendency for parliamentary support partners to approach parliamentary democracy in terms of a single model or system is likely to be harmful. The strength of democracy is its ability to incorporate fundamental aspects of inclusion and engagement within a shared political process while respecting the wide variety of traditions across the world.

The emerging international standards for democratic parliaments, which ultimately come from parliaments themselves facilitated through organizations such as the APF, the CPA, IPU and the South African Development Community, will help avoid any risk of parliamentary support focusing on a single model of parliamentary democracy, and instead base support efforts on those elements of parliamentary practice that are universal and cut across constitutional systems.

3 www.ipu.org

4 www.cpahq.org

5 apf.francophonie.org

6 Access to documentation on emerging international standards may be accessed on the APF, CPA and IPU websites; many useful documents are grouped on agora-parl.org

Purpose of international standards

International standards are a common language that enable the parliamentary community to find common pathways for future development in response to the changing needs of national populations.

A number of publications in recent years have provided sophisticated analyses of parliaments and parliamentary democracy with the objective of seeking broad discussion of, and emerging consensus on, relevant standards for democratic legislatures,⁷ identifying benchmarks for democratic legislatures⁸ and providing innovative approaches to parliamentary accountability in developing countries.⁹

Other important work enables parliaments to commence the process of self-development by providing a rational and universal approach to self-assessment, the first essential stage in identifying the starting point for current and future needs.¹⁰

This type of work may lead to a number of other enhancements to democratic parliamentary life. Agreed international guidelines, standards and assessment frameworks can, for example:

- Enable parliaments to check the status of their own development and provide clarity about the nature of support required.

7 For example, NDI, *Towards the development of international standards for democratic legislatures* (2007) at www.agora-parl.org/resources/aoe/standardsfordemocraticparliaments

8 SADC, *Benchmarks for democratic legislatures in southern Africa* (2010) at www.agora-parl.org/sites/default/files/SADC%20PF%20E2%80%93%20Benchmarks%20for%20Democratic%20Legislatures%20in%20Southern%20Africa.pdf

9 OECD, *Accountability and democratic governance: Orientations and principles for development* (2014) at www.oecd-ilibrary.org/development/accountability-and-democratic-governance_9789264183636-en

10 IPU, *Evaluating parliament: a self-assessment tool kit for parliament* (2008); and UNDP, *Benchmarks and self-assessment frameworks for democratic parliaments* (2010) both at www.agora-parl.org/resources/aoe/standardsfordemocraticparliaments

- Provide an objective measure of the effectiveness of parliament.
- Constitute useful reference points for conducting evaluations.
- Help establish a baseline for support work with a parliament.
- Assist in developing a roadmap for future support.
- Contribute to parliaments' self-evaluation and reform efforts.

Those involved in parliamentary support, led by parliaments themselves, should promote the emerging international norms and standards for democratic parliaments based on universal parliamentary practice, and support their further development.

Principle 6: Parliamentary support addresses the needs and potential of women and men equally in the structure, operation, methods and work of parliament

Rationale

The political enfranchisement of women constituted one of the greatest changes to democracy around the world in the 20th century. Responding to this change continues to require support, both in working towards the goal of gender balance in women's parliamentary representation and in ensuring that parliaments' legislative and oversight work reflect the principle of gender equality.

Where women's contributions are blocked, educational and working opportunities denied, or barriers placed to women's participation in governance leadership and decision-making institutions, countries deny themselves the full potential and capacities of roughly half the population. Gender equality is, therefore, a crucial factor in driving sustainable development, economic growth and poverty reduction.

The importance of gender equality for parliaments is threefold:

- Democratic parliaments derive their legitimacy from their ability to represent all the citizens of their country. Therefore, where the role of women is hampered or limited, overall institutional legitimacy suffers.
- The small number, or even absence, of women in some parliaments undermines parliaments' institutional ability to take full account of the needs and interests of a major segment of the population when performing its core legislative, oversight and representative functions. This seriously lowers the quality of a parliament's legislative and other core outputs.
- The parliament is a country's window to the international community. Most countries seek to demonstrate and

promote the implementation of international standards in social and economic policy and benefit fully from participating actively in the community of nations. Parliaments reflecting gender imbalance thus present a distorted image of their country.

These are powerful incentives for parliamentary authorities to promote measures to transform the institution into a gender-sensitive one that ensures balanced participation in parliament, sets the example by ensuring respect for gender equality in its functioning and mainstreams gender throughout its work so as to deliver on gender equality goals.

Where women are underrepresented in parliaments, or the means for their voices to be heard are weak, as they are in many parliaments, it is essential for parliamentary support partners to assist parliaments in promoting activities to encourage more balanced

gender participation and gender mainstreaming into parliament's work.

Action

Conducting an assessment of a parliament's gender sensitivity can be a useful first step in establishing the facts and identifying actions to encourage and improve the participation of women – both members and parliamentary staff – and to ensure that parliament's outputs address the needs and interests of men and women equally.

Parliament's strategic plans should be written with the objective of mainstreaming gender awareness and equality work throughout all parliamentary objectives. The strategy itself should be an exemplar of the objective of gender equality. Drafting plans in this way will assist enormously partners' work with parliaments in legitimizing tactics to promote gender balance in all

aspects of parliamentary life and work, particularly core parliamentary business outputs.

Mainstreaming gender throughout all aspects of parliamentary support, and securing equal participation by men and women in activity design, implementation, and results-monitoring and evaluation processes results in more effective programmes because objectives and results will take into account and meet the needs of both women and men.

Parliamentary support activities should address gender equality issues from at least two distinct but complementary points of view. First, activities should aim to support and respond to the current specific needs of women parliamentarians, secretariat staff and specific parliamentary bodies working on gender equality/women's rights issues such as a women's parliamentary caucus or parliamentary committees dedicated to gender equality.

Second, activities should aim to advance gender equality and women's rights by supporting the efforts of both men and women, and the institution of parliament as a whole, to develop stronger policies and working cultures to that end. Parliamentary support partners should assist all parliaments' efforts to review and assess how they function, their internal rules as well as their facilities, procedures and practices from a gender perspective on a regular basis, and to ensure that these are gender-sensitive and non-discriminatory.

In carrying out activities, partners need to work hard to ensure that women and men are well represented in all support activities at equivalent levels, including in project decision-making structures.

Support activities should have the following constant objectives:

- Ensure that both women and men are effectively represented in parliament at all levels, both as members and parliamentary secretariat staff.
- Increase the number of women elected to parliament and strengthen their effectiveness once elected.
- Ensure that the parliamentary secretariat reflects gender balance in senior, middle and junior ranks.
- Ensure that dedicated gender mainstreaming mechanisms such as committees or caucuses have a legitimate and inclusive role in the overall institutional framework of the parliament.
- Ensure that parliaments are willing and have the capacity (including financial and human resources) to develop public policies aimed at tackling gender-based discrimination. For example, activities to promote gender-sensitive/disaggregated impact assessments

of bills and budgets, including a gender approach in the evaluation of public policy implementation, should be adequately resourced.

It is essential that parliamentary support partners assist parliaments in their objective of becoming gender-sensitive institutions (i.e. institutions that respect and embody gender equality in the way they function and that advance gender equality in their work and outputs). The *Plan of Action for Gender-Sensitive Parliaments*, adopted by IPU's Member Parliaments in 2012 is a useful reference tool.¹¹

11 127th IPU Assembly in Quebec City, 26 October 2012, at www.ipu.org/conf-e/127/res-plan.htm

Principle 7: Parliamentary support utilizes local and regional expertise

Rationale

External support to any parliament, however well-informed and expert, requires guidance and practical assistance from within the immediate operating environment.

Long-term partner engagement will require national staff and resources to complement the sharing of international experience and enhance the knowledge of international staff on the local context. National expertise within partner-sponsored work normally permits a much richer mix of support than would be available from international experts alone.

Parliamentary support cannot be effective without a genuine local–international partnership at the heart of the support delivery mechanism, whether ad hoc, project, programme or other.

Parliament as a resource

It goes without saying that parliament is also a source of local expertise that should be effectively integrated into parliamentary support activities, where possible.

Such support should not be confined to one source within parliament but should be widely drawn from among administrative and political stakeholders whose “championing” of activities will be essential to their success.

Ultimately, the doors of the Speaker, Secretary General/ Clerk and other key parliamentary actors should be open to partners seeking support for specific activities where required, or to overcome particular challenges.

Non-parliamentary sources of local expertise

Parliamentary partners should also help vibrant and independent civil society organizations to work

effectively with parliaments. They should seek to work with and support such organizations where they exist, first taking care to understand the existing dynamics between parliament and such organizations to create the optimal conditions for success.

They should also foster or strengthen ties between parliament and local universities, national and foreign experts based in the country and think tanks to help parliament benefit from local expertise.

Looking beyond parliament, parliamentary support partners should strive to harness the expertise available in the country. Where politically and practically acceptable, partners should promote regional cooperation, especially with parliaments of neighbouring countries, relevant regional parliamentary and governance cooperation structures and parliamentary training centres or centres of excellence.

While great care needs to be taken of the involvement of the national government and national judicial bodies in parliamentary support work, such involvement does reflect the aspiration of “joined up government” and institutional harmony that, if implemented, help greatly to promote better overall national governance.

Linking local parliamentary support goals to regional programmes may help increase national awareness of the common institutional challenges and weaknesses faced by all parliaments.

National staff

Lastly, there are almost infinite ways in which national resources may be utilized and developed, and there is an obligation to encourage national partners to adopt exciting and imaginative roles when engaging in parliamentary development.

National staff can act in many roles: resource staff, mentors, facilitators and committee advisers. Where the capacity of national staff is limited, parliamentary support should contribute to the personal and professional development of talented national staff.

There is often unhealthy competition between parliaments, international support organizations and governments for the services of trained and talented staff. Partners need to take a broad view of such challenges, recognizing the undesirability of “hiring away” talent from national institutions. There is also a need to work to expand the general pool of trained individuals in the national interest – to be aware that the departure of one person provides a development opportunity for another.

Principle 8: Parliamentary support partners and parliaments commit to effective coordination and communication

Using aid resources well is an ongoing international priority.¹² Aid provided for parliamentary support is no different, and good coordination of efforts and “open door” partner communications pays dividends in improving the quality of outputs.

The interests of parliaments are clearly served by cooperation, not competition, among support partners from different organizations. Parliamentary support partners should, therefore, engage in close cooperation to avoid duplication and working at cross-purposes.

Some mechanisms to provide an opportunity for good “on the ground” cooperation include:

- Harmonization of activities and best practices.
- Promotion of a complementary approach to support and the way support is delivered through formal and informal communication structures (regular joint meetings, information sharing, and dissemination

of lessons learned, reciprocal assistance and coordinated activities).

- Parliament-driven activities with parliament coordinating all partners and self-supporting the partnership process effectively.

However, on-the-ground meetings between local partners are often insufficient to improve the delivery of activities because, too frequently, the objectives of the partners are set in their headquarters. Too often, the room for manoeuvre in making adjustments towards enhancing rational delivery between support partners throughout the period of support is unclear, thus leading to the perpetuation of inefficiencies. Traditional delivery mechanisms, programmes and projects are themselves normally characterized by structural rigidities in terms of objectives and time.

¹² Such international commitments to make development cooperation more effective, such as the 2005 Paris Declaration on Aid Effectiveness, the 2008 Accra Agenda for Action, the 2011 Busan Partnership for Effective Development Co-operation, apply equally to parliamentary development activities

While there are no simple solutions to the challenge of fully rationalizing support resources, it is important for partners to continue to promote cooperation and coordination at both the national and headquarters levels. Parliamentary support partners must engage in regular and transparent communication among themselves, and with the parliament concerned. Regular meetings are important, and partners should be encouraged and supported when required to take a lead in this. At the headquarters level, coordination is also vital, especially where there are a high number of partners interested in working with a particular parliament.

The earlier the discussions begin, the more likely it is that the opportunity for a well-targeted allocation of resources will be possible. It also allows front-line supporters to be able to implement complementary and comprehensive activity packages on the ground.



Engaging, communicating and building relations. ©IPU

Principle 9: Parliamentary support partners act in an ethical and responsible manner

Just as the design and staffing of parliamentary support activities will have a significant effect on the success of the partnership, so too will the ethical position of partners in carrying forward such activities have a significant bearing on the relative success of their work.

Parliament's role and responsibility as a national example of integrity, an institution adhering to and acting on a comprehensive and transparent code of ethics, is absolutely fundamental to its democratic purpose and has never been more needed around the world, with many countries suffering the scourge of corruption.

Scrutiny of parliament by civil society and the media means that apparent lapses in ethical standards are likely to erode public trust in parliament as a whole.

One of the major aims of parliamentary support programmes is the promotion of parliamentary integrity.

Reference may be made to relevant documents for a comprehensive analysis of parliamentary ethics.¹³

It follows, therefore, that partners must adhere to and demonstrate the same high standards of ethical conduct and integrity that they themselves are advocating. Parliaments and partners should be fully in step with each other in maintaining an exemplary standard of ethical and responsible conduct. There are several aspects of ethical and responsible conduct by parliaments and parliamentary support partners.

The following examples are intended to be a helpful, though not exhaustive, illustration of the conduct required of partners:

- Parliamentary support partners must adhere to principles of financial probity, especially since one of the primary purposes of parliamentary support is to improve parliamentary financial accountability and openness.

13 For example, OSCE, *Background study: professional and ethical standards for parliamentarians* (2012) at www.agora-parl.org/sites/default/files/background_study.pdf and European Parliament – Office for Promotion of Parliamentary Democracy, *Parliamentary ethics: a question of trust* (2011) at www.agora-parl.org/sites/default/files/codes_of_conduct_final-enforweb.pdf

- Parliamentary support activities should not be used to advance commercial interests. While for-profit players may have a role to play in parliamentary development, their activities should be limited in the interests of probity and transparency and should be driven by the goal of parliamentary support, not by a business or profit motive.
- Parliamentary support activities should be inclusive of all political tendencies in the parliament.
- Parliaments and parliamentary support providers should be transparent about the types of assistance received and provided. The effectiveness and efficiency of such support requires parliaments to deal fairly with all stakeholders and not to use one against the other or seek similar assistance from multiple partners without disclosure.
- Parliamentary support partners should abide by the general principles embodied in the internal codes of conduct of parliaments – for example, by not engaging in nepotism or other practices that are inconsistent with the standards of conduct that parliaments have defined for themselves.
- Parliamentary support partners should promote the sustainable enhancement of parliament’s capacities. This implies that they should avoid “hiring away” existing parliamentary staff to work for parliamentary support programmes.
- Establishing parliamentary codes of conduct and ensuring their proper implementation is one of the most demanding and important elements of parliamentary support.

Where no such parliamentary code currently exists, support partners should encourage the drafting and adoption of one in an inclusive and locally led process. Where a code is in place, partners should consider providing support for its effective implementation in parliament and should also set an example by adhering to the strictest norms of ethical conduct.

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Inter-Parliamentary Union

Chemin du Pommier 5

CH - 1218 Le Grand-Saconnex/Geneva

Tel.: +4122 919 41 50

Fax: +4122 919 41 60

E-mail: postbox@ipu.org

www.ipu.org