

*IPU Document No 34 (117<sup>th</sup> IPU Assembly)  
circulated in the 62<sup>nd</sup> session of the General Assembly, in accordance with resolution A/57/47, under  
agenda items 116, 117, and 123 of the agenda*



INTER-PARLIAMENTARY UNION

**ON THE NATURE OF THE RELATIONSHIP BETWEEN THE  
UNITED NATIONS AND THE WORLD OF PARLIAMENTS**

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*Endorsed by the 117<sup>th</sup> IPU Assembly  
(Geneva, 10 October 2007)*

Introduction

1. We live in an interdependent world where yesterday's neat distinctions between national and international affairs, and what constitutes domestic and foreign policy, no longer apply. Events in one country frequently have profound effects on other States and on international relations generally, which, in turn, help shape the domestic agenda in countries all over the world in a never-ending circle.
2. As this world evolves, so does the universe of international organizations. A hundred years ago there were few entities specifically set up to manage international or multilateral cooperation. Today, they number many thousands, operate at the global, regional and sub-regional levels, and cover most aspects of human endeavour. Foremost among the global organizations is the United Nations and its system of specialized agencies.
3. The United Nations is a permanent forum for inter-governmental cooperation. At the United Nations, governments negotiate and agree on international conventions and guidelines and on major operations, for example to build peace and security in situations of conflict. However, the United Nations is also a service provider, much like a governmental agency or department. It implements programmes, particularly in support of development, in almost every country in the world, invariably in cooperation with governments, civil society organizations and others.

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<sup>1</sup> The present paper has been drawn up at the request of the Advisory Group of the IPU Committee on United Nations Affairs and reflects the substance of the discussion that took place at the Group's first meeting on 12 and 13 July 2007. It also draws heavily on a number of documents, reports and papers produced by parliaments and the IPU over many years, including the reports and outcome documents of the first two World Conferences of Speakers of Parliament organized by the IPU at United Nations Headquarters in New York in 2000 and 2005 (IPU Reports and Documents No. 39 and UN document A/60/398).

4. The United Nations is a classic international organization. Its members are States, which are represented by the executive branch of government and which negotiate and take decisions on its behalf. Under the United Nations Charter, there is no place for parliaments in the United Nations architecture. “We the peoples of the United Nations” are represented by governments, not the people’s elected representatives.

5. However, the United Nations is not immutable and change is taking place. Structures and working methods, policies and programmes are under scrutiny, and much is being done to turn the United Nations into a more effective organization that is better able to meet current demands.

6. Against this backdrop, what responsibilities do parliaments have in the area of international cooperation? How do they relate to multilateral organizations like the United Nations? What role do parliaments assume at the United Nations? What mechanisms are at their disposal? These are some of the questions that this paper will address.

#### Parliaments and international cooperation

7. While constitutional systems vary from one country to another, parliaments everywhere are the central institution of democracy. They embody the will of the people and its expectations that democracy will be responsive to its needs and solve the most pressing problems that confront it.

8. As the elected body that represents society in all its diversity, parliament has a unique responsibility for reconciling the conflicting interests and expectations of different groups and communities through the democratic machinery of dialogue and compromise. As the key legislative organ, parliament has the task of adapting laws to society’s ever changing needs. As the body entrusted with the oversight of government, parliament is responsible for ensuring that governments are fully accountable to the people.

9. With few exceptions, parliaments have had scant involvement in international affairs. This was hardly surprising in the days when international affairs were largely handled through bilateral relations between States. Today’s world presents a different picture, and parliaments everywhere are grappling with international affairs and, by extension, with the United Nations in a number of ways.<sup>2</sup>

10. There can be no gainsaying that parliaments have much to contribute to the United Nations. Members of parliament possess unique understanding of people in all their diversity and are better placed than most to articulate people’s aspirations and explain what really matters to them. They are also powerful opinion makers and can, through their work in parliament, political parties and movements, and in their constituencies, raise public awareness and create popular support for international action at the United Nations. It therefore makes a great deal of sense to invite them to contribute to the work of the United Nations.

11. Of course, parliament’s role is not limited to implementing previously negotiated international agreements. Without seeking to supplant the executive branch of government by negotiating international agreements at the United Nations, parliaments are increasingly insisting that these negotiations be subjected to much more stringent democratic parliamentary control. In practice, this means that a parliament should:

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<sup>2</sup> See also *Parliament and Democracy in the Twenty-First Century: A Guide to Good Practice* (IPU, 2006), which provides an extensive overview of parliament’s involvement in international affairs.

- ✓ Be given sufficient advance notice of negotiations that will take place at the United Nations;
- ✓ Have accurate information at its disposal about the issues at stake and the policies and negotiating positions that will be under consideration;
- ✓ Be able to put questions to ministers and negotiators, and to express its political views to the government;
- ✓ Where the system so allows, provide the government with an explicit negotiating mandate or have the power to influence it;
- ✓ Be equipped with the necessary structures, procedures and resources to be able to monitor negotiations as they develop and, to that end,
- ✓ Be represented, as a matter of course, in national delegations attending these negotiations.

12. This is particularly true in that agreements reached at the United Nations will have little practical effect if parliaments do not take action to implement their provisions. To this end, parliaments are increasingly undertaking some or all of the following actions:

- ✓ Ensure that they are fully conversant with the content of an international agreement so as to be able to ratify or otherwise assent to the respective country's accession to it;
- ✓ Review and adapt existing laws, or adopt new ones, to implement the provisions of the agreement;
- ✓ Vote the financial resources to fund implementing programmes, generally under the annual budget, and monitor expenditures and implementation through the annual audited accounts;
- ✓ Require the government to report to parliament periodically on the implementation of a specific international agreement;
- ✓ Where international mechanisms have been set up to monitor the implementation of these agreements, debate and provide input for the periodic reports to these mechanisms, attend, as part of the government delegation, the sessions where the reports are discussed and review the ensuing recommendations for follow-up.

13. As mentioned above, the United Nations is also a service provider in its own right, running programmes in a wide range of areas, particularly development. It has formulated the Millennium Development Goals (MDGs) and assists countries in meeting them, along with other development goals, by offering support to governments in implementing the corresponding national development plans. Here again, parliaments are increasingly assuming a more assertive role to ensure that programmes are designed and implemented in a participative and transparent manner and that they meet the needs of the people. Action by parliament includes:

- ✓ Participating in the development of poverty reduction strategy programmes by, for example, holding public hearings, commissioning expert reports and submissions, questioning relevant ministers and officials, and formulating policy proposals;
- ✓ Adopting enabling legislation and budgets to implement these and related development programmes;
- ✓ Reviewing and, as the case may be, approving foreign aid programmes negotiated by the executive branch of government with the United Nations, including the international financial institutions such as the World Bank and the International Monetary Fund, and with bilateral donors;
- ✓ Monitoring implementation of these programmes not merely for their financial soundness but especially for their effectiveness in delivering development to the people.

14. The United Nations system frequently implements programmes that touch directly on State policies. Every one of them should ideally be brought to the attention of parliament for possible review as part of its oversight of government policy.<sup>3</sup> The United Nations also constitutes a formidable knowledge base for countries everywhere. Parliaments have much to gain and can make a notable difference to the general welfare by acting on some of the research done by the United Nations.<sup>4</sup>

15. The United Nations system is funded by States largely through the national budget adopted by parliament. Just as parliament monitors the performance of national entities funded through the State budget, so, too, should it review the performance of the international organizations receiving funding. To this end, parliaments are showing increasing interest in:

- ✓ Undertaking some form of periodic review of the functioning of these organizations and of the policies pursued by the government in regard to them;
- ✓ Reviewing the broad policies that these organizations apply in regard, for example, to development cooperation.

#### Parliaments at home and abroad

16. It has been observed that the substance of politics is becoming ever more global but the process of politics is not. The fundamental political institutions - elections, political parties and parliaments - remain firmly rooted at the national and local levels.<sup>5</sup> This is only to be expected. The nation-State still forms the basis for the structure of international cooperation, and parliaments are national institutions that embody the sovereignty of those States.

17. It is therefore logical that parliaments address international issues, including the work of the United Nations, on their home territory. By successfully working United Nations affairs into their agenda and proceedings, national parliaments can provide a parliamentary dimension to the work of the United Nations and thus help bridge the democracy gap in international relations.

18. This is not to say that parliaments are absent from the work of the United Nations. On the contrary, the parliamentary presence at the United Nations is becoming larger and more diverse, in ways that include:

- ✓ Missions by members of parliamentary committees and other parliamentary delegations to different offices of the United Nations system to exchange views on their work and on international conventions that are being or will be implemented;
- ✓ Parliamentary missions to examine United Nations field work, for example in peace-building operations;

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<sup>3</sup> To quote a few examples among many, the programmes of the World Health Organization touch on national health policies, the protection and assistance programmes of the United Nations High Commissioner for Refugees impinge directly on a country's human rights obligations and its population and migration policy, and UNICEF programmes are directly relevant to a country's child protection framework and the implementation of the Convention on the Rights of the Child.

<sup>4</sup> For example, a recent United Nations study demonstrates that violence against children occurs on a large scale and in a range of settings, that it is often under-reported, and that it can have a devastating impact on children. Parliaments can be instrumental in curbing violence against children by raising the United Nations study in parliament, measuring State policies and programmes against the study's findings, and enacting corrective measures where necessary.

<sup>5</sup> See the *Report of the Panel of Eminent Persons on relations between the United Nations and civil society, including parliamentarians and the private sector* (Cardoso report, UN document A/58/817).

- ✓ Parliamentary participation in official national delegations to the United Nations General Assembly and other major meetings of United Nations organs;
- ✓ Parliamentary support for several United Nations operations by, for example, engaging in parliamentary diplomacy, participating in election observer missions, and providing resource persons in governance projects;
- ✓ Participation in a growing number of hearings, panel discussions and conferences organized in conjunction with major United Nations meetings.

19. In these different endeavours, a conscious effort is also being made to mobilize the expertise that exists in parliamentary standing and select committees with a view to connecting with the different United Nations bodies dealing with the specific issues within their competence. In this way, parliaments are in a better position to interact with the United Nations not only by contributing substantively to discussions taking place at the United Nations, but also by ensuring that the questions are followed up in parliament itself.

20. In a nutshell, parliaments' interaction with the United Nations is founded on action in parliaments at the national level, complemented by greater and more systematic engagement by parliaments internationally. To drive this process forward, parliaments are committed to making better use of existing regional assemblies and their world organization rather than creating new international parliamentary structures or assemblies.<sup>6</sup>

#### The role of the Inter-Parliamentary Union

21. The IPU therefore has a central role to play in making this strategy work. It is the world organization of parliaments. It facilitates political dialogue between members of parliament and mobilizes parliamentary cooperation and action on a wide range of subjects that are high on the international agenda.<sup>7</sup> The IPU provides an essential bridge between the national parliaments and the United Nations; it raises awareness in parliaments of the United Nations and its work, mobilizes parliamentary action on issues that are high on the international agenda and encourages and facilitates their interaction with relevant entities within the United Nations system.

22. More recently, the IPU has undertaken several reforms and adapted its policies, structures and working methods to the demands of the 21<sup>st</sup> century. This has included:

- ✓ Placing much greater emphasis on promoting closer cooperation between parliaments and the United Nations within the IPU's policy and programmes;
- ✓ Monitoring and contributing to the reform process at the United Nations and mobilizing parliaments to work with the newly created United Nations bodies;
- ✓ Mobilizing more generally the expertise that exists in parliaments on many of the major issues before the international community today and bringing it to bear on the deliberations taking place at the United Nations;

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<sup>6</sup> See for example the final declarations of the two World Conferences of Speakers of Parliament (UN documents A/55/409 and A/60/398) and the IPU statement to the 2005 High-level Plenary Meeting of the United Nations General Assembly (<http://www.ipu.org/Un-e/sp-unga160905.pdf>).

<sup>7</sup> A more complete mission statement states that the IPU "*aims to ensure that parliaments and their members can freely, safely and effectively do the job they were elected to do: express the will of the people, adopt laws, and hold governments accountable for their actions. The IPU implements programmes to strengthen parliaments as democratic institutions. It audits parliaments, provides technical assistance and advice, undertakes research, and develops standards and guidelines. It places special emphasis on promoting and defending human rights and facilitating women's participation in politics*" (IPU, Handbook for Parliamentarians, No. 14, 2007).

- ✓ Greatly expanding the number and content of parliamentary hearings, meetings and panels that it organizes every year in conjunction with the United Nations General Assembly and major United Nations meetings;
- ✓ Creating awareness in parliaments through training activities, seminars and global campaigns on major issues requiring urgent political action by parliaments and their members;
- ✓ Developing parliamentary handbooks and other practical tools to facilitate action in parliament to ratify, implement and monitor international conventions negotiated at the United Nations;
- ✓ Working closely with the United Nations and its programmes and agencies in designing and implementing joint programmes and activities, particularly to promote democracy and good governance from a broad perspective.

23. Notwithstanding these advances, the IPU's Member Parliaments are asking for a more substantive and equitable working relationship between the United Nations and their organization. They have set up the Committee on United Nations Affairs to monitor compliance with the series of recommendations developed in recent years for strengthened cooperation between the United Nations and parliaments, examine how they are fulfilled in practice, and make proposals for more effective implementation.

24. All of this is done by the IPU at the request of parliaments. In recent years, however, governments have also asked the IPU to foster more cooperation between the United Nations and parliaments.<sup>8</sup> They have granted the IPU special observer status at the United Nations General Assembly<sup>9</sup> and use their biennial review of cooperation between the United Nations and the IPU to make recommendations for strengthening interaction between the United Nations, the IPU and parliaments.<sup>10</sup> Evidence of this growing demand by the executive branch of government for a stronger relationship between the players is to be found in the latest General Assembly resolution, which focuses on five specific inter-related areas:

- ✓ Strengthening the IPU's contribution to the work of the United Nations General Assembly, including its revitalization, and to the new bodies such as the Human Rights Council and the Peacebuilding Commission;
- ✓ Building an active role for the IPU in support of the Economic and Social Council, particularly in relation to its annual High-level Summit and the new Development Cooperation Forum;
- ✓ Increasing cooperation between the United Nations and the IPU in the realm of democracy and good governance, including through the partnership agreement concluded between the United Nations Democracy Fund and the IPU;
- ✓ Developing further the annual parliamentary hearing at the United Nations and other specialized parliamentary meetings in the context of major United Nations meetings as joint UN/IPU events;
- ✓ Ensuring closer involvement of the IPU in the elaboration of system-wide strategies for consideration by the United Nations system and its Chief Executives Board for Coordination, with a view to ensuring greater and more coherent support by parliaments for the work of the United Nations.

## Conclusions

25. What is the value of the most democratic State institution when so many of the decisions that matter to the life of the country's citizens, including their security, are taken beyond national borders by international

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<sup>8</sup> Millennium Declaration adopted by Heads of State and government on 8 September 2000, UN document A/RES/55/2.

<sup>9</sup> See United Nations General Assembly resolution A/RES/57/32.

<sup>10</sup> See the most recent report of the United Nations Secretary-General on the subject contained in A/61/256 and the corresponding United Nations General Assembly resolution A/RES/61/6.

institutions that are not subject to democratic control or accountability? This gap between the national level, where democratic institutions like parliaments are located, and the global level where so many decisions are now taken, is a major source of what is termed the international “democracy deficit”.

26. Parliaments can, and increasingly do, take action to tackle this problem. As this paper suggests, their action necessarily depends upon the parliamentary system prevailing in any given country and the powers conferred upon the parliamentary chambers under the constitution or basic law. In all countries, however, it entails the use of parliamentary structures, working methods, habits and agendas, and where necessary their adaptation and modernization, to allow each institution to address the work of the United Nations and its related institutions.

27. Every parliament is sovereign in its approach to this work, in keeping with the myriad of parliamentary cultures in the world. Common to all, however, is an effort to integrate the business of the United Nations into the day-to-day legislative and oversight work of parliament. As these efforts grow in vigour and outreach, parliaments are reaching ever further into the workings of the United Nations and participating in ever more diverse ways in its activities.

28. The IPU is a critical component of this equation. It promotes action by parliaments, acting as a catalyst, facilitating interaction with the world of the United Nations and, more generally, helping to ensure that the views of the parliamentary community are heard at the United Nations. The stronger the link between parliaments and the IPU, the better the chance of attaining the critical mass required to have a lasting effect on the United Nations.

29. The present challenge is to develop a common strategy for ensuring, in the words of the latest United Nations General Assembly resolution, “*greater and more coherent support by parliaments to the work of the United Nations*”. The IPU looks to its Committee on United Nations Affairs to provide the essential elements for such a policy.

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