

THE ROLE OF PARLIAMENTS IN CENTRAL AMERICA IN RECONCILIATION AND DEMOCRATIZATION PROCESSES



Sub-regional seminar, preceded by a national round table, organized by the Inter-Parliamentary Union and the Legislative Assembly of El Salvador

San Salvador, El Salvador, 6–7 May 2008

OBSERVATIONS AND CONCLUSIONS OF THE RAPPORTEUR

Parliamentarians from Costa Rica, El Salvador, Guatemala, Mexico, Nicaragua, Panama and the Central American Parliament (PARLACEN), together with present and former high officials and representatives of civil society, gathered at the invitation of the Legislative Assembly of El Salvador and the Inter-Parliamentary Union to take a critical look at the peace process in Central America, its accomplishments and the daunting challenges of reconciliation and democratization, in order to give greater impetus to the work of Parliament.

Conflict in Central America has political, economic and social roots. While the peace process has made it possible to solve some problems, others persist. There is a need to strengthen the institutions and democratic processes in the region and resolve long-standing social and economic issues.

In fact, many root causes of conflict have not been eliminated, and in several cases, are becoming more pronounced, as evidenced by rising poverty rates and concentration of wealth in the hands of a few. Although the guns have fallen silent in Central America, violence is rife, perpetuated by pervasive organized crime. Likewise, new threats such as global warming have emerged, requiring suitable responses.

Parliaments and political leaders have a major responsibility to address to these concerns, first by forging a sound social and economic agenda that would tackle poverty and achieve equitable distribution of wealth and a just and lasting peace. Some seminar participants suggested that the agenda should originate at the regional level, drawing inspiration from the European Union. It could lead to an Esquipulas III or a social Esquipulas, reinvigorating efforts to establish a community of well-being in Central America that would strengthen democratic processes and their institutions.

Tax policy is a fundamental tool for strengthening and deepening democracy. Furthering social progress while fully respecting human rights requires a commitment from society to taxation and monitoring budget implementation. MPs should commit to fiscal agreements that strengthen taxation, monitoring of the social impacts of budgets and the use of tax policy as a means of guaranteeing human rights.

Although peace processes have spawned a new era of institutionality with the establishment of institutions such as the constitutional courts, public prosecutors

and ombudsmen, it has not been sufficiently lasting or far-reaching. Serious concerns remain as to the judiciary's independence, impartiality and competence. Likewise, it was emphasized that efforts to consolidate electoral democracies had not been coupled with measures to strengthen the State's political institutionality. Specific mention was made of the electoral oversight bodies that retain a strong political connotation because their membership is often based on political criteria alone.

The limited conception of reconciliation and redress for victims of violence under Esquipulas II was also criticized, although some remedial action had been taken since then because of the oversight work of the inter-American human rights system.

It is of paramount importance that Parliament play its part as a genuine and effective platform for dialogue and action in a context of respect and trust, based on the premise that it is the responsibility of all to take part in that process. Clearly, there are different political ideas, at times diametrically opposed, about the role the State should play and the structural reforms to tackle today's major challenges – an inherent feature of political life. Nevertheless, it is vital that all political parties, in particular their leaders, strive to participate in the national debate, avoiding the paralysis of polarization in the interests of the common good. Likewise, the new generation of political leaders must be able to enter the political arena to make their contributions and share their ideas with other key players such as organized civil society and the economic sector.

There is no doubt that Parliament has a crucial role to play with regard to legislation and oversight, coordinating its efforts with organized civil society to decide what steps should be taken to achieve reconciliation, democratization and social and economic justice. Technical support should be combined with efforts to strengthen the political capacity of Parliament.

This also implies that political parties must act responsibly when grooming their candidates for the mission and objectives involved in legislation and oversight, in order to ensure good governance. Repeatedly, the need was stressed to "democratize" political parties from the inside through political reform, also with a view to ensuring full compatibility with the rule of law.

Integrity is closely linked to this issue. The democratic system is at risk because of the private-sector financing of political campaigns, especially now that the tentacles of drug traffickers are spreading to all spheres of society. This means of funding implies commitments by political parties that determine their behaviour and may even transgress moral and ethical rules, putting the country's institutions at risk.

An ethical culture representing the values that should govern the conduct of the public servant, which should be beyond reproach, is a must. There are various instruments at both the regional and national level to foster public ethics, as shown by the Government Ethics Tribunal and the Parliamentary Ethics Committee in El Salvador. In addition, the media and non-governmental organizations have a crucial role to play in ensuring respect for ethical rules.