



3rd WORLD CONFERENCE OF SPEAKERS OF PARLIAMENT

United Nations, Geneva, 19-21 July 2010



Item 3

SP-CONF-2010/3(b)-R.1

1 July 2010

PRESENTATION OF REPORTS ON PROGRESS SINCE THE 2005 SPEAKERS' CONFERENCE

(b) BUILDING GLOBAL STANDARDS FOR DEMOCRATIC PARLIAMENTS

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Introduction

The 2000 and 2005 World Conference of Speakers of Parliament gave a strong endorsement of the IPU's work to promote democracy worldwide. They reaffirmed the central role played by parliament in furthering democracy nationally and internationally, stressing that parliament is the very embodiment of democracy and the central institution through which the will of the people is expressed, laws are passed and government is held to account. The Speakers pledged to consolidate the IPU as the primary vehicle for strengthening parliaments worldwide, and thus promoting democracy.

The IPU pursues a two-pronged approach to promoting democracy: it sets standards and it builds capacity in parliaments. This work is firmly grounded in the organization's Statutes, which assign a central role to the IPU in strengthening democracy through parliaments.

The past decade and a half have seen considerable developments in the IPU's democracy work, particularly in the area of setting standards. This report reviews progress the IPU has made in this field since the 2005 Speakers' Conference. It also identifies the next steps through which the IPU can take the process forward and retain its leading role in the development and promotion of democracy criteria and values.

IPU's approach to standards-setting

Standards-setting often brings to mind a situation where a person or group of persons designs a set of rules/criteria whereby others can be "judged" with little or no input from the "judged". The process involves the establishment of indicators on the basis of which qualitative/value judgments are made, often by outsiders, using quantitative measurements. This process allows much scope for subjectivity and may not actually achieve much substantively. It may lead to the establishment of league tables that seem to achieve no other purpose than to reward and therefore please the "good students" and annoy or sow resentment among those at the bottom of the table.

The IPU has adopted a different, and it is hoped, more productive approach, which is non-prescriptive. The approach is consultative, inclusive and participatory. Ownership of the process and buy-in from those being assessed are crucial to its success.

The IPU has involved parliaments in the development of standards, in the firm belief that democratic principles cannot be realized without appropriate political institutions and practices and that these institutions can only be judged to be democratic insofar as they embody or serve to realize these principles. Parliaments are continuously engaged in a dialogue that allows them, collectively, to identify what makes for an effective contribution to democracy, it being understood that they should embody democratic principles and values if they are to achieve this objective.

Recent milestones in setting standards globally

Universal Declaration on Democracy (1997):

A review of the IPU's standards-setting work should be seen against the background of the Universal Declaration on Democracy, which was adopted by the IPU in 1997. The Declaration was the first attempt by the international community to codify in a single document the founding principles and constituent elements of democracy at both the national and international levels.

The Declaration has been recognized as a yardstick against which democracy can be measured and provides the basis for the recent work carried out by the IPU in setting standards. The 2007 decision by the UN General Assembly to proclaim 15 September International Day of Democracy constitutes in part a commemoration of the 10th anniversary of the adoption of the Universal Declaration on Democracy.

The principles and values of democracy set out in the Declaration include the need to preserve and promote the dignity and fundamental rights of the individual, achieve social justice, foster economic and social development of the community, the imperative for all components of society, including men and women, to be able to participate fully in the management of the society, free political competition involving all in society as a modality for acceding to and wielding power, the rule of law, and the link between democracy and peace and economic, social and cultural development.

The Declaration therefore stresses the importance of free and fair elections as a means of enabling the people to express their will; the need for effective, honest and transparent government, freely chosen and accountable for its management of public affairs; and the existence of strong State institutions, including a parliament in which all components of society are represented and which has the requisite powers and means to express the will of the people by legislating and overseeing Government action.

The Declaration also stresses the international dimension of democracy. It affirms that the same principles that apply to democracy at the national level should also apply to the management of global issues at the international level. States are therefore urged to ensure that their conduct is consonant with international law and that institutions and mechanisms put in place to steer global governance should be open, transparent and accountable.

Parliament and democracy in the twenty-first century: A guide to good practice, (2006)

The 2nd World Conference of Speakers of Parliament, held in September 2005, received a progress report on the work the IPU had initiated to develop standards. It also reviewed an

initial draft of a guide on democracy. The IPU finalized and published that guide in 2006. This Guide builds on the Universal Declaration on Democracy. It identifies the values and objectives of a democratic parliament as follows: representativeness, transparency, accessibility, accountability and effectiveness at the national, international and local level. It identifies the institutional mechanisms for achieving these values and is replete with examples of how these values and objectives are put into practice by parliaments across the world.

Pursuant to the principles on which the IPU's standards-setting activities are predicated, the Guide does not seek to rank parliaments or to undertake an assessment of the quality of democracy in their country. Rather, it reflects general agreement by the parliamentary community on the constituent characteristics of a democratic parliament, the values underpinning it and the institutional means and modalities for implementing them. The Guide is both an exposition of theory and a compilation of good practices being implemented by parliaments to make them better able to carry out their constitutional mandate: law-making, oversight and representation.

The Guide clearly places parliaments at the forefront of the democracy agenda. Contrary to the widely held opinion that parliaments are not living up to expectations, the Guide shows, with concrete examples, exactly what parliaments worldwide are doing to remain accountable to their electorate. It is clear from the Guide that a healthy debate is taking place at the international level on what it takes to be a democratic parliament. What emerges is that the challenges facing parliaments in the 21st century are similar and that a sense of emulation among parliaments is taking root in a bid to meet those challenges.

Evaluating parliament: A self-assessment toolkit for parliaments, (2008)

These changes have led several parliaments to review their performance and working methods and introduce improvements. To facilitate their task, the IPU produced a self-assessment toolkit in 2006. It is intended to assist parliaments and their members in assessing their performance against generally accepted criteria for democratic parliaments and to identify priorities and methods for strengthening Parliament. Given that the toolkit is based on universally recognized democratic values and principles, it is relevant to all parliaments, whatever political system they adhere to, and irrespective of their stage of development.

Once again, the purpose is not to rank parliaments or to pass external judgment on a given parliament. The process of self-assessment is conducted by parliamentarians themselves, who are the principal actors and judges. The self-assessment toolkit provides a framework which consists of a series of questions that invite value judgments. The questions are a starting point for a dialogue on what is working well and what needs improvement. The framework is divided into six sections:

- The representativeness of Parliament
- Parliamentary oversight of the Executive
- Parliament's legislative capacity
- The transparency and accessibility of Parliament
- The accountability of Parliament
- Parliament's involvement in international policy

While parliaments are at liberty to administer the toolkit themselves, some of them may prefer to draw on external assistance for a variety of reasons, including lack of capacity or know-how. The IPU has therefore established and trained a core group of facilitators, who can be called on to assist parliaments in administering the toolkit. This toolkit has been used by

parliaments in developed and developing countries, for example as part of a strategic planning exercise or as a framework for a periodic review of parliament's activities. In 2009, the toolkit was used by the parliaments of Australia, Cambodia, Pakistan, Rwanda, Sierra Leone and South Africa. In Rwanda and Sierra Leone, the IPU facilitated the process with experts. The parliaments of Bahrain and Ireland have recently reported that they were using the toolkit to evaluate their performance.

The toolkit is based on the precept that democratization is not a one-off event, but an ongoing process that requires continuous introspection by democratic institutions and the introduction of corrective measures where necessary.

The IPU strives to foster the necessary linkage between standards-setting and building the capacities of parliaments, both of which are mutually reinforcing. The toolkit has been used to help parliaments develop or amend the strategic plan for their future development. The findings of assessments can be fed into the training, advisory and other services the IPU provides to beneficiary parliaments.

Other standards-setting initiatives:

A number of other institutions are involved in developing standards and benchmarks as well as methods for assessing parliamentary performance as follows:

- The Commonwealth Parliamentary Association (CPA) developed in 2006 *Benchmarks for Democratic Legislatures*. The CPA Benchmarks are phrased as statements rather than as questions. There are 87 benchmarks divided into four main headings: General, Organization of the Legislature, Functions of the Legislature, and Values of the Legislature.
- The United Nations Development Programme has supported the creation of regional versions of the CPA benchmarks. This has led to the adoption of a set of criteria for democratic legislatures by the Assemblée parlementaire de la francophonie. The Southern African Development Community (SADC) Parliamentary Forum is also working on a regional version for southern African parliaments.
- The National Democratic Institute for International Affairs (NDI) has developed a *Survey on the Gaps between Parliamentary Power and Practice*. The NDI survey tool is not an evaluation per se, but a method of collecting perspectives from parliamentarians, parliamentary staff and civil society organizations on perceived parliamentary powers and perceptions on the use of these powers in practice. The NDI survey tool covers 25 issues that often are included in benchmarks for democratic parliaments or in parliamentary self-assessment tools.
- The Association of Secretaries General of Parliament (ASGP) has decided to prepare a version of the IPU self-assessment toolkit specifically for parliamentary administrations. A conference organized by the IPU and the ASGP on 22 October 2009 brought together parliamentarians, Secretaries General, specialized parliamentary staff and parliamentary organizations under the theme of *Evaluating parliament*.

The IPU has remained very active within the community that has demonstrated a strong interest in developing methods for evaluating parliamentary performance. It has been able to secure widespread acceptance of the concept of self-assessment as an effective means of helping parliaments improve their performance.

Next steps

The IPU's standards-setting work has been welcomed far and wide. In fact, many parliaments have asked IPU to do more to develop and/or refine tools to measure progress in parliaments towards achieving the basic precepts of democracy.

Parliaments continue to face questions of legitimacy and need to forge ever closer ties with their constituents. These are among the major challenges that parliaments have to contend with in the 21st century.

The 3rd World Conference of Speakers of Parliament will discuss, *inter alia*, ways in which parliaments can help secure global democratic accountability for the common good in a world in crisis. Achieving this objective requires parliaments and their members to set the example by striving to be more accountable to their electorate in words and, above all, in action.

The IPU needs to continue to show leadership in the field of standards-setting and to help parliaments make an increasingly robust contribution to democracy. The 3rd World Conference of Speakers of Parliament recognizes this and its draft outcome document invites the IPU to strengthen its activities in support of democracy.

The Conference Preparatory Committee endorsed the idea that the IPU now needs to move this process forward by establishing a voluntary review mechanism of parliamentary performance. The mechanism would offer parliaments an opportunity to exercise collective responsibility and assist each other in assessing and improving their respective performance. As parliaments seek to perform their law-making, oversight and representational duties in a more efficient fashion, the sharing of experiences and good practices resulting from such a mechanism would be helpful to all parliaments.

Like similar mechanisms which have been established at the United Nations and regional organizations, the IPU exercise would be based on agreed values, codes and criteria. The review process would be consultative, participatory and transparent, as well as grounded in dialogue and interaction between key stakeholders. It would be firmly in the hands of the parliaments themselves and would be free of political interference. Participation in the process would be entirely voluntary and the process in each case would be nationally owned.

There is currently no global mechanism that allows parliaments to monitor their performance collectively and engage in experience-sharing and emulation on the basis of criteria identified by themselves collectively.

Conclusion

Addressing the issue of legitimacy of parliaments and seeking greater accountability in the national and global systems of governance require parliaments to continue to play a leading role in the promotion of democracy. They need to show leadership and commitment to the designing of standards which they apply to themselves. Only then would they stand in better stead to require more accountability of governance at both the national and global levels. Only then would they be able to provide a solid foundation for democracy.