



STRENGTHENING PARLIAMENTS WORLDWIDE

The European Parliament and
the promotion of democracy



**OFFICE FOR
PROMOTION OF
PARLIAMENTARY
DEMOCRACY**



Foreword

The essence of democracy -the will of the people shall be the basis of the authority of government- encompasses both the procedural and the substance, formal institutions and informal processes; majorities and minorities; men and women; governments and civil society; the political and the economic; at the national and the local levels.

Or, in the words of Vaclav Havel: *'We cannot perceive and comprehend democracy only as institutional or technical presenting itself merely through exterior features, but we have to also see it in its spirit, its content'*¹.

The EU has described democracy also as an ongoing process, *'developing from within, involving all sections of society and a range of institutions that should ensure participation, representation, responsiveness and accountability. The task of building and sustaining a culture of*

*human rights and making democracy work for its citizens, though especially urgent and difficult in emerging democracies, is in fact a never-ending challenge, belonging first and foremost to the people of the country concerned'*².

Democracy and human rights, common values which unite the Member States of the European Union, have thus been integral to the process of European integration from the outset. In the 1970s and 1980s, the prospect of EU membership spurred moves towards democracy in Greece, Spain and Portugal, and contributed to the unique achievement of German reunification. The experience derived from successive enlargements confers on the EU a unique position in the promotion of democratic reform.

Yet, although the EU has included since 1990s in all its cooperation and partnership agreements, a clause declaring that relations

1. Vaclav Havel, Prague Conference on 'Building Consensus about EU Policies on Democracy Support', 09 March 2009

2. Communication on a Thematic Programme for the Promotion of Democracy and Human Rights worldwide 2007 COM(2006)23 of 27.01.2006.



between the EU and a third country are based on respect for democratic principles and human rights, there is a growing consensus between the EU institutions that it is time to elaborate a far more comprehensive EU concept of democracy promotion. Democratisation and good governance are after all not only ends in themselves, but also vital for poverty reduction and sustainable development, as the 2005 European Consensus on Development underlined.

At present, the various European actors and instruments operating to promote democracy are not sufficiently coordinated, and this affects the overall efficiency and consistency of EU efforts. Several presidencies of the EU Council of Ministers have initiated talks aiming at an inter-institutional agreement for an EU policy of democracy building. The European Parliament is an active supporter of these initiatives.

Through its own development, the European Parliament showed that it is possible to move away from being a mere talking shop and to become a genuine parliament with full legislative and oversight capacities. It is particularly this experience, with a proven success in integrating 27 different parliamentary traditions and practices, respect for various cultures and histories that has attracted attention. The European Par-

liament in complementing its adherence to the fundamental values and principles which lie at the heart of the European Union has also taken interest in strengthening parliamentary systems worldwide. Exchanges between parliaments enhance and strengthen their role within each country and contribute to the worldwide spread of democratic values.

The creation of the Office for Promotion of Parliamentary Democracy (OPPD) in 2008 signals the European Parliament's firm commitment to support democratisation all around the world and to focus on strengthening parliaments. Underlining that the EU is based on a union of values, President Jerzy Buzek in his inaugural speech clearly put the promotion of democracy and human rights amongst his top priorities.

We are delighted to present you here the mission and the work of the OPPD.

Dick Toornstra
Special Advisor for the Promotion
of Democracy



The European Parliament's Office for the Promotion of Parliamentary Democracy (OPPD) was established to support parliamentary development in new and emerging democracies.

Why does the EU promote democratic reform beyond its borders?

- A growing consensus

Since the end of the Cold War, stronger policies to promote democracy and human rights have emerged worldwide. These policies, at UN, EU and national levels, have taken various forms: constructive political engagement, technical assistance, election observation, people-to-people contacts, and conditionality arrangements. This renewed focus has coincided with the rising acceptance that state sovereignty is or should become conditional on that state's respect for and implementation of human rights and democratic principles as a source of international legitimacy. The development of the 'Responsibility to Protect' agenda and the creation of the International Criminal Court are manifestations of this shift in thinking. On the political level, this has resulted in a stronger commitment to mainstreaming human rights across all policy areas. The concept

of a human rights based approach to development has also earned wider acceptance in the framework of development assistance. The level of international consensus on this matter was confirmed at the Millennium Summit of 2000, where the world's leaders resolved to:

...spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development.

Our understandings of certain aspects of democracy may vary. But democracy is widely seen as a universal value, the principles of which are enshrined in numerous international texts and conventions. Alongside freedom of thought, opinion and expression, the possibility to elect one's leaders and legislators is a fundamental right, something that all people yearn for.



- The EU and democracy – a longstanding commitment

The basic treaties of the European Union manifest a very firm commitment to democracy and human rights. Recent surveys indicate that this commitment is widely shared by European citizens as well.³ Article 11 of the Treaty on European Union (TEU) states that one of the objectives of the Common Foreign and Security Policy is ‘to develop and consolidate democracy and rule of law, and respect for human rights and fundamental freedoms’.

Since 1995, a human rights and democracy clause has systematically been inserted in external EU agreements such as trade, association and cooperation agreements between the EU and third countries or regional organisations. Breaches of this clause may take different forms, from reduction or suspension of cooperation to more serious sanctions.

- A win-win situation

The democratic process has wider benefits too. While the links between democracy and prosperity may be questioned, circumstantial evidence suggests that genuine democracies are better able to protect economic growth from being negatively affected by political instability. They tend to be more responsive than authoritarian regimes, and can manage the peaceful transition of power without disrupting the economy. By being more open and accountable, they are better able to check the spread of corruption. They are more likely to respect the rule of law and to settle disputes without conflict, more likely to encourage management by merit rather than by patronage, and better able to manage the political consequences of change. Finally, democracies tend to be stable states, maintaining stable relationships with their immediate neighbours and the wider international community.

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for its citizens, though especially urgent and difficult in emerging democracies, is in fact a never-ending challenge, belonging first and foremost to the people of each country.’

European Commission Communication: ‘Thematic-Programme for the promotion of democracy and human rights worldwide under the future Financial Perspectives (2007-2013)’, COM(2006) 23. January 2006

3. European Commission, Standard Eurobarometer 69: Values of Europeans, November 2008, pp. 14-21.



The embedding of democracy and democratic processes in third countries offers also the best prospects for developing effective policies related to global issues which are also of concern to EU citizens. Democratic systems can, for instance, better combat transnational crime, illegal immigration and trafficking; protect the environment; maintain an open global trading system; and secure sustainable and competitive energy supplies. Moreover, to realise its vision as a responsible world partner, pursuing peace, stability and prosperity through effective multilateralism, the EU also needs like-minded democratic third countries as partners, as much from among low and middle income countries as from the more industrialised world.



- Multiple models, universal values

The EU's commitment to democracy and human rights does not assume the EU *'knows best'*. As Commission President Barroso put it, *'showing the way does not mean imposing the way.'* The diverse experiences and expressions of democracy within the EU itself, for instance, underline the absence of a single model, pointing rather to a multiplicity of models reflecting the traditions and specificities of numerous

countries. That said, the EU firmly believes that a number of needs and desires are common to all human beings: the ability to speak your mind and have a say in how you are governed; confidence in the rule of law and the equal administration of justice; a government that is transparent and does not steal from the people; the freedom to live as you choose. These are not just European ideas; they are universal human rights. And that is why the EU supports them everywhere.



- The European Parliament: a pro-active supporter of democracy

Throughout the past two decades, as the European Parliament (EP) gained power and influence, defending human rights and promoting democracy in the world has been one of its primary concerns. The voice of the European Parliament on democracy and human rights issues is omnipresent – and it is being heard. Its resolutions, reports, missions to third countries, inter-parliamentary delegations and special hearings, as well as its annual Sakharov prize for human rights activists and active engagement in election observation missions around the world are a testimony of this consistent and strong engagement. Through public discussions in

4. José Manuel Barroso, Brussels, 14 April 2008.



Democracy support in practice: election observation

Election observation has been one of the cornerstones of the EP's action in supporting democracy. Since the late 1980s the EP has participated in more than 120 election observation missions in over 60 countries.

The purpose of this engagement is to help strengthen democratic values in third countries, to assist in deterring fraud and violence and to build confidence in the electoral process among political contestants, civil society and the wider electorate. The EU election observation missions are usually headed by a Member of the European Parliament (MEP).

The engagement of the EP in election observation represents a valuable democracy-building tool. But it can only be a first step towards democracy.

'Election observation ... needs to be complemented by other adequately funded activities and post-electoral measures for the promotion of democracy, in particular through capacity building for national parliaments, political parties, the civil services, non-state actors and civil society'.

EP, 'Resolution on EU election observation missions: objectives, practices and future challenges', May 2008

plenary, committees and working groups it also holds the European Commission and Council to account on actions related to democracy and human rights support.



- Raising the profile of EU democracy assistance

Democracy and human rights have long featured in political dialogue. However, by the turn of the century, it was felt by the EU and the EP that democratisation and governance should be given a more prominent place in the EU's development cooperation policy. This was based on the recognition that without democratic governance, poverty eradication, stability and sustainable development could not be achieved. A more comprehensive approach was needed, going beyond the usual public administration or executive effectiveness support and limited electoral assistance provided only around election time. This new policy view underlined the importance of reinforcing the rule of law with an accessible and effective justice sector, a vibrant media and, last but not least, provision of assistance to democratic institutions such as parliaments⁵ and political parties, as important elements of holistic democratic governance support.

5. In this document the term 'Parliament' is used primarily, but is interchangeable with 'congress', 'assembly', or 'legislature'.



The 2003 European Commission Communication on Governance and Development underlined the shift in the overall approach of EU Member States to governance, notably beyond the focus on economic processes and administrative efficiency to encompass broader issues of democracy, justice and participation. The EP report (2004) on the Commission's Communication stressed *'the importance of pursuing electoral and parliamentary reforms, beyond the establishment of multi-party electoral systems, to ensure more extensive and effective political activity among the population'*.⁶

This more comprehensive policy has since been integrated into the various European

Commission development cooperation instruments. The Development Cooperation Instrument (DCI), the European Development Fund (EDF), the Instrument for Stability (IfS) and the European Instrument for Democracy and Human Rights (EIDHR) all provide significant possibilities for democratic governance and institutional and capacity building support. In terms of whether this policy change has been translated into adequate action in the field, the outlook is only partially positive at this stage. It is obvious that much work remains to be done, or in the words of the EU Council of Ministers, *'... a more coherent EU approach may be called for to increase the effectiveness of EU democracy support'*.⁷



6. EP, Report on Governance in the European Union's development policy (A5-0219/2004), March 2004.

7. Council Conclusions, 19 May 2009.



The OPPD seeks to establish a continuing dialogue and partnership with new and emerging democracies (NEDs) worldwide and to support their participation in the democratic community.

Why do parliaments or assemblies need assistance?

- Parliaments: The need for institutional capacity building

In June 2006, the Conference of Speakers of the EU Parliaments concluded that *'the development of parliamentary institutions is synonymous with democratisation and their sound functioning is a fundamental requirement of democracy.'*⁸ Cooperation between parliaments at different levels of development contributes to the worldwide dissemination of democratic values and is therefore a fundamental means of encouraging democracy.

Reflecting the position of the European Parliament, this expressed an increasing willingness to see parliaments as a central pillar of democracy, high on the democracy support agenda, and to actively exchange experiences and good practices with other parliaments around the world, convinced of the value of peer-to-peer support. This common position among the parliaments also coincided with a growing demand for EP support from new and emerging democratic (NED) national and multinational parliaments from around the world.

'Democracy is founded on the right of everyone to take part in the management of public affairs; it therefore requires the existence of representative institutions at all levels and, in particular, 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.'

Universal declaration on democracy adopted by the Inter-Parliamentary Council, September 1997

8. Conference of Speakers of the Parliaments of the EU, Copenhagen, 30 June 2006.



Happily, there is now an emerging consensus among the EU institutions, donors and developing countries that democratic governance is an essential component of good governance and that more attention is to be given to the strengthening and development of parliamentary institutions.



- NED parliamentary support: needs and demands unmet

Since the 1990s an increasing number of countries around the world have undergone fundamental structural changes and made the transition towards multi-party democracies. While such countries often benefit from significant electoral assistance and election observation in the initial phase of transition, in most cases the representative institutions formed from those elections have not received the same attention. Yet, in many of these new and emerging democracies, parliaments remain fragile and often lack adequate resources. Moreover, the legislative agenda in these NEDs is frequently very extensive and the parliament often does not have the required experience, trained staff, adequate information and material to serve its members efficiently. In countries emerging from violent conflict, representative parliaments have an ad-

ditional and vital role to play in bringing together the diverse views and interests of a fragmented society, building a culture of dialogue, and helping restore stability. Despite this, international development programmes and resources have focused primarily on executive and civil society actors, largely omitting, and thereby undermining, the role and authority of the parliament.

The EU's democracy assistance policy has evolved. But this has not yet been fully translated into action on the ground. While the EU dedicates much attention and support to elections and electoral systems, it is clear that sustainable democratic development does not end with free and fair elections. Such elections are rather a beginning, a critical but nonetheless preliminary step on the road towards democratic maturity. It requires long-term and comprehensive efforts to build up and consolidate a representative and well-functioning parliament able to ensure sound implementation of its lawmaking and oversight powers. Transparency, accountability, mutual respect and a constitutional setting which allows for checks and balances are indispensable to this process. Weak and ineffective parliaments, on the other hand, can have disquieting implications for the long-term confidence of the public in both democracy and representative governance.



- The European Parliament's role in oversight

The EP advocates that parliaments (and political parties) be systematically integrated into EU democracy support efforts, for example by ensuring that the various European Community instruments include support for democratic institutions or by using its right to scrutinize European Commission action in the field.

In light of the EU commitment to better align its development cooperation with partner countries' development strategies and to increase the use of sector and budget support, the EP has recommended reinforcing the role of the national democratic institutions, such as parliaments, directly involved in the relevant decision-making processes under national law, and responsible for the oversight of the state budget. The provision of direct budget support should, in the EP's view, be accompanied by efforts towards improving public financial management, not only through enhancing the capacity of the executive, but also by strengthening other institutions like courts of auditors and parliaments.

The EP's mandate includes oversight over the EU budget; it is therefore within the EP's mandate and interest to see NED parliaments reinforced in their own oversight capacity over

EU direct budget support. For effective EP oversight, alliances with strong NED parliaments are essential; in the long term, this should help to deliver better development cooperation and development tout court in the EU partner countries.



- Parliamentary oversight and international institutions

Joining forces is good for more than just the development cooperation agenda. In an interdependent world characterised by global phenomena such as climate change, economic crises and the fight against terrorism, much decision-making takes place outside the traditional national executive-legislative axis. The G20, UN Conferences, and the WTO are just a few of the many spheres in which far-reaching decisions are being taken among governments and where the influence of parliaments is not yet systematic.

As former European Parliament President Pöttering said: *'All measures of external policy cooperation should automatically be subject to parliamentary scrutiny'*. He furthermore emphasized that *'every step towards stronger supra-regional co-operation will only be possible on the basis of parliamentary democratic deci-*



sions'.⁹ To achieve this, we need to foster inter-parliamentary cooperation based on equality and respect for different cultures. All parliaments must have sufficient capacity to undertake their assignments and the ability to act independently from their executives. The European Parliament is eager to help with these endeavours to create robust parliamentary bodies around the world.



The Office for the Promotion of Parliamentary Democracy coordinates all activities on democracy promotion within the European Parliament. But what exactly does the OPPD do? How can it actively assist democratisation processes?

The OPPD – an effective instrument of support

In 2007,¹⁰ the EP created the Office for Promotion of Parliamentary Democracy (OPPD) to actively contribute to the strengthening of parliaments worldwide, by sharing expertise with NED parliaments and by exchanging good practices and experiences. The OPPD was set up within the Directorate-General for External Policies of the European Parliament's General Secretariat. Many NED parliaments had, and have since,

approached the EP for assistance and tangible support in building effective parliaments. The uniqueness of the EP is widely recognised and its experience in transforming itself from a merely consultative body into a fully-fledged parliament, democratically elected and with a proven track record of successfully managing different parliamentary traditions and cultures, is considered by many NEDs as a role model.

9. Hans-Gert Pöttering, EU-Africa Parliamentary Preliminary Summit, Lisbon, 7 December 2007.

10. EP Bureau Decision, 18 June 2007.



How can the OPPD help?

The OPPD assists in the establishment and the reform of new parliaments and aims at strengthening their capacity to implement essential functions including lawmaking, oversight and representation.

The OPPD does this through:

- **Demand-driven** support for institutional capacity-building;
- **Long-term relationships** with NED parliaments based on equality and a joint ownership of customised support programmes;
- **Peer-to-peer** support including training, strategic counselling and exchange of experiences;

- **Coordination** with other EU institutions and international actors;
- Capacity to provide **follow-up to electoral observation missions** (EOM).

Specific technical and capacity-building assistance may be provided in:

- Setting up parliamentary organisations;
- Implementing administrative and institutional reform;
- Initiating parliamentary legislative cooperation and sharing of best practices;
- Developing information and communication technology (ICT) strategies.

The trend towards regional integration around the world, from Africa (African Union, ECOWAS, etc.), to Latin America (MERCOSUR, etc.) and the creation of related regional parliaments is strongly welcomed by the EP, which can offer valuable support thanks to its own unique experience in this area. Support to regional parliaments is one of the priorities of the OPPD.

The OPPD acts on the initiative of NED parliaments and targets the identified needs of each parliament. Support initiatives can also be derived from resolutions adopted by the EP, the ACP-EU Joint Parliamentary Assembly, or other trans-national assemblies such as EUROMED.



The OPPD at work

1. Long-term cooperation programmes

The EP firmly believes in the value of long-term cooperation with its counterparts in new and emerging democracies. Following a request for cooperation and support from a Speaker or Secretary-General of an NED parliament and based on political guidelines established by the European Parliament leadership, the OPPD proceeds with a needs assessment mission in the partner country. This identifies the possible avenues for cooperation through discussions with all stakeholders, primarily the parliamentarians and parliamentary staff, but also other actors engaged in supporting the parliament and civil society representatives.

The recommendations of the needs assessment report are shared with the NED Parliament in order to establish an order of priority, and, subsequently, a long-term circular process of activities and feedback is initiated. The long-term cooperation programme may entail the following elements:

- Placement of staff at the EP under the De-

EP twinning with the Pan-African Parliament (PAP)

One of the OPPD's main priorities is working with regional parliaments. The EP has been a close ally and permanent partner of the PAP since its creation in March 2004. It accompanies the PAP in setting out the strategy and priorities for its development and assists it in its various endeavours, from the building of its infrastructure, the choice of ICT, or setting up interpretation and translation mechanisms to the development of finance and audit systems, as well as the sharing of best practices.

This is done through various study missions and technical assistance services both at the EP and in Midrand (South Africa) where the PAP has its seat, through a series of fellowships for its core staff, and active participation in strategic discussions regarding the development of the PAP. Close coordination of activities by other donors is ensured through bi-annual conferences.



mocracy Fellowship Programme;

- Targeted study missions for parliamentarians and/or staff at the EP;
- Organisation of seminars at the EP or in the partner country;
- Provision of technical assistance through sending staff or MEPs to work with NED parliament counterparts.

Where appropriate, the OPPD will work closely together with the EU Delegations in countries concerned on financial and technical parliamentary assistance projects.



2. The Democracy Fellowship Programme

The objective of the Democracy Fellowship Programme is to support NED parliamentary development by enhancing parliaments' capacity in implementing the chief functions of lawmaking, oversight and representation. The Programme is targeted at mid-ranking officials and – to a lesser extent – members of NED parliaments. The Fellowships, which include training and practical work at the European Parliament, are based on the initiative and needs of the NED parliament in question. They offer the opportunity to team up with colleagues in various departments of the European Parliament for up to three months in

finding solutions for identified capacity-building needs in each partner parliament. These can include the reform of administrative rules and procedures, legislative and committee work, enhancing parliaments' communication activities or gathering expertise on ICT solutions for the use of parliaments. Fellows will usually be hosted in the EP service mirroring their home parliament service. The Democracy Fellowship Programme allows fellows to obtain practical experience in the operating of the EP as a member of the EP hosting service. The European Parliament covers travel, accommodation, and subsistence costs entailed in participation.



3. Study visits of NED parliaments

In addition to more comprehensive forms of cooperation, the OPPD hosts specific thematic study visits for NED parliaments. These visits aim to deepen knowledge of the target groups about the EP and in particular the specific subject addressed by the mission. They also provide an opportunity for assessing possibilities for and interest in further cooperation. The visits can serve as a first step in establishing a long-term support programme and may also be part of larger parliamentary development programmes of EP partners such as the European Commission and UNDP.



Examples of study visits to the EP

- Visit by members and staff of the Parliament of Chile to study committee work and support systems to Members of the European Parliament
- Visit of leaders of the political groups of the Parliament of Kyrgyzstan, focusing on work of the EP political groups and political administration
- Mission of ECOWAS parliament members, analysing EP direct elections
- Working visit of staff of the Parliament of Georgia, for familiarisation with the EP's legislative work
- Study mission for Iraqi parliamentarians, focusing on the parliamentary oversight options
- Visit by East African Legislative Assembly (EALA) leadership for familiarisation with EP political management and exploration of avenues of cooperation

4. Building parliamentary development partnerships and coordination

The OPPD cooperates with national EU parliaments, (sub)regional parliaments, parliamentary associations and international organisations active in the field of parliamentary development. The aim is to create a community of parliamentary practitioners. It also facilitates the sharing of experiences and best practices

of parliamentary methods and applications. The OPPD is working in partnership with the UNDP, the World Bank Institute, the National Democratic Institute, the International Institute for Democracy and Electoral Assistance and the European Commission in order to launch a global knowledge hub for parliamentary development. This knowledge hub, known as Agora, aims at being a one-stop shop for all relevant information on parliamentary development and at facilitating exchange and discussion on different aspects of parliamentary work.

Wherever the OPPD is asked to provide support, it will closely liaise with all other actors engaged in supporting the partner parliament with a view to establishing cooperation and coordination. This should avoid duplication and ensure the best possible use of limited means in this field of work.



5. Fostering Research and Supporting a Strong EU Democracy Promotion Agenda

The research and study of parliamentary practices has so far not received enough attention by either academics or parliamentary practitioners. The OPPD therefore aims at fostering



this research, whether in-house or outsourced to experts.

Where possible, research is carried out in partnership with other key parliamentary development practitioners. The OPPD has, for example, joined partners in developing benchmarks or standards for democratic parliaments with the aim of stimulating effective parliamentary self-assessment tools to identify essential needs and challenges.

Finally, the OPPD is engaged in supporting the EP in its efforts to move democracy promotion further up the EU agenda, and to develop a comprehensive EU democracy policy.

As a global actor consisting of 27 democracies, representing some 500 million people, and the world's largest donor, the EU has a crucial role to play in support of democracy building efforts in third countries. A more coherent policy framework for democracy building will be necessary and will take full account of the core role of parliaments.

Or, in the words of Jerzy Buzek, President of the European Parliament:

Without solid representative institutions, empowered and capable of expressing the will of the people by legislating and overseeing government action, democracy will remain incomplete, fragile and unfulfilling.

