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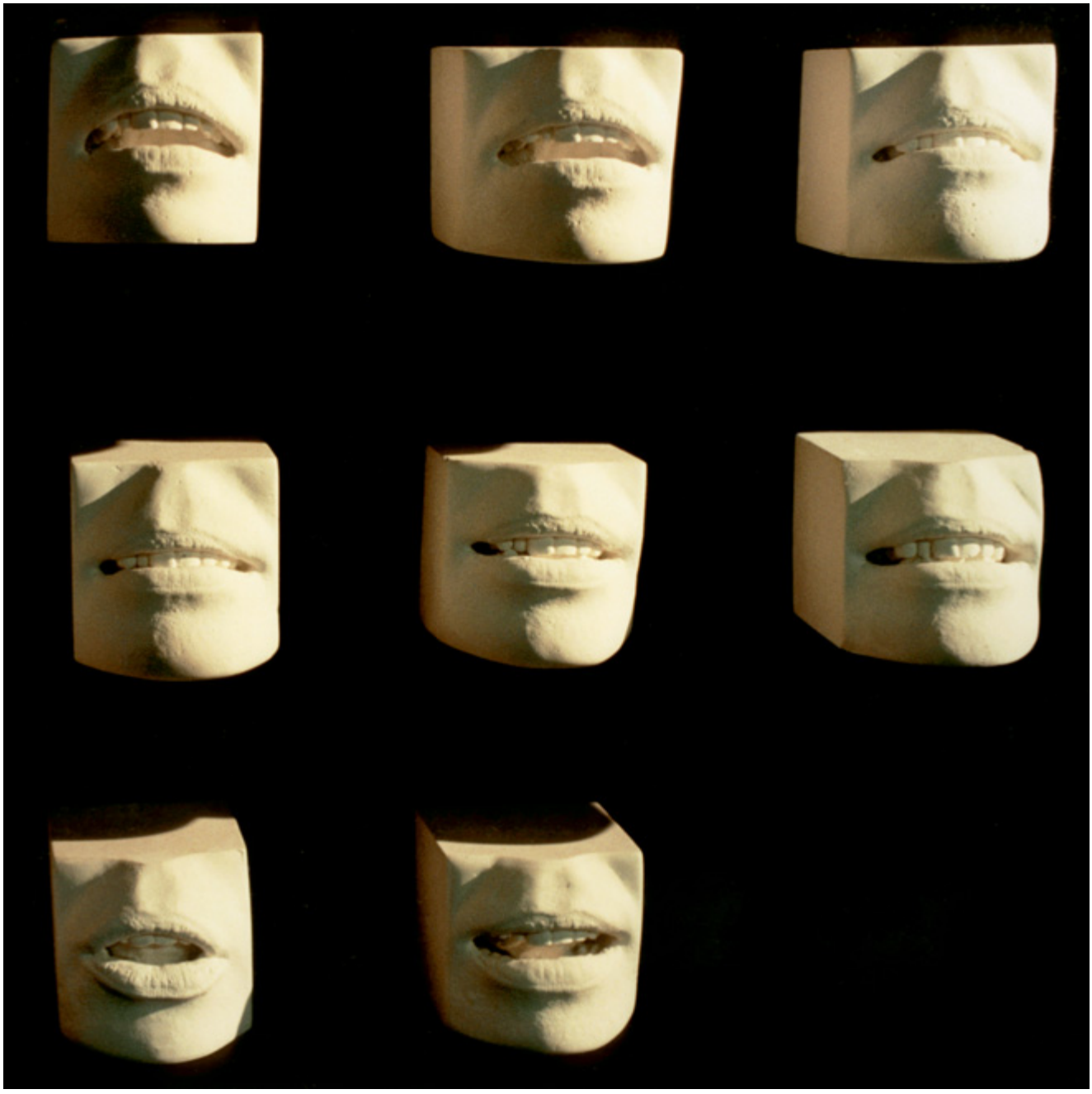
Parliamentary strengthening



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Foreword

The purpose of Sida's legislative support is to increase the capacity of parliaments to contribute to democratic governance – respecting the values of accountability, transparency, participation, separation and balance of powers, legitimacy and peaceful resolve of conflicts of interests – by effectively fulfilling their legislative, oversight, representative and arbitration functions.

Parliamentary strengthening is key to democratic development because it can promote the representative capacity and legitimacy of a political system. Parliaments exercising their function properly are critical to the advancement of democratic principles and culture throughout society. It is common that a skewed balance of power between the executive and the legislature, can infringe on the legislature's role as a political institution of representation, lawmaking, oversight, and conflict resolution.

This is a position paper on Sida's support to parliaments, parliamentary networks and international/regional organisations of parliaments. It is primarily intended for Sida staff, but may also be useful to Sida's cooperation partners and the donor community.

The position paper includes guidelines on the day-to-day management of legislative development and support which are based on the findings and recommendations of a thorough evaluation of all Sida funded legislative assistance 1996–2005, a workshop for Sida staff and external experts, as well as internal deliberations. The guidelines cover the importance of increasing political contextualisation of our support, strengthening linkages to other Swedish development goals, improving programme effectiveness, and improving internal capacity to manage parliamentary support. The position paper also includes a section on international trends and policy development, including implications of the Paris Declaration of 2005 and its five key elements of *Ownership, Alignment, Harmonisation, Managing for Results, and Mutual Accountability*.

It is hoped that the position paper will be of immediate use for Sida staff. Comments are more than welcome to Sida's Division of Democratic Governance.

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1. Purpose of Support

A legislative programme should, in Sida's view, be demand driven and aim to empower parliaments to attain such objectives while respecting national circumstances and priorities. In so doing, it is useful to think in terms of helping a society develop the capacity to enact laws that incorporate peoples' interests and reflect sophisticated knowledge of the policy landscape. Ultimately, bolstering this capacity means working with people and groups outside the legislature, including political parties, citizens groups, the media, academia, research institutes, officials from the executive branch, as well as the legislature itself. A fundamental point of departure is to build every intervention on existing national reform agendas so far as these have been developed and decided.

In terms of policy reflecting these objectives, Sida is committed to ensure the effective implementation of a) Sweden's Policy for Global Development[1] (PGD, 2003) focusing on two overarching perspectives – the perspectives of the poor and the rights perspective (equality in dignity and rights, participation, openness and transparency, and accountability) – and b) the Paris Declaration on Aid Effectiveness[2] (2005).

To ensure practical adherence to these objectives and policies over the period 2006–2010, Sida will strive to increasingly orient its parliamentary strengthening interventions towards:

- stronger links between parliament, parliamentarians, and the Poverty Reduction Strategy (PRS) processes ongoing in Sweden's partner countries to prevent the marginalisation of parliaments and the elected representatives of the people in the implementation of national poverty reduction strategies
- joint donor funding programmes in line with the PGD and the Paris Declaration's call for increasingly harmonised development assistance
- support programmes relating to the role of parliaments in the budget process and in financial oversight to contribute to the overall goal of poverty reduction

In developing the effectiveness and efficiency of this aid instrument, Sida recognises the need to ensure the increasing *political contextualisation* of its parliamentary strengthening interventions. The management guidelines provided in this position paper outlines the means to attain this objective and identifies, in addition, measures for improving programme effectiveness, adherence to policy objectives and improving management capacity.

2. Management Guidelines

The objective of these management guidelines is to take stock of lessons learned during almost a decade of parliamentary support programmes, but also to re-evaluate the instrument in light of a new Swedish development policy, PGD, a changing international development agenda and trends and experiences gained throughout the developing community and in partner countries on how best to support legislative development.

Much has happened during the past decade. The Millennium Declaration 2000 and an increasing frustration with the limited results of development efforts has sparked a slow but visible transformation of the way in which development co-operation is being pursued: emphasising increasing national ownership and leadership, and calling for real harmonisation, alignment and result-based orientation of donor agencies across the board. A changing environment calls for a level of flexibility and the ability to adapt to that which these guidelines mean to contribute.

During the period 1996–2005 Sida's parliamentary strengthening programmes have been scrutinized both internally and externally. An evaluation by the National Democratic Institute for International Affairs in Washington (NDI) and Strategy, Policy and Methods Consultants in Stockholm (SPM) in 2005 was developed for the purposes of thematic evaluation and input to Sida's position on parliamentary strengthening programmes.[3] A general finding is that Sida's portfolio and working methods are relevant, yet are in need of refinement to improve efficiency and relevance beyond what is already the case.

In particular, while noting that the value placed by Sida on the concepts of partnership and ownership has been recognised as one of the strengths of Sida's programming, improving the *contextualisation* of Sida's operations is key. Assumptions about "technically sound" programmes – although capturing all of the factors that affect the potential for change – all too often disregard circumstances inherent in evolving political environments. Power structures, socio-cultural rules of behaviour or practices are prone to undermine legal frameworks and democratic institutionalisation. Such adverse circumstances amplify the magnitude of challenge facing newly democratised legislatures entering into uncharted territories – without clear pictures of what the new institution should look like or what their roles and responsibilities should be – at a

pace frequently unmatched by slow and erratic social and economic development. There simply is no one-size-fits-all.

Note that important policy documents, concepts and trends are presented to the reader in annex 1 and 2.

2.1 Increasing Political Contextualisation

Analyses of political contexts is a mandatory starting point of any intervention. Normally, this should be done in the form of a pre-assessment. To guide the analysis, Sida should take stock of local political reform agendas – such as the PRS – the experiences of other actors and support institutions, international and national expertise and, not least, analytic tools such as *power-* and *Drivers of Change analyses* developed by DAC GovNet (cf. annex 2, footnote 3 for further details).

Depending on circumstances, a variety of measures are plausible and should be explored. Important considerations and recommendations – further developed and explained in annex 2 – include:

– *Identifying partners within the parliament that, given the political context, are most likely to support change.*

There may be a number of counterparts within the parliament, such as committees, intra-party groups, parliamentary caucuses, and parliamentary staff that can act as partners to a Sida-supported project. Particularly in less open systems, it can be important to insist on ownership and partnership by multi-party parliamentary reform committees or donor coordination committees within the parliament, i.e. given that this is where the pressure for reform or performance is the greatest.

– *Exhaust possibilities to employ issue-based approaches.*

Issue-based approaches imply a focus on the substantive content of parliamentary work; providing a particular rather than general focus of a strengthening programme. They are thus incremental in that they do not challenge the entire political system where strong interests may be opposed to a general reform agenda. Instead, they provide a step-by-step route to democratic practices while at the same time highlighting and strengthening the mechanisms through which certain issues can be addressed by parliament.

– *Consider focusing on cooperating partners outside parliament (bottom-up approaches).*

Bottom-up assistance aims to help people hold their legislature and MPs accountable, to increase their knowledge about the legislature's activities, and to increase the input into the legislative process of advice and information from outside the government. Outside influences are important to discern vulnerable groups such as minorities or indigenous people, and politically sensitive issues such as gender equality and agerelated concerns. Such approaches could include support for watchdog NGOs that monitor legislatures, with particular concern for transparency and accountability, and who can assist parliamentarians with constituency outreach programmes, teaching journalists how to cover legislatures and legislative processes, and aid to institutes or other NGO's that can offer substantive advice to legislatures on the drafting of legislation et cetera.

– *Reducing reliance on short-term interventions, such as one-off support to parliamentary exchanges, conferences and seminars not rooted in long-term programmes.*

Stand alone interventions without substantive content have rarely proved effective for generating change. Sida should strive towards decreasing the

number of such eventbased activities and better integrate those remaining with longer term strategies for parliamentary development, exploring potential synergies between activities implemented by global and regional parliamentarian networks, political party foundations et cetera on the one hand, and comprehensive national parliamentary development programmes on the other.

– *Considering support to regional and local organizations engaged in parliamentary strengthening.*

There is an increasing number of options for working directly with regional and local organizations on parliamentary strengthening. Such a change can be an important method of building sustainable regional and local capacity, and would also be consistent with international trends toward greater use of "bottom-up" approaches. Supporting co-operation between institutions of neighbouring countries with similar historical challenges may also be an option.

– *Better diversifying and targeting the role of parliamentarians in programming.*

Members of Parliament are often more willing to accept advice when it comes from a peer. On the other hand, the use of current or former parliamentarians can also entail limits, as they often have limited time available to develop a sufficiently nuanced understanding of local context. What Sida could do to manage these competing concerns is to encourage networks to target their activities, to focus on delivering specific advice and messages based on analysis done through sources with a more contextualized understanding of the local political situation.

Expected results:

– Improved contextualisation cannot be measured through clear cut progress indicators, but has, almost by definition, to be evaluated independently. If comprehensive strategies for parliamentary development is in place in a particular country, adherence to that strategy would be a sign of alignment, but not necessarily of contextualisation. Acknowledging underlying patterns of trust, power and incentives and creating a programme that promotes reform with or without their leverage would, on the other hand, plausibly demonstrate mindful contextualisation. *The intended evaluation planned for 2010 should be charged with asserting if interventions had an effect on substantive reform progress, and if so, to what extent it was due to a contextualised approach.*

2.2 Strengthening Linkages to Other Swedish Development Goals

In response to the evaluation of Sida's parliamentary support in 2005, there is scope for bringing the portfolio closer in line with the PGD. The first step is to align programmes more closely with the overall goal of poverty reduction. This should be achieved through:

– *An increasing portfolio focus on programmes where parliamentarians and parliaments improve their oversight capacity with respect to the PRS processes.*

Although the World Bank and IMF have noted the concerns of donors to strengthen the role of parliaments in the PRS and lending processes, there remains a gap between official policy and practice of the international financial institutions in this respect. An increasing number of MP's are becoming involved in the PRS process, yet *strong institutional involvement by parliament remains in need of additional support. In joint funding programmes, Sida should as a rule raise this issue in dialogue with its partners.*

– *Orienting intervention focus towards the role of parliaments in the budget process and in financial oversight.*

The PRS and budget processes are intimately linked, and this connection should be stressed by Sida. Increased support in this area may involve both the use of traditional and issue-based approaches focusing on particular policy issues.

Finally, in line with both PGD directives and the Paris Declaration, Sida may wish to:

– *Increase its participation in joint funding programs with a comprehensive and long-term approach to parliamentary reform.*

A move in this direction can serve to increase political contextualisation and programme sustainability. This direction should be regarded as long-term processes and careful joint monitoring mechanisms are required. Joint programmes must be based on the principles of programme based approaches (PBAs) as defined by DAC and encouraged by the Paris Declaration (cf. annex 1, footnote 13).

– *If a joint support programme is not an immediate option, a more rational division of labour and common and shared analyses among donors and parliamentary strengthening organisations is a valid starting point.*

As a rule, Sida should ensure that implementing agents are committed to build their analyses on shared assessments and strive to limit fragmentation through concrete co-operation with relevant donors and implementing partners.

Expected results:

- An increase in the number of programmes with a substantive programme focus on poverty reduction[4]
- An increase in the number of programmes with a substantive programme focus on the budget process and in financial oversight [5]
- An increase in the number of interventions with joint funding mechanisms matching the definition of programme based approaches [6]

2.3 Improving Programme Effectiveness

Improving programme effectiveness is the major objective of the position paper's discussion of measures to increase political contextualisation (section 2.1). However, a few concerns have been expressed about Sida-specific management conditions that are not immediately addressed by that approach. The overview provided by the evaluation[7] has given rise to a few constructive observations and suggestions for upgrading.

– *Improve coordination and integration of parliamentary and political party programming.*

With respect to Sida's parliamentary support portfolio, political party support programmes appear to be considered more or less independently. A lack of coordination can result in the loss of synergy among these programme types. Sida wishes to improve co-ordination and coherence of parliamentary and political party programming. The main vehicle for co-ordination is the clarification of DESA's advisory function for parliamentary programming (section 2.4). Should the government decide to increase support of political parties this recommendation is even more important.

– *Expand the range of parliamentary networks working with Sida funding*
Regional parliaments or parliamentary organisations – such as the SADC Parliamentary Forum, the ECOWAS Parliament, the East African Legislative Assembly, PARLACEN and PARLATINO in Central and Latin America – have become more active in recent years. A number of donor and implementing organisations have supported the formation of additional parliamentary networks as a means to strengthen and diversify their parliamentary support, in particular through an increasingly issue-based focus. Sida should actively seek to identify such opportunities.

– *Explore opportunities for supporting substantive policy goals in cooperation with parliamentary networks.*
Parliamentary networks have at times been criticized for a lack of follow-through on substantive issues of parliamentary strengthening. Reinforcing a move to expand the range of networks (previous point), would be to support programmes with a credible issue-based focus and follow-up strategy targeting the development of substantive policy or reform objectives.

Expected results:
– A re-orientation along the lines outlined in this section is best followed up in the 2010 evaluation.

2.4 Improving Internal Capacity to Manage Parliamentary Support

In response to the findings of the thematic evaluation, Sida intends to strengthen institutional memory (learning) and programming coherence through a clarification of DESA'a advisory capacities. DESA will act as a hub for all parliamentary strengthening programmes, including all support of political parties, in order to:

- Ensure portfolio overview and coherence
- Avoid duplication or contradiction of objectives
- Identify opportunities for synergies and supporting activities between different interventions
- Keep an annually updated portfolio record based on the overview provided by the evaluation
- Advise Sida EVU on how the PLUS system can be updated to facilitate the tracking of support

DESA can provide advice on individual interventions as it sees fit and in accordance with the objectives as stated in this position paper.

In this capacity, DESA will be in a position to alert against an observed (a) tendency to use overambitious programme objectives; (b) inadequate focus on sustainability from programme inception; and (c) over-reliance on evaluations based on participant reactions rather than the impact of an event on substantive objectives.

As a second response to the findings of the evaluation, DESA will be exploring ways to establish more formal mechanisms to obtain outside guidance and advice on parliamentary support.

Expected results:

- A comprehensive annual record of all interventions in parliamentary strengthening and political party support
- Suggestions on how to obtain outside guidance and advice on parliamentary support such as interaction with the Swedish parliament and multilateral organisations

Notes in the text:

1 Including the response of Foreign Affairs Committee to the Government Bill (Utrikesutskottets Betänkande 2003/04: UU3). The PGD covers eight central component elements; 1) respect for human rights; 2) democracy and good governance; 3) gender equality; 4) sustainable use of natural resources and protection of the environment; 5) economic growth; 6) social development and social security; 7) conflict management and human security; and 8) global public goods.

2 OECD/DAC (2005); DAC Guidelines and Reference Series – Harmonising Donor Practices for Effective Aid Delivery Volume 2: Budget support, sector wide approaches and capacity development in public financial management, p. 4–12, or follow this link http://www.oecd.org/dataoecd/11/41/34428351.pdf

3 Sida Evaluation 05/27 (2005), Approaches to Parliamentary Strengthening, A Review of Sida's Support to Parliaments, K. Scott Hubli and Martin Schmidt.

4 During the period 1996–2005, 4% of Sida's programmes had a substantive focus on poverty reduction.

5 During the period 1996–2005, a very small portion of Sida's programmes focused on these issues at all. A substantive focus was detected only in 1 programme.

6 During the period 1996–2005, these programmes represented 1 intervention and about 4% of the total allocation.

7 Sida Evaluation 05/27 (2005), Approaches to Parliamentary Strengthening, A Review of Sida's Support to Parliaments, K. Scott Hubli and Martin Schmidt, pp. 50–51.

Annex 1: Trends and Policy

Background

In the 1990s, support to legislatures became an important area of assistance among donor institutions, including Sida. The body of evaluations and research findings regarding parliamentary support began to accumulate in the late 1990s, often expressing frustration that the results of parliamentary support have been poor in relation to expectations, which are often extremely high. One of the most frequently cited commentators on democratization assistance, Thomas Carothers, indicated that, "[i]f asked to name the area of democracy assistance that most often falls short of its goals, I would have to point to legislative assistance." [1]

A host of interrelated and overlapping reasons for the weaker than desired performance of legislative support programs have been cited, including: 1) a focus on parliament as a self-contained entity rather than a component of broader political process, resulting in a misplaced emphasis on the symptoms of a dysfunctional political process, rather than the underlying causes; 2) insufficient political will on the part of parliamentary leadership, who have benefited from the status quo and may have limited incentives for reform; 3) naiveté on the part of the donor organisations regarding the political incentives of members of partner parliaments; and 4) methods of assistance that are poorly matched to objectives. High turn-over rates of parliamentarians add to this list; in Africa in general 50 per cent of members of parliaments are voted out of office each election.[2]

Against this backdrop, the Division for Democratic Governance (DESA) in the Swedish International Development Cooperation Agency (Sida) completed an internal methods project on political institutions in July 2002. This internal methods project was the first comprehensive thematic look at parliamentary support provided by Sida; the results of this internal project were published in *The Political Institutions: Parties, Elections and Parliaments*.[3] The *Political Institutions* paper identifies some of the main problems and challenges faced in parliamentary development, briefly reviews the policies and experience of Sweden with respect to parliamentary support, and outlines a DESA strategy for parliamentary support.

In the process of completing that internal project, DESA identified a need for a more comprehensive survey and thematic evaluation of all parliamentary support programs financed by Sida and issued a request for tenders to conduct this work. The National Democratic Institute for

International Affairs (NDI) was selected to conduct this work. Assistance was sought from SPM Consultants in completing the evaluation. The evaluation[4] findings and recommendations were validated at a workshop in October 2005[5] and subsequently synthesized into the main body of this position paper.[6]

International trends in parliamentary strengthening

Several international trends in parliamentary strengthening have particular importance for the way in which Sida conducts its support. The main body of the position paper outlines concrete responses to the issues addressed by these trends. A general orientation about their content is necessary as a background.

There is increasing recognition of the need to take *a more politically contextualized approach to parliamentary strengthening*, focusing on the internal and external interests and informal structures that govern parliamentary behaviour and create programmes that effectively take them into consideration. The critique of non-contextualized approaches has been scathing.

Another trend within the international donor community has been *greater focus on regional organisations in developing parliamentary capacity*. Recognising that democracy must be built rather than imported, and recognising that the political institutions that a nation chooses will depend on its own history and circumstances, donors are giving increased attention to assisting regional parliamentary organisations, also as a means to increase the political contextualisation of programmes.

Issue-based approaches, i.e. integrating legislative strengthening programmes with other types of development cooperation with an issue based focus (e.g. parliament overseeing the implementation of the convention of the Rights of the Child), have received increasing attention in legislative strengthening over the last five years or so. Issue-based approaches are felt to improve the substantive content of programmes and allows for a less threatening step-by-step approach to institutional reform than comprehensive programmes. A balance have to be struck so that the "issue" is not over-emphasised at the expense of developing democratic practices.

Increasingly, donors have expressed the need to do a better job of balancing top-down approaches to legislative strengthening with *bottom-up approaches*, working with outside actors to improve parliamentary functioning (e.g. supporting free and independent media). Groups outside parliament can exert pressure for change and in particular influence values and attitudes that govern the political behaviour of parliamentarians in the longer term. In politically more developed environments it is not uncommon that bottom-up influences have major impact on reform.

There is increasing focus within the donor community on *the interactions between economic and democratic development*. Economic development actors have increasingly focused on the effectiveness of accountable, representative and transparent government institutions in economic development. Democracy promotion organisations have also increasingly seen how the failure of democratically reformist governments to deliver on economic development can undercut democratic reform. This trend is much linked to an emphasis on poverty reduction.

The increased focus on the linkages between economic and democratic development is also being played out in the specific context of *parliamentary involvement in poverty reduction strategy* (PRS) processes. A number of donors and non-governmental organisations have expressed

concerns that the PRS processes have developed a parallel participatory structure for obtaining public input on the PRS, which operates separately from the country's political process and thereby undermining the legitimate role of parliament.

Policy

The purpose of the following sections is to familiarize the reader with the policies guiding Swedish parliamentary assistance and to give general advice as to what they mean for programme implementation. More detailed management guidelines are provided in the main text of the position paper.

The Swedish Policy for Global Development

"The goal is to contribute to an environment supportive of poor people's own efforts to improve their quality of life."…"Sweden's development cooperation should be based on the perspectives of the poor. (….)
One important element is therefore to strengthen the countries' own capacity for improving [national poverty reduction strategies]. This calls for support for central government administrations, national *parliaments* and civil society."

These are excerpts from the Swedish Policy for Global Development.[7] The Parliament of Sweden approved the Policy but asked Government to further emphasize some areas and issues, one of them being the role of parliaments as actors in implementing the Policy; parliaments' key roles in representing the interests of the people, acting as an arena for peaceful resolution of conflicts of interests, conducting oversight of government action, and legislation were also underlined.[8]

The Swedish Policy for Global Development also states that "further efforts should be made to develop central political principles and procedures such as accountability, participation, transparency, the distribution of power/…./and equality in dignity and rights". [9] Parliaments can contribute to all of these in the following ways:

– *Accountability*
– by holding government and its bureaucracy politically, administratively and financially accountable; by facilitating such accountability through allocation of sufficient funding to bodies such as national audit agencies, inspector generals, ombudsmen, public schools of journalism, or independent research; by being held accountable by voters in national elections to parliament et cetera. Sida could facilitate accountability processes by raising the importance of allocation of funds to oversight bodies in the spirit of the Paris Declaration.

– *Participation*
– Arenas for participation are never neutral but are themselves shaped by relations of power that both surround and enter them. Parliaments can be instrumental in promoting participation by, for example, providing an arena for the peaceful resolution of conflicts, and by debating, formally approving and monitoring national budgets and national poverty reduction strategies – on behalf of the women, men, boys and girls which members of parliament represent; and by reaching out to constituents through e.g. public parliamentary hearings. Sida could contribute to improved participatory processes by sharing findings of power analyses.

– *Transparency*
– by inter alia passing effective access to information legislation applicable to all bodies that carry out public functions, including records management, usage of information communication technologies, addressing the culture of secrecy, and by opening up its own procedures and practices to the widest possible extent. Sida could promote increased openness and transparency by suggesting that donors providing budget support jointly offer to meet with the relevant Parliamentary committee on an annual basis.

– *Division of Power*
– by overseeing and reviewing government decisions and actions, passing legislation and overseeing their implementation et cetera. Key areas for Sida to consider include support to constitution building processes and parliamentary review committees that may look into demarcations of the functions of the executive, the legislature and the judiciary. If Sida decides to support constitutional initiatives it is important to ensure that these processes are participatory, inclusive and gender sensitive.

– *Equality in Dignity and Rights*
– by passing legislation that protects the principle of non-discrimination or by overseeing government actions as regards availability, accessibility, acceptability and quality of services which the state has the duty to provide to women, men, girls and boys; by using general guidelines and recommendations by the treaty monitoring bodies or special rapporteurs[10] to assess national laws and the type of steps which should be taken to give effect to those obligations. Sida may consider to fund capacity development of parliamentarians and staff as regards international and regional human rights conventions. This should be done with a view to facilitate introduction of legislation that addresses discrepancies between international conventions ratified by their governments and their implementation.

– *Aid effectiveness*
– by co-ordinating donor efforts significant gains can be won in terms of better resource allocation, lower transaction costs and decreased fragmentation. Sida should actively seek to contribute to higher aid effectiveness through joint programming and shared analyses in accordance with the PGD and the principles of the Paris Declaration on Aid Effectiveness.

The Paris Declaration on Aid Effectiveness[11]

The Paris Declaration outlines how the international development community shall proceed to make development co-operation more effective and contribute better to poverty reduction and the millennium declaration and the development goals.[12] There are five key elements of the Paris Declaration; *Ownership, Alignment, Harmonisation, Managing for Results, and Mutual Accountability.*

Parliamentary programmes are sensitive to all the five elements and a concrete guide as to what they mean in practice is presented here:

– *Ownership* of national strategies and policy. This principle is a fundamental dilemma for parliamentary assistance because of the potential tension between ownership and reform, since most parliamentary leaders benefit from the status quo, particularly in weaker parliaments. The questions of legitimacy and representativity must be considered carefully when establishing just where ownership in fact lies. Address-

ing ownership when interests collide in this way sometimes simply means identifying and supporting the "proponents of change".

- *Alignment* with national strategies and policy. Alignment means to work closely in line with locally defined priorities and strategies. In parliamentary support, aligning with a locally developed and sanctioned *plan for parliamentary strengthening* is the primary objective. When lacking or being acknowledged as inadequate, efforts to stimulate its development should be a top priority.
- *Harmonisation* of development assistance. The Declaration emphasises that aid management should be designed to decrease fragmentation and transaction costs – meaning that support should be increasingly joint and programme based.[13] High levels of donor fragmentation in parliamentary support is likely to maintain the status quo, and thus become a systemic enemy of reform. If joint support programmes are not an immediate option, a more rational division of labour and common and shared analyses is a valid starting point.
- *Managing for results* is the primary means to achieve the shift in donor and government policies and behaviour envisaged by the declaration. Briefly it means that aid operations shall be developed by first looking at the desired outcomes and impacts and only then establish what inputs and activities are necessary to get there.[14] One key is to make sure that the national parliamentary strengthening plan is equipped with result indicators that are measurable and monitored. Another is never to accept intervention logic off hand but always to seek confirmation in actual results. Devoting more time to monitoring relative preparation in the project cycle is advisable.
- *Mutual accountability* means a joint commitment to be held accountable by donors and partners. It is a specific objective of this policy to strengthen *parliaments* in their role in development strategies and budgets. Supporting this objective in parliamentary programmes means to a) strengthen parliaments ability to hold governments and donors accountable and b) to involve parliaments more in development co-operation processes (such as the PRS, development budget oversight et cetera.)

Notes to Annex 1:

1 Carothers, Thomas (1999); *Aiding Democracy Abroad: The Learning Curve* (Washington: Carnegie Endowment for International Peace, 1999), p. 177.

2 This figure is derived from a study of selection systems used in recent elections in 31 parties in 17 African countries. High turn-over rates existed even in countries where the same party remained in power after the elections. Öhman, Magnus, *The Heart and Soul of the Party, Candidate Selection in Ghana and Africa* (Uppsala: Uppsala University 2004)

3 Sida, DESA, *Political Institutions: Parties, Elections and Parliament,* July 2002. The paper is referred to in this report as the *Political Institutions* paper.

4 Sida Evaluation 05/27 (2005), *Approaches to Parliamentary Strengthening, A Review of Sida's Support to Parliaments,* K. Scott Hubli and Martin Schmidt.

5 Supporting Legislative Development, Experiences and Challenges, October 26, 2005, report from Sida workshop at Hammarskog Conference Center

6 The core policy documents governing Sida's parliamentary support are 1) the government bill, Shared Responsibility: Sweden's policy for Global Development 2002/03:122 (the PGD) and the response of Foreign Affairs Committee to this report (Utrikesutskottets Betänkande 2003/04:UU3) 2) the government report "Democracy and Human Rights in Sweden's Development Cooperation" (Government Communication SKR 1997/98:76), 3) the response of Foreign Affairs Committee to this report (Utrikesutskottets Betänkande 1997/98 UU15), 4) the Sida publication "Justice and Peace," and 5) the Sida/DESA paper on *Political Institutions: Parties, Elections and Parliaments.* All were reviewed for current thinking regarding Swedish policy on sustainable development in general and for parliamentary support specifically. In addition, a range of other publications were reviewed with respect to Sida's strategy with respect to related areas of development cooperation, such as poverty reduction, or with respect to Sida's methods of development cooperation (Sida Methods Development Unit, *Sida's Policy for Capacity Development as a Strategic Question in Development Cooperation,* November 2000; Lage Bergström, *Methods for Capacity Development: A report for Sida's project group: "Capacity Development as a Strategic Question,"* February 2002; DESA, Sida, *Lessons Learnt on Twinning: Report from a Seminar,* January 2000; Sida, *Sida at Work: Sida's Methods for Development Cooperation,* 1997.)

7 The government bill, Shared Responsibility: Sweden's policy for Global Development 2002/03:122 (the PGD), p. 62–3. Italics by the authors of this position paper.

8 The response of Foreign Affairs Committee to the Government Bill (Utrikesutskottets Betänkande 2003/04:UU3), p. 3 and 170f.

9 The government bill, Shared Responsibility: Sweden's policy for Global Development 2002/03:122 (the PGD), p. 62 and 24, and the response of Foreign Affairs Committee to this report (Utrikesutskottets Betänkande 2003/04:UU3), p. 3 and 170f.

10 Such guidelines and recommendations may be found at the website of the UN High Commissioner for Human Rights: www.unhchr.ch

11 The declaration is available in OECD/DAC 2005; DAC Guidelines and Reference Series – Harmonising Donor Practices for Effective Aid Delivery Volume 2: Budget support, sector wide approaches and capacity development in public financial management, p. 4–12.

12 The Millennium Declaration (55/2) was taken by the General Assembly of the United Nations on 8 September 2000. It is available on http://www.un.org/millennium/declaration/ares552e.htm.

13 Programme based approaches (PBA) are defined by OECD/DAC as a way of engaging in development cooperation based on the principles of co-ordinated support for a locally owned programme of development, such as a national development strategy, a sector programme, a thematic programme or a programme of a specific organisation. Programme based approaches share the following features: (a) leadership by the host country or organisation; (b) a single comprehensive programme and budget framework; (c) a formalised process for donor co-ordination and harmonisation of donor procedures for reporting, budgeting, financial management and procurement; (d) Efforts to increase the use of local systems for programme design and implementation, financial management, monitoring and evaluation.

14 What at first seems non-problematic is, in fact, implying a major transformation of the way in which most development assistance is delivered. It means, in short, that programmes should be managed from the point of view of real performance. The operations that one should prefer are the ones that prove to deliver results for beneficiaries, and not necessarily the ones that – in our preconceptions – promises to deliver results. See the *DAC Committee on Managing for Development Results* for more information.

Annex 2: Increasing Political Contextualisation – an explanatory note

This section will outline key issues (in *italics*) that are generally relevant to increasing political contextualisation but that has to be applied against a careful situation analysis. The issues are being illustrated from various viewpoints, but it is not possible to provide a complete list of circumstances under which application is advised. Local political conditions are simply too diverse, although in theory they show similarity with other systems, to make this possible. In the end, Sida will have to provide a solid analysis supporting proposed interventions and not rely on mechanical implementation guidelines.

There is often a tension between ownership by parliamentary leadership (that has definitionally benefited from the status quo in obtaining these positions of power) and a politically contextualized approach (that is definitionally interested in changing the status quo through democratic reform). The emerging literature evaluating parliamentary strengthening programs strongly suggests that partnership-based approaches to parliamentary strengthening have generally not been effective when the programme "partner" represents political interests that benefit from the status quo. Moreover, even if there is political will and scope for reform, there is often a natural tension between the types of assistance that parliaments may tend to prefer (travel, material assistance, information technology, et cetera) and those likely to have a major impact on reform (constitutional balance of power between the executive and the legislature, electoral law reforms, political party and electoral campaign funding, profound changes in internal management, capacity building of research functions) and hence are likely to result in greater political competition, pluralism and accountability.

The degree of political contextualisation can be improved through a number of means; it is an ongoing process that should guide Sida-funded parliamentary support programmes wherever and whenever implemented. Greater emphasis on political contextualisation (diagnoses) associates strongly with the calls for ownership, alignment, harmonisation, management for results, and mutual accountability as outlined in the Paris Declaration although the preferred choice of cures may differ between and within the donor agency and the partner country/organisation. Sida has put a lot of efforts into improving its diagnostic instruments – mainly through the introduction of *power analysis* (For details, please refer to Sida's position paper on power analysis (2006), and recent work commissioned by the OECD/DAC/Govnet Task Team on Power and Drivers of

Change (co-chaired by Sida): a synthesis report on "Lessons Learned on the Use of Power and Drivers of Change Analyses in Development Cooperation" (2005) and a Guidance Note (to be approved 2006). The methodology can be used in determining scope and incentives for reforms affecting parliaments. It should be noted that changing entrenched political cultures most probably takes decades rather than years.

To reach the underlying causes of a dysfunctional political process, rather than more transparent formal rules and systems or mere "institutional repair", a number of things are required, including: 1) a relationship of trust and confidence between Sida and our partners that allows for frank dialogue on politically sensitive topics, such as political corruption or patronage, 2) an extremely nuanced understanding of the local political context by Sida and the implementing partner including challenges relating to inter alia gender equality, and 3) an implementing partner that has the capacity and willingness to design and implement programs in a politically contextualized manner. A relatively large number of workshops and study missions, administrative support efforts and information technology projects may risk supporting the status quo rather than addressing the deeply political problems standing in the way of democratic practices and reform.

– *Identify partners within the parliament, parliamentary caucuses and staff that given the political context, are most likely to support change*

Parliaments are not monolithic bodies, and there may be a number of counterparts within the parliament that can act as partners to a Sida-supported project. Particularly in less open systems, it can be important to insist on ownership and partnership by multi-party parliamentary reform committees or donor coordination committees within the parliament, i.e. given that this is where the pressure for reform or performance is the greatest.

Whether or not support should be directed to parties or specific parliamentarians depend on the purpose of the programme. Targeted support may as well contribute to cracks in an overly dominant group or unwanted fragmentation. Cooperation between political parties or with youth politicians may be options in sensitive situations. Different messengers for different messages are usually a helpful approach. Risk management is paramount as external support to opposition groups or champions for reform may undermine their internal positions and legitimacy. In authoritarian or semi-authoritarian regimes and fragile states, in particular where parliamentarians are non-elected, support to economic development, access to justice, and watch dog groups, civil society, political parties or media is generally a better option than parliament. Even though some parliamentary leaders in such regimes are positively inclined to parliamentary strengthening, Sida needs to ask itself – strengthening for what purposes? Is there a real interest in inter alia increased transparency and internal democracy? If not, other partners outside Parliament should be considered. Programs should include both parliamentarians and staff in order to be sustainable. Programs should also be gender sensitive in content and set-up.

– *Focus on issue-based approaches*

Increasingly, donors are using so-called "issue-based" approaches to parliamentary support. As the field of legislative strengthening has matured, an increasing percentage of parliamentary members and staff

have had opportunities to participate in seminars, conferences or study tours on general issues and topics, such as the role of parliament in a multi-party democracy, or on constituency relations skills. As a result, the value of a teaching "process" divorced from a specific "substantive" context continues to diminish. Moreover, issue-based approaches show promise, over more traditional approaches, in supporting legislative development more comprehensively, by placing it within a broader political and policy-making process. Issue-based approaches would also allow Sida to provide parliamentary support in a way that is more closely linked to the reduction of poverty, or to other areas of particular concern to us, such as gender equality, human rights or the rights of child.

Issue-based approaches are incremental in that they do not challenge the entire system at once. Instead, they provide a step-by-step route to democratic practices while at the same time highlighting and strengthening the mechanisms through which certain issues can be addressed by parliament.

– *Focus on cooperating partners outside the parliament (bottom-up approaches)*

There is a gradual gravitation towards such approaches. Bottom-up assistance aims to help people hold their legislature accountable, to increase their knowledge about the legislature's activities, and to increase the input into the legislative process of advice and information from outside the government. Such approaches could include support for watchdog NGOs that monitor legislatures, with particular concern for transparency and accountability, teaching journalists how to cover legislatures and legislative processes, and aid to institutes or other NGO's that can offer substantive advice to legislatures on the drafting of legislation et cetera.

– *Reduce reliance on short-term interventions, such as one-off support to parliamentary exchanges, conferences and seminars not rooted in long-term programmes*

Mere exposure to ideas during a seminar will not by itself generate reform when participants return to their daily work in parliament. A sufficiently nuanced understanding of the local political environment is necessary to address complex and informal process issues for such seminars to be relevant. Sida should thus strive towards decreasing the number of such event based activities and better integrate remaining ones with longer term strategies for parliamentary development, inter alia through potential synergies between activities implemented by global and regional parliamentarians' networks, political party foundations et cetera on the one hand, and comprehensive national parliamentary development programmes on the other. It should be noted that short-term interventions are inadequate vehicles for generating reform. But they may still be necessary and have demonstration effect. Whether they will produce the expected impact depends on the context. If the informal structures and material incentives are entrenched such external impulses may fall on barren ground. In other instances, they may generate some change.

– *Increase the level of support to regional and local organizations engaged in parliamentary strengthening*

Close to one third of Sida's total assistance has supported global interventions while a mere two per cent has gone to local or regional organisations. Today, there are an increasing number of options to work directly with regional and local organizations on parliamentary strengthening. Such a change can be an important method of building sustainable regional and local capacity, and would also be consistent with international trends toward greater use of "bottom-up" approaches to parliamentary support. There is, however, a danger that there may be a tacit and mutual understanding of not changing the system in fundamental ways, a disinclination to rock the boat because such organisations may benefit from the same dysfunctions in their home countries (this could also happen with global organisations). Overly generous per diems and travel allowances may be a symptom of this phenomenon.

Support to co-operation between institutions of neighbouring countries with similar historical challenges may also be an option.

– *Better diversify and target the role of parliamentarians in programming*

Members of Parliament are often more willing to accept advice when it comes from a peer. On the other hand, the use of current or former parliamentarians can also entail limits, as they often have limited time available to develop a sufficiently nuanced understanding of local context. What Sida could do to manage these competing concerns is to encourage networks to target their activities, to focus on delivering specific advice and messages based on analysis done through sources with a more contextualized understanding of the local political situation. Sida should also explore ways of collaborating with other and more directly poverty reduction oriented networks than the existing ones. Finally, Sida should identify synergy potential between the work of global, regional and local actors.

– *Identify opportunities for greater use of long-term consultants or advisors, particularly consultants who are able to relate as peers to parliamentary partners*

Only rarely is there a long-term field presence built into a programme. Sida should not revert to its former practice of seconding experts but rather suggest that its partners make use of long-term advisors with field presence in their programmes, bearing in mind needs to understand informal structures of power and to build trust and confidence in order to be able to address politically sensitive issues. It should be noted, however, that even long-term advisors will always be outsiders.

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Sida Policy (2005); *Promoting Gender Equality in Development Cooperation.*

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Important links:

The Christian Michelsen Institute in Bergen, Norway at www.cmi.no.

The National Democratic Institute for International Affairs in Washington at www.ndi.org.

The United Nations Development Programme (UNDP) at www.undp.org.

The Westminster Foundation in London at www.wfd.org.

The Parliamentary Centre of Canada at www.parlcent.ca.

The Institute for Democracy in South Africa, IDASA, at www.idasa.org.za.

Halving poverty by 2015 is one of the greatest challenges of our time, requiring cooperation and sustainability. The partner countries are responsible for their own development. Sida provides resources and develops knowledge and expertise, making the world a richer place.

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