

# How to Conduct A Legislative Needs Assessment

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## Table of Contents

### How to Conduct A Legislative Needs Assessment

#### [Introduction](#)

[I. What is a legislative needs assessment, and what should it do for decision-makers?](#)

[II. When should UNDP respond to a request for assistance?](#)

[III. From whom should requests for assistance come?](#)

[IV. What should an assessment review?](#)

[V. How well does the legislature perform its lawmaking and oversight functions?](#)

[VI. Who should conduct the assessment?](#)

### Sample Terms of Reference for Legislative Needs Assessment

#### [I. Background](#)

[II. On-going initiatives](#)

[III. Areas for institutional and capacity strengthening](#)

[IV. Objectives of the proposed assessment mission](#)

[V. Composition of the mission & required qualifications](#)

[VI. Tasks & Responsibilities](#)

[VI. Expected Outputs](#)

[VII. Indicative Timetable](#)

### Introduction

This technical note attempts to answer the following basic questions:

1. What is a legislative assessment, and what should it do for decision-makers?
2. When should UNDP respond to request for assistance to legislatures?

1. From whom should such requests come?
2. What should the assessment review?
3. Who should comprise the assessment team, and whom should they interview?

Finally, the technical note concludes with a sample terms of reference (TOR) document for fielding an assessment team.

## **I. What is a legislative needs assessment, and what should it do for decision-makers?**

A legislative needs assessment is a comprehensive statement of the needs of a legislature, and should suggest program options designed to help the legislature better perform its representation, lawmaking and oversight functions. Legislative needs assessments may also suggest activities for civil society and other groups which would strengthen their interaction with the legislature.

Legislative needs assessments may be general or specific. General needs assessments examine the overall needs of a legislature. Specific needs assessments examine a more narrow area (such as legislative/constituent relations, the legislature's policy or oversight role) and recommend specific activities to help strengthen the legislature in a particular area.

General legislative needs assessments should provide decision-makers sufficient information to help them determine (1) whether to go forward by gathering more information and making plans for a legislative project, or (2) to shift attention to projects with more promise for the same scarce resources. **This technical note will focus on general needs assessments.**

While requests for assistance are often expressed in terms of what a given legislature lacks (staff, facilities, and physical structures), the focus of the assessment should be on determining the legislature's potential for contributing to effective government. As noted above, the assessment should help one determine a legislature's prospects for becoming an institution capable of representing the populace, making good laws, exercising oversight over executive power, and performing other functions thought essential to democracy and good government.

### **What should be covered in a needs assessment?**

An initial needs assessment should not try to cover everything in detail. The primary focus should be on getting a broad sense of the present circumstances of the legislature, its potential as defined by the laws, by politics, and by the views of its members. These findings can, in turn, be incorporated into strategic suggestions for programming activities and the associated functions that require improvement. A more detailed comprehensive development plan may be developed for identifying potential additional follow-on activities. Such plans are somewhat more resource intensive than are basic needs assessments and often may require a larger commitment on the part of a donor (or donors); determination of the extent, stability and nature of legislative interest; and satisfactory answers to sustainability questions for the assistance planned.

## **II. When should UNDP respond to a request for assistance?**

**General issues of timing:** The role of external assistance in shaping democratic institutions is limited because the resources available are usually small in relation to needs, and the efficacy of assistance depends on how it is used by the recipients. The efficacy of such modest assistance is heavily dependent on timing, making investments when comparatively small amounts will have the greatest impact. Therefore the initial decision of whether or not to conduct an assessment, as a prelude to assistance, should consider cues such as the following;

- **Basic systemic changes.** The end of the Cold War spurred legislative developments in Eastern Europe and the former Soviet Union. As South Africa has become a multi-racial democracy, its Parliament and new majority party have evolved. The creation of the Palestinian Legislative Council opened up new possibilities for representation for Palestinians – as well as opportunities to help strengthen the new institution.
- **Emergence of divided government.** When Mexico's Party of the Institutionalized Revolution (PRI) lost control of the Mexican Congress in 1997, different parties controlled the executive and legislative branches for the first time in Mexico's modern history. The Congress has increased its independence, assertiveness and willingness to criticize the executive.
- **New legislative functions.** Uganda is currently undergoing a decentralization of government power, and parliamentarians are expected to play a larger role in representing regional interests at the center and explaining national actions to the regions.
- **Awareness of growing demands for representation.** Bolivia changed the electoral system for its House of Deputies from pure party list to a combined party list – single member district system in 1997, at least in part to respond to the perception that the Congress was unresponsive to the needs of the electorate.
- **A realization within the legislature of the need to strengthen the institution.** Demands for a more effective legislature may be initiated from within the legislature. Legislative leaders may recognize the need for strengthening their institution, and establish a legislative modernization group responsible for institutional strengthening.
- **External changes.** Sometimes change occurs among the donors. In recent years, for example, with more successful elections concluded, donor focus has shifted to the institutions in which newly empowered voters are represented.

This list is not meant to be exhaustive, but rather to suggest that events may cue an imminent change in demands being made on legislative bodies and these may constitute the opportunities for limited investments to have an impact.

### III. From whom should requests for assistance come?

Two issues are intertwined here. First, who has the standing, position, and status to make such requests? Second, what kind of information about the prospects for capacity building/potential for utilization can be gleaned from the identity of the requestor?

Usually, a parliamentary official makes the request. Often it is the Speaker or head of the national legislature. Sometimes, requests may come from the executive branch, ie. from an official of the executive branch, or even the chief executive. Should requests come from executive branch officials, it is important for them to demonstrate the concurrence of the parliamentary branch if such assistance is to be successful. Identification of an appropriate counterpart is important to ensure that the signature on any agreement has the requisite authority to facilitate program success.

It is more difficult to deal with the second issue of how much support there is for change. Some examples and related follow up issues provide some clues about how requests have been analyzed.

- In Ethiopia, the Speaker went to UNDP and USAID for assistance in developing parliamentary capacity. Ethiopia is a one party state and the Speaker is part of the ruling leadership. This was taken as a sign that there was at least limited support for a larger legislative role.
- In Uganda, the Speaker (who later became leader of the NRM, the ruling party), the Clerk and the Parliamentary Commission (the reform committee) jointly made requests for assistance from USAID, DFID, Danida and others. his was interpreted to signal that there was broad support for strengthening the parliament.
- In Zimbabwe, the Speaker and a parliamentary commission—after a nationwide series of hearings—formulated a detailed reform plan, which they then shared with potential donors including USAID and UNDP. The plan, and the process that went into it, was taken by donors as a sign that parliament was committed to a major effort and had conceptualized a reasonable set of changes to achieve their goals.

Once requests have been responded to and an assessment is under way, other information about the political feasibility of change can be gathered from party leaders (majority, coalition partners and opposition), legislators, executive officials, and interest group representatives.

#### **IV. What should an assessment review?**

Three broad sets of questions have proven useful in orienting an assessment, and three additional sets of questions are useful for determining specific legislative needs. A legislative needs assessment is essentially about obtaining answers to the following six questions:

1. How much power do the laws grant to the legislature? (formal legislative powers)
2. How much political space does the system allow the legislature?
3. How much do legislators want to do to advance the institution as a significant actor in the political system?
4. How well does the legislature interact with society? (representation)
5. How well does the legislature perform its lawmaking/oversight functions?
6. How well do systems of legislative management and infrastructure help the legislature perform its representation, lawmaking and oversight functions?
7. What are other donors doing?

Answers to these questions should tell one what potential exists for a stronger legislature, and what specific problems exist. Following are some types of questions that might be asked under each area.

## 1. **What do the laws permit?**

How much authority do the constitution and other organic laws grant the legislature? While many legislatures are constitutionally powerful but institutionally weak, it is important nevertheless to know how much formal power the legislature has in such areas as taxing and spending, and the selection and removal of executive officials. Some basic questions follow.

**What are the legislature's lawmaking powers?** Are members entitled to introduce legislation? If so, what is the scope of that power? Conversely, how much authority does the executive have to introduce and influence the course of legislation? What are the executive's veto powers? Can the legislature override an executive veto – and how? Can the executive rule by decree?

**What are the legislature's budget powers?** Must appropriations be legislated before the government can spend money? How detailed must the budget be? What role does the legislature play in taxing the populace: is tax legislation necessary, etc?

**What oversight powers does the legislature possess?** Does the legislature have the right to compel the executive to produce information about government operations? If so what is the scope of those powers? What powers does the legislature have to call to account and remove executive officials?

A legislature with well-defined formal powers – even it is not using them – might make a better candidate for certain types of assistance than legislatures without such powers.

## 2. **How much space does the political system provide?**

For a legislature to play a greater role in representing, making laws, and exercising oversight, those already exercising power must cede some of it, or at least be willing to share it. Who are the other power-holders in the system and what is their attitude toward the legislature and its future development? The list of potential rivals is long and includes other governing institutions (such as the executive, military, royal family, etc.), and political parties.

It is useful, in addition, to think about the "demand" side for representation, access to lawmaking, and prods for more oversight. Potential supporters of a larger role for the legislature include civil society groups hoping for greater access to power, regional interests who feel a strengthened legislature would better represent them, and business and other interests anticipating that legislative leaders may be responsive to their concerns.

More power to legislators may mean less for someone else. Who are the other significant actors in the political system, and what is their orientation toward a larger legislative role? What are the prospects for making room, displacement, reaching accommodations, and dividing labor?

Both the willingness of other power holders to grant the legislature a strengthened role, and the level and source of demand for an empowered legislature will be factors in determining whether or not, and how to assist a legislature.

### **3. How much do legislators want to do?**

The third political question deals with the extent to which there is support for a larger role for the legislature among the legislators themselves. Answers to this question help to determine of the extent of actual and potential demand for a legislature more capable of representing, making laws, and exercising oversight. Pertinent questions would include the following:

- Does a support base for legislative strengthening within the legislature exist? Can one be developed?
- Have multiparty legislative leaders formed a reform commission?
- Has the legislature made recent attempts to strengthen itself as an institution?
- Is the legislature making attempts to reach out to citizens (through opening the legislature, holding public hearings, etc.)?

Legislatures whose members - and especially whose leaders - desire to increase the power and effectiveness of their institution will generally be a more attractive target for investment than will legislatures whose members display no such interest.

The first set of questions dealt with the environment for legislative strengthening – what the environment permitted or encouraged the legislature to do. The next set deals specifically with legislative behavior and performance.

### **4. How well does the legislature interact with society?**

Legislatures are, first and foremost, representative institutions. An efficient legislature that does not relate well to constituents and to the nation is not an effective legislature. Assessment teams may ask the following types of questions to determine how open the legislature is to citizens and their concerns.

#### **To what extent are citizens able to observe their legislature in operation?**

- May citizens visit the legislature and attend committee or plenary sessions?
- Does the legislature permit or encourage tours by the public?
- Do legislators hold press conferences; do they interact with the media?

#### **Do citizens interact with their legislature?**

- Do legislators or parties have staff representation in electoral districts? Do members have district offices?
- Do legislators meet with citizens regularly?
- Do legislators hold public hearings in which citizens are invited to attend and speak?

### **What is the level of access to information on the legislature?**

- Does the legislature have a bill status system which allows legislators and the public to know where legislation is in the legislative process, and who is responsible for particular pieces of legislation?
- Does the legislature keep accurate records of votes and meetings, and is this information available to the public?

### **Do civil society, constituencies and the media understand and interact with the legislature?**

- Are interest groups (business, profession, and citizen) organized, and do they interact with the legislature?
- Do the communications media have access to legislative meetings, and do they report accurately on legislative events?

Depending on the political context, answers to these questions might lead to recommendations for opening the legislature to citizens, programs to help improve legislative record keeping, programs for communications media and to help interest groups organize and interact more successfully with the legislature.

## **V. How well does the legislature perform its lawmaking and oversight functions?**

We looked at formal legislative powers under #1, above. Sample questions here are closely related to #1, and are designed to address how well the legislature utilizes the powers it possesses.

### **Lawmaking performance**

- How many bills were adopted in the previous session, and how many were initiated in or amended by the legislature? (Keep in mind that legislatures in pure parliamentary systems generally have a lesser role in this area than do their presidential counterparts).
- Are legislators equipped to draft legislation? Do they?

- Does the legislature have professional staff – either partisan or nonpartisan – to assist them in developing and drafting legislation?
- Is the staff adequately trained?
- Do committees hold public hearings to obtain citizen input and information on proposed legislation? (also important for representation, above)
- Does the legislature have adequate information upon which to base decisions?
- Are computer information systems sufficient for helping legislators fulfill their lawmaking functions?

## **Oversight performance**

- Does the legislature have adequate procedural and financial resources for carrying out its oversight responsibilities effectively?
- Are legislators willing to exercise the oversight authority they possess?
- Are staff and information resources sufficient for the legislature to exercise effective oversight?
- Do political concerns preclude legislators utilizing the powers they possess?

Depending on the legislature's formal powers, and the political context, answers to questions such as these may lead to recommendations for assisting with public hearings, training staff, developing information systems, workshops for legislators in specific need areas, etc.

### **1. How well do systems of legislative management and infrastructure help the legislature perform its representation, lawmaking and oversight functions?**

- Do legislative rules and procedures tend to help or hinder the legislature from performing effectively?
- Does the legislature keep accurate records, and are they available to the public?
- Are there regular policies in place for the management of the legislature?
- Does the legislature have sufficient space to carry out its responsibilities?
- Is equipment (phones, sound systems, etc.) adequate?

## **VI. Who should conduct the assessment?**



The decision regarding who should conduct an assessment should be driven by the assessment objectives. Team members for a general assessment will most likely differ from team members for a more specific assessment (**see I. What is a legislative needs assessment**, above).

**General Assessment:** For general assessments, we recommend a two-person team composed of (1) an individual with a background in comparative legislatures, or at least comparative political systems, and (2) a legislative development specialist, able to design and present to legislative decision-makers specific program options. Ideally, one or both of these individuals will also be capable of undertaking a gender analysis – looking at both the specific needs of female parliamentarians and the need to integrate gender considerations in parliamentary functioning and responsibilities.

It is important to involve parliamentary counterparts and other national actors in the assessment process. For international consultants, language and area expertise is useful, but knowledge of comparative legislatures, experience dealing with legislatures and diplomatic skills for dealing with legislators is essential. Experience shows that legislators much prefer being given a menu of program options for their consideration rather than being presented with a specific program. Consultants able to draw on examples from other countries are well positioned to do this.

Should assessment team members be sufficiently qualified, they might also conduct a seminar for legislative leaders on models of legislative reform or development, giving both the principals of legislative reform and specific examples from numerous nations.

**Targeted Assessment:** If the decision to work in a specific area within the legislature has already been made, either as a result of a general assessment or because of a specific request for assistance, a more targeted assessment is in order. In this case team members need not have the broad background required for the general assessment, but should be expert in the specific areas of the assessment.

An assessment team to determine the needs for and to design a legislative budget office, for example, would require specific, specialized skills. The team might need an expert in legislative budget analysis, someone who has designed and/or managed a budget office, and an expert in taxation and revenue forecasting. An assessment to determine the needs of the library and make program recommendations for strengthening it might need a legislative librarian, a legislative researcher, and a legislative information technology expert. An assessment in constituent relations might require the services of an individual who has designed constituent services offices.

There may be times when combining both types of assessments may be in order; when, for example, a general assessment is needed, but one knows ahead of time that the legislature needs and wants to develop the library, or a citizen outreach program.

## **Whom to interview?**

We return now to our discussion of general assessments. Remember that the purpose of the assessment is not simply to determine what the institution lacks, but to determine how successfully it carries out its responsibilities, and to make recommendations to help it carry them out more effectively. It will be necessary, therefore, to interview individuals outside as well as inside the legislature, observers as well as

participants. The list of potential interviewees includes all of the following:

- Legislative leaders and members, both from government and opposition parties. Do the different groups concur on the strengths and weaknesses of the institution?
- Members of the reform committee, if one exists. Are they able to articulate a vision for the legislature? Do they see beyond their own political careers, and the interests of their political parties?
- Political party leaders. Are they willing to allow the legislature to play a significant role in the nation?
- Key staff people, such as the chief clerk, or chief administrator. What do they see as the institution's needs and capabilities? What do they recommend for the legislature?
- Informed observers, such as academics, journalists, and think tank personnel. What are their impressions of the legislature, how well do they think it relates to society, what do they think it needs?
- Representatives of the executive, especially those who deal with the legislature. What are their impressions of the legislature, how well do legislators work with the executive, do they fear the legislature, do they ignore it, what do they think it needs to become more effective?
- Leaders of civil society organizations, such as unions, women's groups, neighborhood associations, trade associations. What do they think of the legislature, are they able to influence them, how open is the institution to their concerns?

## **Sample Terms of Reference for Legislative Needs Assessment**

### **I. BACKGROUND**

#### **1. The role of the Parliament in Country X's transition to democracy**

X has had a "model" political transition from a communist system. Popular demonstrations led to the fall of the governing Party and Head of State in 1994. Free and fair elections immediately brought to power a democratic President, in 1995, followed by a majority win by the national freedom party in Parliament in 1996. Popular interest and participation in the elections and process have been overwhelming, despite the countries lack of democratic experience. The keystone to the stability of this transition process has been Parliament. New Presidential Elections are scheduled for 2000 and parliamentary elections are scheduled for 2001.

According to the 1995 Constitution, the *Parliament* is "the highest organ of State power and the supreme legislative power shall be vested only in the Parliament". The Parliament has one chamber and consists of 112 members, elected by the citizens of country X entitled to vote on the basis of universal, free and direct

suffrage by secret ballot. The Parliament enacts and amends laws; appoints, replaces or removes the President, the Prime-Minister and members of the Government. Only Parliament can dissolve Parliament, and by a two-thirds vote at that. By giving such power to the Parliament, the people of country X made their choice in favour of a peaceful transition to an open and healthy democratic society.

The existing multi-party and multi-institutional political and institutional framework builds a stable ground for sound governance in the country, where decisions are made in a transparent and participatory way. The current demographic situation in the country -- 82 % of the population is under the age of 30 -- creates a favourable context for active citizen participation in the political elections and for broad participatory procedures for the law- and decision-making processes.

Country X has held 1 parliamentary election since 1995, which was recognised by the citizenry of Country X and international observers as free and open. Currently over 10 political parties operate in Country X, seven of whom are represented in the Parliament. The Government is formed from representatives of the majority party in Parliament: the National Freedom Party. MPs cannot be ministers or Prime Minister.

## **2. The structure of the Parliament**

The Parliament exercises its powers through its sessions, standing committees and subcommittees, parliamentary party fractions and other organisational forms. Regular sessions of the Parliament are convened once every six months and each session lasts not less than 75 days. Special sessions of the Parliament may be convened if the President proclaims a state of emergency or war, and due to other inevitable circumstances stipulated in law.

The Parliament establishes standing committees to carry out its activities and determines their scope of responsibilities, organisation/structure and procedures. To date, the Parliament has four standing committees and each of its members works in one of its committees.

Political parties with 8 and more seats in the Parliament have the right to form a parliamentary party fraction. Political parties, which ran in the elections as an electoral coalition and won at least 8 seats in the Parliament, may have a coalition party fraction. Independent members of the Parliament may join any parliamentary fractions, however, they are not allowed to establish independent political fractions.

## **3. The Legislative Process**

The legislative process starts with the submission of the draft law or of any other decision of the Parliament by the initiator to a Chairman of the Parliament. The Parliament discusses the draft law, which has been recommended by a relevant standing committee to be included into an agenda of one of the plenary sessions of the Parliament. The relevant standing committee shall distribute draft laws with reports, conclusions and other relevant documents one week before the discussion in the plenary session.

After hearing the report of the initiator on the draft law and recommendations of the relevant Standing Committee, any other standing committee may give its proposals and conclusions on the draft law. The relevant standing committee is responsible for reviewing all proposals/comments made by MPs and, if necessary, making amendments in the draft law. Except for a number of special issues indicated in the Parliamentary Law, on which decisions are to be made by secret voting, voting should be open. The law is

considered to be approved if the majority (50%+1) of MPs, who have registered their presence at the session, will vote in favour of the law.

#### **4. The potential role of women in the political leadership of Country X**

Prior to the transition, a policy of gender equality and development of human resources enabled the women of Country X to achieve considerable progress in education: 98% of adult women are literate and 60% of women have received high-school education. Although statistics show that Country X has achieved much in developing women's capabilities, the challenge remains to create the environment to allow women to use those capabilities. Women predominate in the fields of medicine, education, commerce and banking; however, very few occupy positions of management or administration in these areas. In the 1996 parliamentary elections, women won 8% percent of the parliamentary seats; the situation gets worse further down the elective and appointive ladders in the provinces, districts and communes, all of which have Representative Assemblies and appointed Governors.

The low representation of women in decision-making and the lack of gender-awareness among policy makers means that the specific problems, needs and interests of half the population are not adequately addressed in policy, planning and implementation of national programmes. Opportunities for effective development are missed by excluding women's knowledge and experience from legislative consideration and parliamentary representation, from policy formulation and national planning.

## **II. ON-GOING INITIATIVES**

The global Programme for Strengthening Parliaments could serve as a strategic framework for the on-going three national level projects through enhancing their outreach to the Parliament and parliamentarians of Country X.

Ongoing initiatives in this area include: A broad Governing Institutions Capacity Building Project aimed at building the capacity of all governing institutions to undertake joint policy analysis of critical issues of common importance for all of them and to conduct well co-ordinated decision-making processes on policy. Taking into consideration the multi-party composition of the governing institutions, the project is called to contribute to building consensus in society with regard to its current challenges, particularly the four issues of corruption, gender imbalance in political leadership, free media and human rights policy. This two year Programme was supported with \$500,000 from UNDP over the period 1996-1998 and will come to a close at the end of the year.

Other donor initiatives include.....

Finally, UNDP has also supported both the Government and Parliament in drawing national expertise in the analysis of issues likely to be presented for legislative decision, introducing the innovative concept of basing decisions on hard facts. Since many weak legal acts result from inadequate research, reference and documentation facilities, the project adds value to the work of MPs through providing them with research/study findings on critical issues to be discussed in Parliament.

## **III. AREAS FOR INSTITUTIONAL AND CAPACITY STRENGTHENING**

The major challenge of Country X's young democracy is to sustain the democratic changes in society and to maintain continued support for reforms among its citizens. Capacity- and institution-building support to the Parliament will be of great value for strengthening parliamentary democracy on the one hand, and for enhancing legislative–parliamentary and parliamentary–constituency relations, on the other.

Country Xn parliamentarians lack the knowledge and skills required for undertaking a sound professional analysis of draft laws prepared by Government agencies, particularly on such critical issues as budget preparation, market economics, aid coordination and aid management, the role of state in a modern democracy, decentralisation, etc. The existing human resource constraints limit effectiveness of parliamentarians in performing their mandated tasks and make difficult the practical implementation of weak and vaguely formulated laws. In addition, there is a need for technical expertise on how to harmonise existing legal acts with the new ones, when their provisions are conflicting. Parliamentarians will benefit from the global programme through targeted short-term training courses aimed at strengthening their capacity to analyse legal acts initiated by the executive branch as well as at building their own capacity to formulate and initiate laws.

It is highly important to enhance parliament-constituency relationships through introducing an appropriate mechanism to improve parliamentarians' accountability vis-à-vis their constituents. This mechanism should enable the electorate to assess the effectiveness of MPs in representing their aspirations in the public decision-making processes, as well as their ability to explain the importance of decisions made and laws adopted by Parliament. The global programme could assist Country X MPs in learning the experience of other parliaments with strong democratic traditions in the field of parliament–constituency relations through providing relevant expertise and experience sharing. *This could be provided in the form of in-country training workshops conducted by experienced MPs from Western parliaments, provision of consultant(s) to advise on possible revisions to the existing laws related to the Parliament and Parliament Members, and/or short-term training/study-tour for a limited number of national resource persons/focal points selected among the MPs.*

Many parliamentarians recognise *a need for reviewing the Law on the Legal Status of Members of Parliament and their codes of conduct*, which do not allow MPs to hold other businesses except their main duty. Due to low salaries, this policy encourages corruption among MPs.

There is also a strong need *to build women's capabilities to strengthen their leadership skills and to create an enabling environment and opportunities for their advancement and participation in political leadership at all levels.* The existing and potential women leaders of Country X will greatly benefit from the targeted training and research components of the global programme. Prior to the forthcoming parliamentary elections the women of country X need to exchange experience with their female colleagues from other relevant parliaments and get acquainted with Western techniques (know-how) for women to work through the political party machines. Emphasis should be placed on involving both men and women leaders throughout the programme.

#### **IV. OBJECTIVES OF THE PROPOSED ASSESSMENT MISSION**

1. assess the existing national legislation related to the Parliament and Members of Parliament;

2. review the existing mechanisms for legislative–parliamentary and parliamentary-constituency relations;
3. conduct a comprehensive needs assessment to address the gender imbalance in parliamentary representation and legislative consideration;
4. based on the above three objectives, develop (1) a report with the recommendations on a concrete set of initiatives to be implemented under the UNDP global Programme for Strengthening Parliaments, and (2) a national project proposal on UNDP’s technical assistance to the Parliament of Country X for resource mobilisation.

## V. COMPOSITION OF THE MISSION & REQUIRED QUALIFICATIONS

The assessment mission team will be composed of a lead expert on governance, with particular experience in providing technical expertise to parliaments in transition economies, a legal expert and a gender specialist. All mission members will work full-time.

Mission members will have the following minimum qualifications:

- Master Degree or equivalent in Law, Public Administration, Sociology/Gender Studies, Political Sciences, or relevant field;
- Extensive professional experience in addressing the issues related to parliaments, legal/institutional framework and gender;
- For the lead expert, work experience in assisting parliaments in countries undergoing transition to democracy and a market economy would be welcome;
- Similarly, work experience in designing UNDP-supported programmes/projects will be an asset;
- For the gender specialist, technical expertise and concrete work experience in addressing gender imbalance in political representation would be essential.

## VI. TASKS & RESPONSIBILITIES

The assessment mission team, under the over-all direction of the Director of MDGD and the direct responsibility of the Resident Representative of UNDP in Country X will:

1. Conduct a review of the existing key legal documents, including the Constitution of Country X, Law on the Parliament of Country X, Law on the Legal Status of the Members of Parliament, Electoral Law of the Parliament of Country X and the Law on the Parliamentary Procedures, to assess if the legal framework is adequately contributing to effective law making process in Country X. In this effort, consultations with heads of the Standing Committees and Subcommittees, leaders of the parliamentary fractions and parliamentary political parties, key MPs, representatives of the Executive Branch, President’s Office and Judiciary, civil society organisations (including women NGOs) , media, UNDP and other international development agencies, will be undertaken. As a result of this assessment, the concrete recommendations on how to improve the current legal and institutional system will lay the groundwork for a solid proposal on a technical assistance to the Parliament of Country X.
2. Assess the existing parliament-constituency relationship to suggest better mechanism aimed at

strengthening parliamentarians' accountability vis-à-vis their constituents. This mechanism should enable the electorate to assess the effectiveness of MPs in representing their aspirations in the public decision-making processes, as well as their ability to explain the importance of decisions made and laws adopted by Parliament.

3. Assess the existing human resource constraints, that limit the effective functioning of the Parliament and parliamentarians, in order to develop a comprehensive strategy/plan for addressing the current needs of parliamentarians to improve their professional capacity.
4. Review the current policies and, what is more important, practices of the parliament, parliamentary fractions, leading political parties and NGOs aimed at moving from 'de jure' to 'de facto' equality and strengthening women's participation in political leadership, in general and women's representation, in particular. This review will be undertaken through existing policy documents as well as active discussions with women MPs, leaders of the political parties and parliamentary fractions, heads of women NGOs and other civil society organisations.
5. Develop an action plan which will meet the requirements of potential and existing women leaders in building skills, confidence and opportunities through training and other support activities; advocacy through media and gender sensitive surveys/researches to address problems relating to social relations and attitudes which perpetuate gender inequality. Emphasis should be placed on involving both women and men throughout of the design and further implementation of the proposed action plan under the global programme.
6. Strategically link suggestions and recommendations with the work of other international development organisations that are devising strategies to . If appropriate, efforts of the

International Republican Institute, USAID, Asia Foundation, Open Society Foundation will be linked to the project proposal.

## VI. EXPECTED OUTPUTS

Upon completion of the assessment mission and discussions with key stakeholders, the assessment mission is expected to deliver: (1) a report with the recommendations on concrete initiatives to be implemented under the UNDP global Programme for Strengthening Parliaments, and (2) a full-pledged project document for UNDP's assistance to the Parliament of Country X at the national level. The lead consultant is responsible for consolidating the results and findings of the missions, and delivering the two expected outputs, to be submitted to the UNDP country office in Country X and to UNDP/MDGD three weeks after the conclusion of the scheduled in-country consultations in Country X.

## VII. INDICATIVE TIMETABLE

The proposed assessment mission will take place in ----- and will last up to four weeks. The mission findings in the form of the concrete activities to be funded under the global Programme for Strengthening Parliaments will be implemented in -----.