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Editorial

Election Observation with follow-up: an important foreign policy tool

by Michael Gahler, MEP

Over many years the European Union has gathered experience in election observation. Headed by a Member of the European Parliament, these long term missions have developed a high degree of professionalism and expertise. A preliminary report that assesses the observations up to voting day is followed by a final report that also covers the period between the finalisation of the count and the handling of complaints.

Politically the most interesting part is the list of recommendations contained in the final report because these, and their subsequent implementation, can make a difference for the next election.

For too long we have seen election observation missions arrive in a country, make recommendations and then leave. Governments at the receiving end of such recommendations have often paid them scant attention. Unfortunately the same applied to the European Union's operational agenda in the country concerned. Insisting on the implementation of the Election Observation Mission proposals has not always been considered a priority or opportune.

Given the continued trend for further democratisation on a global scale, the EU's commitment to contribute hitherto is crucial: A credible and transparent election process is the point of departure for legitimate governance afterwards. A "good" election process is by no means an assurance of "good" results; however, unfair and opaque conditions from the outset and the absence of a level playing field for all candidates, can almost guarantee domestic instability and political conflict after an election.

It is clear that our long term professional election observation missions have been welcomed, if not by every government or ruling party in the host country, then certainly by the democratic public and civil society. Non-partisanship and the credibility of our experienced observers make these missions an important EU foreign policy tool.

Backed by the observers' findings and recommendations, the EU Delegation in the country concerned ought to work with the government, the electoral commission, political parties and civil society on their implementation. Follow-up projects to support both better legislation and election preparation must be put in place.

The European Parliament through its committees and delegations should play the role of watchdog, not only through the presence of MEPs as short term observers, but by overseeing the implementation of the proposals. Regular reporting to Parliament by the European External Action Service on where we stand in specific countries is necessary as well.

Furthermore, EU Delegations and Headquarters must commit to engaging with national parliaments as political partners and as partners for better governance. No longer can development cooperation aimed at institutional capacity building be limited to working solely with the executive whilst disregarding the legislative arm of government. Checks and balances are necessary and parliamentarians must be empowered and provided with the resources to do their job properly.

If all EU institutions and foreign partners work together in this core business of democracy building, we can help foster the type of stability which chimes with the will of the people.

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News

Parliament restructures and reinforces Democracy Support

The past few months have seen a number of decisions by the European Parliament's Bureau give shape to some of the internal recommendations that were contained in the De Keyser report on the EU's policies in favour of democratisation which was adopted in July last year: The former Election Coordination Group has been transformed into the Democracy Support and Election Coordination Group with a newly defined mandate. Within the Parliament secretariat's Directorate General for External Policies, a Directorate for Democracy Support was created in April.

This Directorate comprises the OPPD, the Election Observation unit, a new Human

Rights Action unit, as well as a unit working on capacity building for parliaments of the Western Balkans.

The Democracy Support and Election Coordination Group (DSECG) will be responsible for steering EP activities in the area of election observation, namely planning and evaluating observation missions undertaken by the European Parliament. The group shall liaise with other EU institutions when it comes to drawing up the priorities for the EU election observation missions and for appointing Chief Observers.

The DSECG will also provide the OPPD with political guidance and will be in charge of approving its work programme. More generally,

the DSECG will supervise politically all the activities of the new Directorate for Democracy Support in addition to endorsing concepts and activities related to human rights promotion, the deepening of the network of former EP Sakharov Prize laureates, and the training activities organised for the parliaments of the Western Balkans.

The DSECG will be co-chaired by the Chairs of the Foreign Affairs Committee (currently Mr Elmar Brok) and the Development Committee (Ms Eva Joly) and totals 15 members, including the Chair of the Sub-Committee on Human Rights and the Vice President responsible for Human Rights and Democracy and the Sakharov Network as ex-officio members. The new DSECG held its first meeting on 4 June.

EU Council adopts Strategic Framework for Human Rights and Democracy

On 25 June the EU's Council of Ministers endorsed a Strategic Framework on Human Rights and Democracy and an Action Plan comprising 97 actions to be implemented by the Member States and the EU institutions by the end of 2014. The Action Plan also commits the EU to develop a more effective democracy support policy and to develop "EU joint comprehensive democracy support plans and programmes (...) for third countries where the EU is actively engaged in democracy support" and to "systematise follow-up use of EU Election Observation Missions and their reports in support of the whole electoral cycle".

Edward McMillan-Scott MEP, a Vice President of the European Parliament responsible for the promotion of human rights and democ-

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racy, called the adoption of the framework "an overdue step in the right direction to increase their effectiveness and visibility through better coordination and a coherent implementation of our policies." Mr McMillan-Scott and MEP Barbara Lochbihler, Chair of the EP's Sub-Committee on Human Rights, in particular commended the agreement by the Council to appoint an EU Special Representative on Human Rights as requested by the European Parliament.

Read the full Strategic Framework at: <http://tinyurl.com/HRDStratFramework>

In focus

European Parliament partners Constituent Assembly of Tunisia



All eyes on Tunisia's Constituent Assembly - packed visitors' tribune at its opening session.
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The European Parliament (EP) through the Office for Promotion of Parliamentary Democracy (OPPD) will support the Tunisian National Constituent Assembly (CA) and the National Assembly to be elected next spring in their efforts to build a solid democracy with a strong parliamentary component. Elected at the end of October 2011 in Tunisia's first truly pluralistic and free elections since independence, the CA is the body in charge of drafting the new Tunisian Constitution.

In offering its assistance to the CA, the EP is cooperating with the United Nations Development Programme (UNDP) which has developed the project "Support for the constitutional and parliamentary process and national dialogue in Tunisia". The UNDP programme will run for three years (2012 - 2015) with a planned budget of \$US18.3m.

The Democracy Support and Election Coordination Group of the EP endorsed the OPPD proposals for providing support to the Constituent Assembly. It was decided to channel part of the EP support through the comprehensive UNDP project and part directly in the form of bilateral assistance. Both components will be largely complementary but the bilateral support will be based on a peer-to-peer approach and have a more flexible character to facilitate necessary adjustments.

Both programmes have been accepted by the CA. The formal agreement concluded between

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the UNDP and the CA foresees the creation of a "Policy Steering Group" which will be chaired by the Speaker of the Constituent Assembly, Mr Mustapha Ben Jafar. This high-level group will monitor the progress of the project, take where necessary decisions for adjustments and offer oversight of the project's budget. The EP

has been invited to participate in this Steering Group which will meet at least once every trimester and will be represented by German MEP Michael Gahler who was also the EU's Chief Observer for the elections to the Constituent Assembly.

The EP will base its support on the experience of its Members and staff in areas such as political management; organisation of political bodies and political groups; influence/scrutiny over the other institutions and the organisation of budgetary control; communication; work with the media; relations with civil society and citizens; petitions; the organisation and functioning of committees; research support to the parliamentary functions; IT facilities for members and the institution, etc.

This support will be granted through a series of technical, capacity-building actions, taking into account discussions with a high-level delegation from the CA which visited the EP on 7-10 May 2012 in the framework of the very first study visit for Tunisian parliamentarians organised by the OPPD. Activities foreseen include training events to take place at the European Parliament (visits of Members of the CA Bureau and of management staff; job shadowing and training for staff as "Democracy Fellows"); workshops and conferences in Tunisia (workshops for MPs on parliamentary oversight and on major EU policies of relevance to Tunisia); posting of EP secretariat staff, for example with a view to drafting development plans for the use of ICT; provision of tailored documentation and information materials.

Snapshot: Challenges and lessons learned

Interviewed at the end of the first OPPD study visit, Deputy Speaker Mohammed Saleh Chairat underlined that the challenges the CA faces are manifold. He noted for example that Members in Tunisia do not have their own personal support staff or their own offices. He explained that parliament's administration now needs to provide services which are quite different from before the revolution.

Deputy Speaker Hela Hammi also explained that the Bureau still needs to define a working method vis-à-vis the administration.

During her visit she was intrigued by the role that the chairs of political groups play in the European Parliament. "I now understand better the role and privileges that group chairs must enjoy and we need to work on their statute". Speaking on Members' relations with the citizens she noted that "another challenge is that our primary task is drafting the Constitution while meanwhile our people are facing unemployment, food price hikes and other immediate problems which we are not really able to tackle yet".

OPPD Activities & Updates

Study Visits to the European Parliament



PAP Committee Chair, Hon. Musa Mbutoh (left) with Hon. Abdul Rashid Pelpuo.

During the first semester the OPPD organised a whole series of study visits. These study visits are tailored to meet the interests and needs of the visiting group, meaning that the topics treated and the duration of the programme, as well as the size and composition of each group, may vary considerably.

Thus over the past six months the OPPD has organised visits lasting four days as well as some of a more concise nature, spanning only a day or two half days. We welcomed ministry officials; the Speaker and Chair of the two houses of the South African parliament;

the Finance Committee of the Pan-African Parliament; parliamentary staff of the EU's Eastern Neighbourhood (EURONEST); MPs from Tanzania and Uganda; staff from South Sudan's new National Legislative Assembly and several groups from the Constituent Assembly of Tunisia.

Pan-African Parliament (PAP): The year kicked off with a visit from the PAP's Finance committee, involving PAP members from Cameroon, Kenya, Somalia, Botswana, the Saharawi Republic, Mauritania and Ghana. The PAP's finance committee has a very wide remit which covers not only budgetary matters but budget-

ary control and economic and monetary policy too. It also takes an interest in international trade. The programme included both presentations by EP secretariat staff and meetings with MEPs such as Reimer Böge who is one of the lead Members for the EU's future Multiannual Financial Framework. Reflecting their interests, many of the presentations focussed on financial and budgetary control matters as well as cooperation with Africa.

Euronest Parliamentary Assembly: In February, the OPPD organised for the first time and, in cooperation with EP colleagues in charge of relations with the EU's Eastern Partnership countries, a joint training course involving staff members of the parliaments of Armenia, Azerbaijan, Georgia, Moldova and Ukraine. All participants have a role in providing (together with EP staff) secretarial support to the Euronest Parliamentary Assembly. This new inter-parliamentary assembly consists of 60 Members



Practical exercises during the Euronest study visit 6 - 10 February 2012.

Study visit groups received during the 1st semester

PAP Finance Committee Members	23-26 Jan
Euronest (staff)	6-10 Feb
Tanzania (MPs)	26-29 Mar
Parliament of RSA	25 Apr
Tunisia (National Constituent Assembly)	7-10 May
Tunisia (National Constituent Assembly)	14 June
Kenya (Officials Ministry for EAC)	14-15 June
South Sudan & Uganda (MPs and staff)	18-22 June
Pakistan (National Assembly)	25-29 June
Tunisia (Political Party members)	27-28 June

of the European Parliament and ten MPs from each of the participating Eastern European partner countries. The immediate goal of the visit was to train, within four days, relevant Euronest staff to understand better the EP's structures and working methods, so that they would be able to contribute on an equal footing to the secretarial support to the Euronest assembly. The programme was designed to suit the practical needs of Euronest; it thus combined presentations with a number of exercises (such as the processing of amendments) that were devised in close collaboration with the EP secretariat's Eastern Partnership and Russia unit.

South African Parliament: Upon the request of the Parliament of South Africa, the OPPD organised a one-day study programme prior to the official visit of the presidents of both houses of parliament to the European Parliament on 26 April 2012. During the official visit, Max Vuyisile Sisulu, Speaker of the National Assembly, and Mninwa Johannes Mahlangu, Chair of the National Council of Provinces, met with European Parliament President Martin Schulz and had meetings with the EP delegation for relations with South Africa, chaired by MEP Michael Cashman, ACP-EU Joint Parliamentary Assembly Co-President, Louis Michel, and Members of the Committee for International Trade, including its chair Vital Moreira.

The information programme organised by the OPPD included exchanges on support to parliamentary activities and EP practices in areas such as interpretation; use of budgetary powers; research and documentation; security and openness; committee secretariat;



Speaker of the National Assembly Max Sisulu (centre) and National Council of Provinces Chair Johannes Mahlangu (right) with MEP Michael Cashman (left).

IT infrastructure and services. The day concluded with an exchange with EP Secretary General Klaus Welle on the future of the EP and the current and future challenges for

parliamentary democracy. The South African delegation also included the chief whips of parliamentary parties, the Secretary to the National Assembly and other senior staff.

OPPD Democracy Fellows reflect on their experience

The European Parliament's "Democracy Fellowship" programme provides the staff of non-EU parliaments with the opportunity to spend a few weeks or months working and observing the work of the European Parliament and its Secretariat. Thirty-six fellows have benefited from the programme since it was established in 2008 by a decision of the EP Secretary General. In the first semester of 2012 fellows from Armenia, the Parliamentary Assembly of Turkic-Speaking Countries, the Central American Parliament and the Andean Parliament were welcomed to the EP and participated in programmes tailored for them by the OPPD in cooperation with various EP secretariat services.

Toward the end of their fellowship programme, we asked the two most recent fellows, Roberto

Matheu Castellanos, adviser to the Central American Parliament, and Astrid Muñoz González, researcher with the Andean Parliament, about their background and their experience at the EP.

There are many things that I learned as a fellow that can be applied in my daily work with the Andean Parliament,

The fellows spent a month in April-May 2012 in the European Parliament attending committee meetings, plenary sessions and observing EU inter-institutional cooperation. This has allowed

them to accumulate information and experience helpful in improving the functioning of their parliaments.

"I am taking with me many reflections and knowledge that I will bring to the attention of the Central American Parliament in order to improve the work that we are undertaking on economic, social and political regional integration", said Roberto Matheu.

The Central American Parliament (PARLACEN) is composed of 20 directly elected representatives from each Member State (Guatemala, El Salvador, Honduras Nicaragua, Panama and the Dominican Republic) plus the former presidents and vice presidents of the Member States. After the European Parliament, PARLACEN is the world's second regional parliament whose Members are democratically elected. Pointing to the lack of progress in

(Contd. overleaf)



Democracy Fellows Roberto Matheu Castellanos and Astrid Muñoz González.

terms of integration achieved in Central America, Mr Matheu thinks that “while the intergovernmental channels show clear signs of exhaustion, regional parliaments have better possibilities to strengthen, deepen and streamline the regional integration process. I believe that the European Parliament still has a lot to give to other regional parliaments, both at the political level and in terms of cooperation for their strengthening and better orientation.”

Looking at the comprehensive list of policy fields the European Parliament is working on and for which it has standing committees, Astrid Muñoz noted that “the European Parliament is the best model for the competencies that any transnational parliament can hope to have under its responsibility.”

“There are many things that I learned as a fellow that can be applied in my daily work

with the Andean Parliament, for instance the coordination and integration at the level of the committees in the European Parliament, as well as the meetings that are prepared with the representatives of the European Commission and the European Council”, said Astrid Muñoz.

The Andean Parliament (Parlamento Andino) is the deliberative and control body of the Andean Integration System, including Ecuador, Peru, Colombia and Bolivia. The Andean Parliament is composed of five MPs from each Member State. The Trujillo Protocol, adopted on 10 March 1996 established the election of the MPs by direct universal suffrage for a five year term but, so far, only Ecuador, Peru and Colombia have directly elected their representatives. According to the OPPD fellow Muñoz, it is “very important for the Andean Parliament that direct elections are held also in Bolivia as this will become an important factor in promoting citizen participation in the Andean integration process”.

International Workshop on «Identifying benefits deriving from the adoption of XML-based chains for drafting legislation»

On 3-4 May 2012, the OPPD, in cooperation with the EP’s IT department (Directorate General for Innovation and Technological Support) and the Global Centre for ICT in Parliament, organised an international workshop on the benefits deriving from the adoption of XML-based chains for drafting legislation.

XML stands for *Extensible Markup Language* and is a computer language that allows users to produce, edit and publish legislative documents in a cost-effective manner.

The workshop fostered the debate among academics and parliamentary representatives (IT departments, project managers, analysts) on the best way of improving its tools and applications. It equally provided an opportunity for discussion between experts and those interested in setting up XML-based processing in parliament. The event was attended by IT parliamentary staff from several European countries, as well as from Lebanon and South Africa, and involved speakers from several EP services.

The workshop was divided into 8 sessions

tackling: the ways of marking up documents in parliaments around the world; use of XML for production processes and diffusion purposes; XML editors and systems to support the legislative drafting process; and the advantage of the open source approach, amongst others. Speakers included Rainer Wieland, Vice President of European Parliament in charge of ICT development and co-chair of the Global Centre. Mr Wieland highlighted the fact that the EP aims to be a “trend-setter and promoter for ICT projects and we try to play this role particularly in relation to developing democracies”.

New and noteworthy - Publications and Resources

“Global Parliamentary Report - The changing nature of parliamentary representation” UNDP & IPU April 2012, lead author Greg Power (123 pages).

The first ever “Global Parliamentary Report” by the Interparliamentary Union (IPU) and UNDP examines how citizens’ expectations towards parliaments are changing, and how legislatures, politicians and parliamentary staff are responding. It aims to help better understand and respond to the public pressure on parliaments both established and newer democracies. According to the report there are globally shared challenges in terms of parliaments’ representative function, which are greater public desire for: information and influence on parliamentary work; accountability and responsiveness to public concerns; service and delivery to meet citizens’ needs.

The report highlights initiatives being undertaken across the world to engage and better inform the public. These include developing inter-active websites, introducing ‘open days’ or using radio to reach constituents in remote areas. However, the report finds genuine public influence over parliamentary outcomes remains limited. It cautions that if faith in parliament is not to be undermined further, initiatives must deliver on giving the public that influence.

The report stresses that for reform strategies to be effective, parliaments need to understand how the role of the individual parliamentarian is changing as individual parliamentarians remain the most important single point of contact with parliament for the vast majority of citizens.

The Global Parliamentary Report also points to the growth in the number of parliaments. 190 of 193 countries now have some form of

Individual parliamentarians remain the most important single point of contact with parliament,



functioning parliament (accounting for over 46,000 representatives). Overall, the report argues, “they are more accessible, more professionally run and better-resourced than 50 years ago” and thus “continue to provide a critical and irreplaceable link between citizens and their governments.”

www.ipu.org/gpr

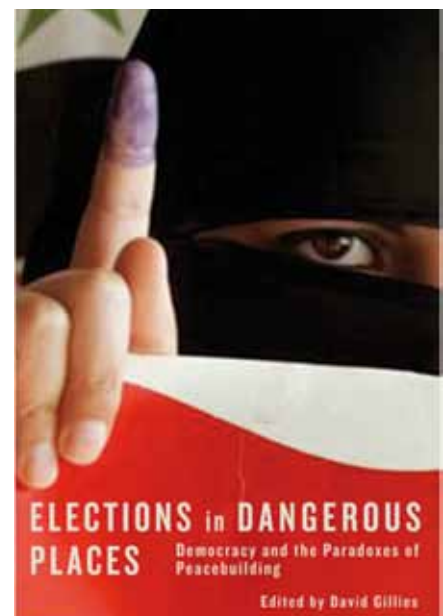
“Elections in dangerous places: democracy and the paradoxes of peacebuilding”, edited by David Gillies, McGill-Queen’s University Press 2011 (344 pages)

The book is a collection of essays analysing the root causes of elections-related conflict. The authors draw on a series of case studies, such as elections in Afghanistan, Sudan, Congo, Iraq and Kenya. Contrary to the widespread belief that elections are a tool for consolidating fragile peace settlements in countries emerging from conflict, this book argues that elections in conflict-prone societies typically produce mixed results. Ill-timed and facade elections can generate mass protest, violence and political instability that become impediments to democratic transition. The authors also try to draw lessons and practical advice on how better to mitigate conflict and violence before, during, and after highly charged elections.

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“The conceptual politics of democracy promotion”, edited by Christopher Hobson and Milja Kurki, Routledge 2011 (258 pages)

This volume examines the varying meanings of ‘democracy’ at a time when democracy promotion is increasingly contested. The ‘conceptual politics’ approach places emphasis on the way the concept of democracy is debated, transposed and often imposed on certain political actors. There are considerable differences in the way various political actors promoting democracy (states, international organisations, the EU, NGOs) and those actors being supported understand democracy, and the book argues that democracy promoters must reflect more thoroughly on which concept and type of democracy they promote.



New OPPD Publications



“Benchmarking for Parliaments: Self-Assessment or Minimum Criteria?”

The OPPD’s latest publication “Benchmarking for Parliaments: Self-Assessment or Minimum Criteria?” aims to present and compare the most relevant internationally agreed frameworks and tools which have been developed in recent year to measure parliaments’ capacity to contribute to the functioning of a democracy.

The booklet builds on the fact that effective parliaments are indispensable for strong and stable democracies. In practice however the extent to which individual parliaments actually fulfil their role varies widely and attempts to improve

their performance require tools for analysing shortcomings and measuring performance.

The publication describes these different benchmarking and assessment tools such as the ones put forth by the Inter-Parliamentary Union, the Commonwealth Parliamentary Association, the European Commission and the National Democratic Institute and compares and contrasts those approaches. The paper highlights that the different approaches nevertheless yield consensus on certain points, which can be seen as preconditions for any democratic legislature. These areas of consensus are, namely, the institutional independence of the legislature, procedural fairness within the parliamentary house, democratic legitimacy of the institution, sufficiently-developed parliamentary organisation and the exercise of core legislative and oversight functions.

The 60-page paper is divided into three main thematic sections. The first section highlights why normative frameworks for parliamentary development are increasingly being seen as important. The second section explores the progress made to date in developing both benchmarks and self-assessment approaches. The third section identifies in broad terms three different stages for/of parliamentary development: firstly, those parliaments at the beginning of a reform process (classified as *Emerging Legislatures*);

secondly, those parliaments which are in the midst of parliamentary development (classified as *Developing Legislatures*); and, thirdly, parliaments possessing comprehensive technical, administrative and political competencies (classified as *Mature Legislatures*). The study concludes by suggesting how the benchmarks may be made operational in different legislatures, depending on their development and resources.

Arabic and French: The OPPD publications on ICT in Parliament and on parliamentary Rules of Procedure are now also available in Arabic and French. The publications on Electoral Systems and on Parliamentary Ethics will follow shortly.



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