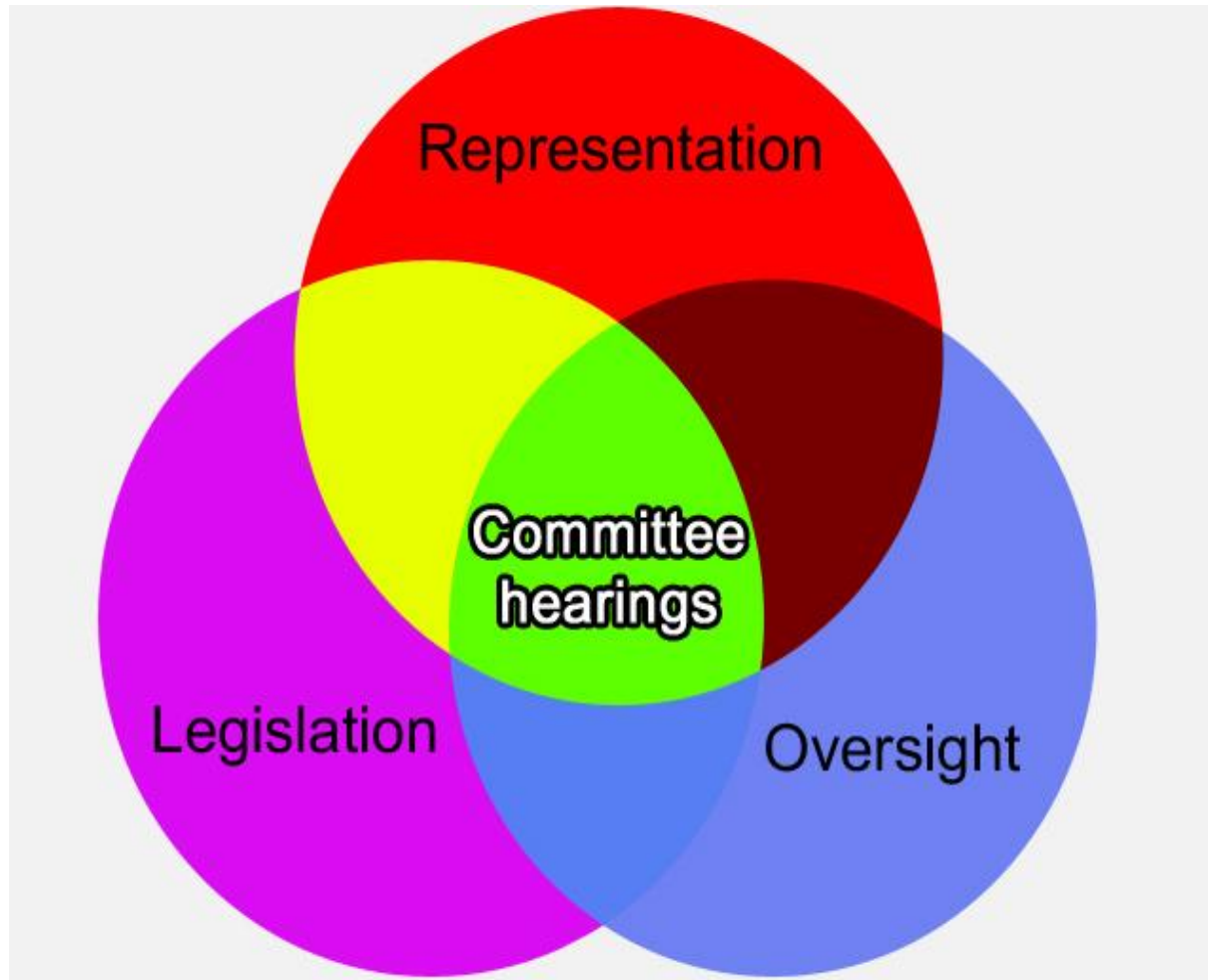


Parliament and Conciliation



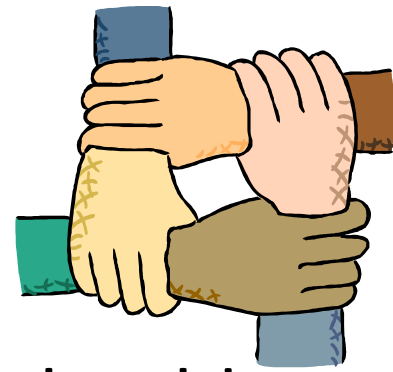
Parliament



Parliament role

- Oversight: Accountability of those in charge to ensure they deliver programs to assist the most vulnerable in society.
- Legislative: to ensure that parliament passes laws that leads to programs that can assist in poverty reduction and as a result reduces the chances for conflict. **Poverty,dispute,conflict,violence.**
- Representative: understnading the needs of people and taking action on their behalf.

Parliament as a forum



- Parliament as the main society forum, should be where public concerns and issues are raised and discussed
- parliament should be the place for dialogue and conflict resolution.
- Parliament should be the peace making and building place, it's in Parliament where laws are made.

Parliament: Representatives

Reaching out to voters



- Parliamentarians can:
- Regularly inform constituents of parliamentary activities and the progress of legislation (householders)
- Hold public events, deliver public speeches, and issue press releases
- Speak and ask questions in parliament and in committees on issues that matter to the constituency

Parliament and recovery

- Parallel role of Parliament: while there are many issues that often escape the attention of Parliamentarian and by extension parliament, there are opportunities for parliamentarians to take action on social justice issues.
- If Parliament succeed in passing laws that could help reduce poverty, then parliament is taking tangible steps toward reducing the risk for future conflict.

Parliament is the public forum



- it's in Parliament where oversight is conducted by watching over the government to ensure accountability, to ensure that the government is providing the public with the services they need, parliament provides the people with a forum to raise their concerns and bring forward their issues and suggestions.

Representatives

Reaching out to voters



- Introduce motions and resolutions in parliament on behalf of voters
- Use constituency offices (with sufficient staff) to complete casework
- Introduce petitions and motions in parliament and in committees

Parliaments and conflict

- Parliament is far from been the perfect forum, but it's still one of the best venues for public to raise their grievances.
- It's parliament that's best fit to prevent conflict by making good laws on behalf of voters.
- Although the vast majority of conflicts are resolved outside the corridors of Parliaments, it's in the end, parliament that end up ratifying treaties and passing laws.

Legislators in Parliament



- When new laws or initiatives are introduced by the executive branch, Parliament can compel the government to provide advance public notices to allow the public to comment and give input on proposed laws, parliament then, can amend ,change and pass legislations.

Parliamentary credibility



- Parliament gains public credibility when it
- Speak out on important and national issues (such as social justice issues, women and minorities rights)
- Invite civil society groups to parliament to make committee presentations and provide MPs with information on matters of public interest

Parliamentary power

- Have the ability to provide confidence or non confidence in the government (ability to challenge the government)
- Ensure the regular appearance of ministers before committees or parliament to answer questions on important public issues.

Parliament and conflict

- Conflict takes many shapes, the underlying cause is often poverty.
- Conflict and poverty goes hand and hand, once poverty is reduced, conflict is reduced and ultimately reconciliation becomes easier.
- Parliament is the place where people are represented regardless of race, religion or ethnic background, can discuss important issues freely and can make decisions.

Challenges facing Arab Parliaments

Poverty risk

- the high birth rate and the growing gap between rich and poor (fragile relationship)
- Humanitarian crisis and Internally displaced people (Sudan, Iraq and Somalia)

Environment risk

- In many parts of the region, scarce water resources, Landmines, deserts.

Post conflict Challenges Arab Parliaments

Social justice

- Gender equality

In parts of the region, women are deprived of education, Cannot participate in the workforce or vote in elections.

Parliament and conflict

- Looking at some of the historical conflicts in Europe for example, Ireland faced civil unrest and conflict for close to thirty years, all the while Parliament sat paralyzed and without the capacity to act.

Parliament and conflict

Third party interventions to end conflict

- It took more than fifty years of intermediate conflict without the parties been able to deal with Core issues and it was a third national entity who managed to facilitate dialogue between the parties, resulting in parliament action and ultimately in resolving the Irish crisis.

The process after conflict(In general)



- Peace(ceasefire,dialogue,and agreement on general terms)
- Progress (through Development)
- Participation (democracy building and institutional responsibility)

Challenges facing Arab Parliaments

Over 320 million people

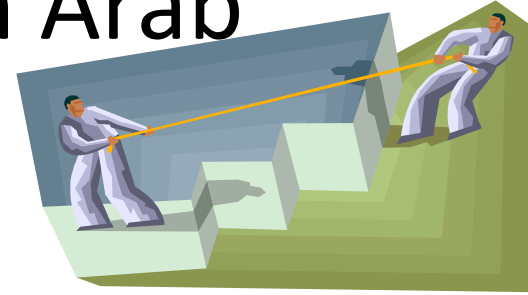
Conflict

- In recent history, the Arab region has witnessed a steep rise in conflicts that has had a devastating impact on the people.
- Arab israel-conflict
- Social conflict, civil unrest or Civil war in somalia,Sudan,Iraq,lebanon,Yemen,Algeria and Morocco.

Conflict and poverty

- Take the example of democracies with High Dev index and a proactive parliamentary process, one can find laws that directly benefit the most vulnerable in society (Sweden, Japan, Canada).
- Conflict in most of these countries is mostly political in nature and rarely translate into violence.

Post conflict challenges in Arab Parliament



- High rate of poverty, lack of health and education for many and the wide gap between the rich and poor has played a role in the region recent conflicts.
- Although some conflicts takes on religious or ethnicity tones, but the major underlying reason is the lack of social justice .

Conflict and disputes

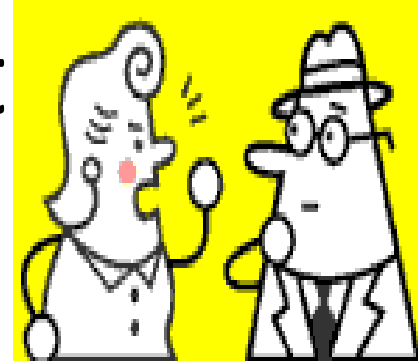
Iraq for example:

- With More than 25% of its people lives below the poverty line. With over 30% of its population without work.
- Sudan with more than 50% lives in poverty and over 40% of its people without work
- Conflict here is ethnic and religious on the surface but poverty is at the heart..

Parliament and recovery

- Arab countries facing internal conflict rank low on the international level in terms of life expectancy, literacy, education, health and welfare :
- Lebanon 83@ .804
- Palestinian authority [110@.737](#)
- Sudan 150 @.531
- Algeria [104@.754](#)
- Yemen 140@ .574
- Iraq 126 @.583(was not listed as part of the 2009 UNDP.

Parliament and conflict



- In a democracy, people expect their parliament to take leadership on issues, to correct injustices.
- Disputes, if left unresolved for long period of time, have the capacity to destabilize society and parliament and can cause conflict.

Timing is everything



- Embarking on National conciliation before a conflict become open has the potential of averting civil war and open warfare.

Timing is
everything



- Embarking on national conciliation after a civil war or an open warfare, has the potential of weakening society and by extension Parliament(Iraq and Sudan).

Timing is everything



- Would be best if these debates and conciliation discussion were to take place within Parliament.

Sudan



The Sudan conflict

- Since 2003 the Darfur conflict has resulted in the death of over two hundred and fifty thousand people and has displaced more than two million.
- Efforts to bring peace and stability to the region are ongoing.

The Sudan peace process

- In January of 2005, a Comprehensive Peace Agreement (CPA) was reached between the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A).
- The Comprehensive Peace Agreement general objective was to end the civil war, establish a democratic and well-functioning government, to share national wealth, specifically oil, and to hold a referendum in 2011 regarding South Sudan's independence.

The Sudan Parliamentary role in the peace process

- There are some who would question to what extent, was the Sudan Parliament involved in the peace and reconciliation process.
- But one thing is clear that Sudan Parliament is mandated in implementing the outcome of any peace agreement that entails the changing or introduction of laws.

Parliament delegate work to committees

- Although the Parliament is the main forum to approve laws, it's the parliamentary committees who would look at the details of these laws, amend or them and report to Parliament on their findings.
- The Parliamentary delegated authority to committees is often enshrined in rules of parliament and in the case of Sudan part of constitution.

Committees Functions and roles in Sudan's Constitution

- In Sudan's constitution of 2005 there are a few Articles that specifically pertain to committees; below are a few of the articles that highlight the function and role of committees in Sudan.
- **Committees of the National Legislature**
- 95. (1) Each Chamber, in accordance with its internal regulations, shall have specialized permanent committees and ad hoc committees;
- (2) The two Chambers may form inter-chamber standing or ad hoc committees for specific matters that fall mutually within the competencies of the two Chambers;

Sudan parliamentary committees

- **General Summons**
- 105. The National Assembly or any of its committees, may summon any public official, save for the President of the Republic and the Vice Presidents, or any other person to make a testimony before, or give opinion, to the Assembly or any of its committees. Inquiry on any matter that falls within the direct responsibility of the National Executive may only be made after notifying the President of the Republic;

Sudan parliamentary committees

- **Tabling of Bills**
- 106. (3) When a bill is initiated by a member, it shall not be tabled with the appropriate Chamber before being cleared by the concerned committee in that Chamber as involving an issue of public concern.

Sudan parliamentary committees

Procedures for Presentation and Consideration of Bills

- 107. (2) After the first reading, the Speaker shall refer the bill to the appropriate committee which shall make a general evaluation report for the purpose of the second reading; The committee shall also present a report on the amendments that the committee might or might not have endorsed in the third reading; the Speaker may also refer the bill once again to the appropriate committee to prepare a report on the final drafting in preparation for the final reading;

Sudan parliamentary committees

- (3) The Speaker or the appropriate committee may seek expert opinion on the viability and rationale of the bill; an interested body may also be invited to present views on the impact and propriety of the bill;

Sudan parliamentary Committees and parliamentary role

- The role of parliament and committees in the peace and reconciliation process in Sudan began in 2005, following a cease-fire agreement and the granting of amnesty to those involved in the conflict.
- A Technical Committee was established by parliament which had the responsibility of drafting the constitution and submitting it to the Commission for authorization. The Technical Committee was supported by a host of sub-committees that analyzed specific aspects of the constitution and submitted these findings back to the Technical Committee. This process established the draft constitution. Once the constitution had been presented to the National Assembly, six committees were created, each one to study a set of specific issues. For example, one committee dealt with issues of state, general guidelines and rights, while another examined the distribution of national assets. These committees played a necessary and significant role in the creation and formulation of Sudan's new constitution through the committee role of researching, creating non-partisan dialogue, amending and drafting .

Sudan parliamentary committees

- There exist two types of committees in Sudan's parliament: permanent and ad-hoc. There are sixteen permanent committees that deal with issues such as economic affairs, agriculture and peace. These committees are supported by the General Secretariat which appoints a "reporter" to each committee that is responsible for scheduling meetings and writing reports. There are numerous ad-hoc committees, each created as needed based on special topics such as the nation's financial performance and employment issues, or on larger matters such as the continuing turmoil in Darfur. Ad-hoc committees are particularly important because of the expertise they provide, which may compensate for the absence of parliamentary groups in these issue areas.

Sudan parliamentary committees

- **Ad-Hoc Committee on Darfur**
- In particular, the ad-hoc committee on Darfur is worth examining closer as it provides a useful example of the role and impact that committees can play in establishing and maintaining peace.
- The Darfur Committee has been credited with reporting on conflict zones, gaining support from local leaders, assisting with the ending of violence, contributing to the signature of peace agreements among some tribes, the signing of a tribal covenant for the resolution of various local disagreements, and returning displaced persons to their villages or protected areas.

Sudan and third party support of peace and reconciliation

- This effort has been supported by the international community, which has acted as a mediator between Darfur and the Sudanese government .
- The international community has encouraged power-sharing and has taken steps leading towards a peaceful outcome in part by sending the Negotiation Support Unit to Sudan to help resolve disputes before the January 2011 referendum.
- The support of the international community and the accomplishments of the committee on Darfur provide an encouraging prospect for peace in the area.
- However, the Sudanese government's progress towards reconciliation and commitment to democracy will face its deepest test following the referendum, as many speculate that the region may opt for secession.
- If the parties fail to accept the results of the referendum, conflict is likely to resume and the progress made since the 2005 ceasefire will ultimately be lost. It is therefore essential that parliament and its committees work towards resolving any remaining disputes and adhere to the principles of transparency and democracy.

Sudan parliamentary committees

- **Conclusions on the Role of Sudanese Committees**
- Sudan appears to be taking positive steps in the direction of a functional democratic parliament, however, the extent to which the processes are merely legalized but underutilized merits further investigation.
- The commitment to democracy, equality and transparency that the government expressed in the new constitution must be cemented and practiced in order to ensure that the successes made in the reconciliation process are upheld.
- While limited information pertaining to important committees such as the Peace and National Reconciliation Committee and the Human Rights Committee is available, records of the actual work done at the local level are less forthcoming. The Sudanese government, in theory, seems to be on the right track but many extenuating factors – poverty, gender inequalities, human rights violations, etc. – have delayed the reconciliation process .
- Currently, Sudan has legalized a strong role for parliamentary committees, however, their real employment and support has not been fully translated into practice and results.
- Further support and a larger role for parliamentary committees could assist Sudan in its reconciliation process.

Recommendations for Sudan

Parliamentary committees

- In particular the Sudanese peace and reconciliation committees can focus on six areas: membership, mandate, resources, reporting, timing and rules.
- More specifically this includes a representative, knowledgeable and creditable membership,
- that the key players clearly identify the mandate of the committees,
- that the committees are properly resourced especially in the technical, financial and knowledge based areas,
- that the committee reports are taken seriously and used by parliament,
- that committees have the time to conduct thorough investigations and produce expert reports and finally,
- that the committees be empowered to call on witnesses, to travel, to hold public and private hearings and to report on its finding as necessary and as needed.

Iraq



Iraq parliamentary committees, peace and reconciliation

- The reconciliation process in Iraq is in the beginning stages, therefore the true results are yet to be fully realized.
- Parliament's first step towards peace, reconciliation and reconstruction followed the 2005 election, when the Constitutional Committee undertook the drafting of a new constitution. While there was controversy over the content and the role (or lack of role) that the Constitutional Committee and the Constitutional Review Committee played in the process, the constitution ultimately made positive steps towards a non-partisan resolution. The constitution was passed in 2005 through a referendum and was later amended by parliament in 2006.

Iraq peace and reconciliation

- In June of 2006, Prime Minister al-Maliki reduce insurgent attacks through political introduced a reconciliation plan that sought to dialogue, confidence-building measures, and limited amnesty for lesser offenses.

Iraq peace and reconciliation

- In August 2007, to further the national reconciliation plan, a group of Sunni, Shiite, and Kurdish Iraqi leaders, including Prime Minister al-Maliki, Vice President Tarqi al-Hashemi, and President Jalal Talabani, announced that former government workers could regain the jobs that were lost in 2003's de-Baathification process.

Iraq Parliamentary committees

- **Highlight of Committees Functions and roles in Iraq's Constitution**
- Below are a few excerpts from the 2005 Iraq Constitution which highlights the roles and functions of committees in Iraq:
- 60. (2) Proposed laws shall be presented by ten members of the Council of Representatives or by one of its specialized committees.
- 135. (6) The Council of Representatives shall form a parliamentary committee from among its members to monitor and review the executive procedures of the Higher Commission for De-Ba'athification and state institutions to guarantee justice, objectivity, and transparency and to examine their consistency with the laws. The committee's decisions shall be subject to the approval of the Council of Representatives.

Iraq Parliamentary committees

- 142. (1) The Council of Representatives shall form at the beginning of its work a committee from its members representing the principal components of the Iraqi society with the mission of presenting to the Council of Representatives, within a period not to exceed four months, a report that contains recommendations of the necessary amendments that could be made to the Constitution, and the committee shall be dissolved after a decision is made regarding its proposals.

Iraq parliamentary committees

- The role and function of committees are further extrapolated in the Iraqi Council of Representatives rules of procedures; highlights are found below:
- 72. (1) Each Member shall have the right to nominate himself to serve as a member or a chair of a committee.
- 75. (3) The Committee decisions shall be made by absolute majority of its members and submitted to the Presidency Commission signed by the Chair of the Committee or his Deputy or members of committee in case of absence of leadership.
- (4) Committees may seek the assisted of experts when needed, their fees shall verified by agreement with the Presidency Commission.

Iraq Parliamentary committees

- 78. The Standing Committees may ask to be provided by documents and information that they need from any governmental departments and civil society organizations, with the notification of the presidency commission.

Iraq parliamentary Committees

- The Council of Representatives have committees' service division that report directly to the clerk of the CoR
- It serves all the CoR standing committees as well as the CoR ad hoc committees
- Each of the twenty four committees has their own secretariat staff and the number of staff supporting these committees varies depending on needs, the supply the staffing for these committees.

Iraq parliamentary Committees

- In addition to supporting committees staffing, the division also now provide support to the political Parliamentary blocs. This division started in 2006 and grew from 2 staff members to a total of 260 staff, reporting to the clerk.
- The unit schedule committee time, provide the secretariats and the technical support for the committees

Challenges facing Iraq Parliamentary committees

- The lack of consistency in staffing and committee staff selections and the inefficient use of staff talent.
- The Lack of standard and proper rules of procedures for these committees creates inefficiency and ineffectiveness in the performance of their roles.
- Inability of these committees to call in ministers as witnesses (the government from time to time takes the position that committees are not authorized by law to call in ministers as witnesses, this has caused frictions between the CoR committees and certain ministers in the Government of Iraq, presently the rules of procedures is been amended to explicitly mandate the committees with the capacity of inviting ministers to appears as witnesses.

Challenges that faces Parliamentary committees in Iraq

- The lack of basic administrative training in tools such as: letters, preparation of communications, electronic archiving.
- The lack of an evaluation process of staffing, staff work ethics and from time to time, strained relations between staff and CoR members,
- The lack of experience in the field of research, report writing and minutes taking techniques.

Challenges that faces Iraq Parliamentary committees

- The role of these committees are often vague and they often end up getting involved in issues outside of their mandates, the committee of defense as an example often takes on citizens complains as issues that takes the time of the committee.

Recommendations



Recommendations for the Committees of Sudan and Iraq

Strengthening the Role of the Committee Chair

The committee chair plays an important role on the committee and should be supported. This role includes: establishing the agenda and procedures; representing the committee at parliamentary plenary meetings and at events, as authorized by the committee; signing all outgoing correspondence and replying to requests on behalf of the committee; ensuring that there is a quorum at meetings; conducting fair meetings; and provides each member with an equal opportunity to participate.

Recommendations for the Committees of Sudan and Iraq

Strengthening of the Role of the Committee Chair

- Additionally, when dealing with items such as legislation before a committee, the chair works with the committee secretary to organize the proceeding. This includes determining the order of speakers and taking care of logistical matters that are important for the smooth operation of the committee, the chair organizes the budget of the committee and submits it for approval to the relevant authority.

Recommendations for the Committees of Sudan and Iraq

- **Support for Role of the Committee Secretariat**
- The committee secretariat is a key position that is necessary for the committee to operate effectively. When empowered the secretariat can provide the logistical support for the committee; assist in the drafting of the agenda; distributes notices, log all documents ,materials, correspondences, enquiries from the public ,the media and administer the replies; provide the committee with legislative drafts and other materials relating to the passing of legislation; keep records of evidence taken by the committee and other background written materials relevant to the committee's inquiries; keep records of votes; offer procedural advice; and organize the appearance of witnesses .
- In both Iraq and Sudan, the secretary committee role is loosely defined. Sudan and Iraq committees could both benefit from the qualified support that a strong committee secretary could provide.

Recommendations for the Committees of Sudan and Iraq

- **Strengthening Committee Research capacity**
- Specific areas where research in Sudanese and Iraqi committees could be strengthened include: the identification of topics for discussion; the planning of inquiry programs; identifying potential witnesses; organizing hearing and background briefings; ensuring that the committee has relevant evidence; advising on the analysis of legislation, drafting clear and comprehensive reports for the committee; maintaining specialized knowledge in the relevant area; keeping the committee informed of developments in the issue area; creating links with pertinent organizations and academics; and contributing to the development of effective communication between specialists working for the committee and those working on other committees and elsewhere in the parliament. In both Iraq and Sudan parliamentary committees need support in the field of research.

Recommendations for the Committees of Sudan and Iraq

- **Strengthen knowledge on conducting Committee Consultation and Hearings**
- Consultations and hearing can serve as a powerful tool for committees and must be used in a responsible and effective manner. Committees should be empowered to: hold public information sessions, round tables, focus groups, and other forms of public hearings (unless the topic is an internal administrative issue or a sensitive national security issue). The committee should also be able to: establish agenda and procedures, including the time and dates allotted for the conduct of hearings. Further, once a list of potential witnesses is prepared, the committee should be able to disseminate information on the issue through the media and other electronic outlets.

Recommendations for the Committees of Sudan and Iraq

- The committee should also be able to send an invitation to the relevant minister to appear and answer any questions that committee members may have. Unfortunately in the case of Iraq for example, ministers have consistently refused to appear when called by committees (as it was the case of the Human rights committees, the Martyrs and political Prisoners committee. And the Refugees, Displaced and immigrants committee, during the 2009 fiscal year), these committees made several requests for ministers to appear and in most cases were denied the opportunities.

Recommendations for the Committees of Sudan and Iraq

- Moreover, witnesses who appear at a hearing of the committee should be provided, in advance, with a notice of the hearing and should be permitted to bring a legal advisor if desired. Private hearings should be permitted if it is deemed that appearing at a public hearing of the committee may endanger the life of the witness or that it may cause undue harm. The witnesses must be treated with respect, enjoy the same protections, immunities and privileges that are provided to members of parliament.

Recommendations for the Committees of Sudan and Iraq

- Both in Iraq and Sudan, the committees lack the necessary support to properly conduct consultation. An increase in empowerment and enforcement of existing rules on committees could help committees become more effective.
- Adequate meeting facilities and access to information technology equipment
- Access to adequate research and library facilities

Importance of Supporting Parliament



The institution:

- Religious leaders in post conflict region seem to be filling the political vacuum left by the absence of parliament, before, during and following conflict,(a discussion on this issue is needed).
- Parliaments in the region needs to work on building credibility with voters by taking action on their behalf (on the issues).

Supporting parliamentarians with resources



The Parliamentarians

In both Iraq and Sudan members of parliament do not have sufficient office support or office staff or constituency offices.

- There need to be resources allocated to parliamentarians to properly and effectively do their jobs.
- A code of conduct for parliamentarians and rules of procedure for committees should be established.

The support of the international community is imperative.

1-Donors coordination is imperative for post conflict parliamentary assistance benefits to be tangible , coordinated complementary assistance can provide technical, financial and expertise to assist post conflict parliaments. Parliaments in the region can benefit from technical support in the field of legislative analysis to allow parliamentarians effectively do their role in the parliament and on parliamentary committees.

Support Parliamentary Twining

2-To be an active participant in the recovery process , the parliamentary institution need to be recognized, credible, empowered, encouraged and supported as an effective channel for early intervention to prevent and resolve conflict. Donors should assist Arab Parliaments to twin(cooperate) with other like minded Parliaments, this could help Parliaments in the use of best practices.

Focused assistance

Needs for strategic planning

3-There's a need for post conflicts Parliaments in the Arab region to develop strategic and business plans that respond to the need of their voters with a focus on recovery.

Developing, debating and adopting legislation that addresses vital social justice and human rights concerns is a key component of a parliament's mandate.

Support for Parliamentary committees

4-Parliamentary committees play a key role in the functioning of a parliament. Their role in the peace and reconciliation process needs to be supported and strengthened. This can be accomplished by providing appropriate training and properly utilizing committee staff, putting in place an efficient and useful research tools, and supplying the resources and expertise required to effectively run these parliamentary committees.

Targeted Support for Parliamentary staff and administration

5- For parliaments to properly engage in debates, deliberations, and other legislative practices that will assist with the development of good legislations, requires staff support with the necessary job description and proper qualifications to get the job done.

Encouraging dialogue between the parties involved in conflict

6-Newly elected parliaments in the region post conflict are comprised of different factions with different views. Parliament should encourage, foster and support open dialogue that is inclusive, involves listening and having empathy for opposing viewpoints, and works to build bridges in order to find common ground amongst the members.

Empowering Parliament to embrace civil society

7-The active participation of civil society (other than religion) is crucial for parliaments to be effective, representative and responsive to the needs of their voters, in particular, marginalized groups, women, minorities and people with disabilities. Special efforts should focus on supporting Parliaments in establishing procedures, practices and standards.

Supporting the auditing capacity of post conflict Parliament

8-Accountability is fundamental to the achievement of reconciliation and peace. Measures should be put in place to monitor and evaluate the process and the progress of government and parliamentary activities. Parliament can play a key role in approving laws, establishing investigative committees, publicly debating government authorities (keeping them accountable) and encouraging dialogue with constituencies.