

# **UNDP PACIFIC ISLANDS PARLIAMENTARY ASSISTANCE ROUNDTABLE**

**4-5 September 2007  
Nadi, Fiji**



**Pacific Centre**

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## Introduction

There are a diverse range of organisations engaging in parliamentary assistance in the Pacific region that have a wide range of experiences and expertise to draw on and share. The Pacific Plan specifically identifies parliaments as playing a key role in Pacific development activities.

The UNDP Pacific Centre hosted the Pacific Parliamentary Assistance Roundtable in Nadi, Fiji, from 4-5 September 2007 to provide a forum for participants to share their experiences of providing and/or participating in Pacific parliamentary assistance activities, as well as to discuss the opportunities and challenges posed by the central role parliaments can and should play in promoting and overseeing the implementation of effective sustainable development and poverty reduction initiatives. A copy of the Roundtable Agenda is provided at Annex 1.

Participants were invited from throughout the Pacific region and from further afield. Representatives attended from Pacific island countries which have been recipients of UNDP parliamentary support assistance, namely Fiji, Marshall Islands, Papua New Guinea and Solomon Islands.<sup>1</sup> UNDP Parliamentary Support Projects generally focus on strengthening parliamentary secretariats, supporting training and other services to legislators, and supporting public outreach and/or civic education. AusAID is funding the Project in PNG and the Solomon Islands Project is supported by AusAID and the Regional Assistance Mission to Solomon Islands (RAMSI). AusAID, as well as NZAID and the World Bank Institute attended the Roundtable. The Australian and New Zealand Parliaments were also represented, as were a range of academic institutions involved in parliamentary work. A number of parliamentary organisations also attended, as did representatives from a range of UN organisations working with Pacific parliaments. A full list of participants is provided at Annex 2.

In support of the Roundtable, a *Directory of Organisations Assisting Pacific Parliaments* was produced which provides contact details and a summary of activities for a range of organisations working with Pacific Parliaments. It is hoped that the Directory will be of use to Speakers, Clerks, MPs and others involved in parliamentary activities in the region. The Directory can be downloaded at the UNDP Pacific Centre website ([www.regionalcentrepacific.undp.org.fj](http://www.regionalcentrepacific.undp.org.fj)) and hard copies can be requested from the Centre by emailing [Charmaine.rodriques@undp.org](mailto:Charmaine.rodriques@undp.org).

The UNDP Pacific Centre is keen to support more coordinated and collaborative efforts to assist Pacific parliaments to more effectively discharge their constitutional functions, and in doing so fulfill their central role in promoting effective national development which is inclusive, equitable and sustainable. It is hoped that the Roundtable will make a contribution to this overall endeavour.

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<sup>1</sup> See [http://regionalcentrepacific.undp.org.fj/HTML%20docs/parliamentary\\_support\\_portal/Pacific\\_parliamentary\\_support\\_project\\_documents.html](http://regionalcentrepacific.undp.org.fj/HTML%20docs/parliamentary_support_portal/Pacific_parliamentary_support_project_documents.html) for access to the Project Documents.

## Executive Summary

Discussions at the Roundtable canvassed a broad range of issues. The Roundtable Agenda was designed to focus discussions on distilling good practice and lessons learned from past assistance to legislatures, to more specifically consider the challenges and opportunities for supporting legislatures and legislators to play an active role in development, and to provide a space for sharing ideas for future work, both at the national and regional level.

Throughout the Roundtable, participants stressed the need for support activities to legislatures to be designed and implemented with the clear objective of ensuring the sustainability of their outcomes in the longer-term. Providing technical support to parliamentary secretariats as well as to legislators was seen as a key strategy in this context. It was also highlighted that activities/projects/programmes needed to be flexible and responsive, and that it is imperative that they take account of the local context. At a practical level, legislators are often short on time, and legislatures short on resources, such that capacity and costs assessments should precede interventions and care should be taken not to overburden developing/weak legislatures.

It was recognised by a number of participants that support to legislatures in the Pacific will be meaningful if it translates into legislative activities which contribute to better development. Nonetheless, it was stressed that it is important to be careful when working on, supporting or promoting developing issues through parliamentary support projects, as legislatures need to be recognised as sovereign and independent. Furthermore, the relationship between the executive and the legislature needs to be appreciated when support activities are being designed, as legislatures often do not have primary carriage for issues-based policies and laws, but must engage more strategically if they are to play an effective role in the policy-making and implementation process. It is also important to engage closely with legislators to ensure that work on development issues is not seen as externally driven. It is essential to be context-specific and recognise the special political, social, cultural and other factors in each country which impact on legislators' approaches to issues, such as human rights, gender and the like.

At a broader level, participants endorsed the importance of closer cooperation in providing support to Pacific legislatures. There are numerous academic, UN and other organisations working in the region. A number of participants noted that the key is to promote better communication between organisations/associations to ensure that everyone shares information about their work and attempts to collaborate and coordinate where possible. A number of participants noted the importance of developing strategies for sharing regional expertise. Participants also discussed the importance of working more closely with Pacific parliamentary associations which already exist in the region, including the Commonwealth Parliamentary Association, Association of Pacific Island Legislatures and the Forum for Presiding Officers and Clerks.

## Pacific regionalism and Parliaments

Representatives from the Pacific Islands Forum Secretariat opened the Roundtable by discussing the Roundtable and support to parliaments more generally, in the context of Pacific regionalism and the Pacific Plan. They explained that in October 2005, Pacific Islands Leaders launched a new era for Pacific partnerships by adopting a Pacific Plan to strengthen and deepen regional cooperation and integration. The Pacific Plan is a living document which, step by step, aims to give practical effect to the Leaders vision of a region that is “respected for the quality of its governance, the sustainable management of its resources, and full observance of democratic values, and for its defence and promotion of human rights”.

The need to strengthen cooperation and integration in the Pacific involves considering several different concepts of regionalism: ranging from regional cooperation and the coordination of national programs; to the regional provision of public goods and services; to regional integration. The Roundtable provided an opportunity to encourage participants to consider those questions in the context of Pacific legislatures – can organisations coordinate their activities more effectively? Are there entry points for regionalism to benefit national legislatures? Can options be explored for shared parliamentary services?

The new regionalism embodied in the Pacific Plan has far-reaching implications for Pacific legislatures. The Legislature is the apex of state organs in Forum democratic societies. It is where societal differences are aired, compromises or consensuses on differing views are attained, advice and influence on policy-making by Government are exerted, and laws for the good government of the country are enacted. However, the capacity of Forum legislatures to carry out their constitutional functions varies from country to country, which explains in part the variances in the quality of governance between Forum legislatures, including their ability to fully carry out their constitutional functions.

From 2001 onwards, 8 Legislative Needs Assessments (LNAs) were conducted in Forum legislatures by the UNDP GOLD project. The LNAs fairly uniformly pointed to weaknesses in the institutions of legislatures and in the capacity of legislative staff and legislators themselves. The inability of some Forum legislatures to fully carry out their constitutional functions (especially oversight), frequent instances of political instability, and the increased negative perception of legislators by the public are notable symptoms of the problems Pacific legislatures face.

There is also a growing public perception, including those amongst legislators themselves that things need to change for the better. This may require in many instances a re-examination of the legislative structure – the way governments are formed and the process of appointing key positions consistent with the wish of the people and the maintenance of democratic values given country-specific situations. The review of a country’s Constitution is inescapably a necessity in this regard. Electoral reform may also be necessary and many countries are considering amending their electoral systems to make them more representative and consistent with the spirit of their Constitutions. The Pacific Plan calls for the review of electoral systems when requested and to provide specific support when policy direction is needed.

Forum legislatures need to work more closely with civil society if they are to erase the negative public perception against legislative institutions. Lawmaking processes, oversight

mechanisms and committee systems need to be improved to allow for transparency and peoples' participation in the shaping of laws and in the assessment of government actions. The Pacific Plan will ensure that civil society organisations are indeed empowered on the role of the legislature and its processes and their roles in the legislative processes. It will support continued efforts to inculcate an effective relationship between the legislature and the media to enhance public understanding of legislative functions, processes and national issues confronting the nation, as well as legislators understanding of the people's needs and aspirations and the impact of Government actions.

Experience has shown that national legislatures alone cannot acquire the necessary resources and skills to carry out their basic functions, particularly small island legislatures, many of which have only around 10-20 legislatures attempting to grapple with complex domestic, regional and international legal issues. Developing more coordinated mechanisms of support, both nationally and regionally, and creating regional learning and information networks will not only cost-effectively enhance the ability of legislators and staff to perform their roles, but will also deepen a sense of cooperation among Forum legislatures. This will enable accountability mechanisms, through legislatures, to operate more effectively with sufficient powers to address non-compliance and malfeasance practices. The challenge for the future is how to ensure that assistance is calibrated to the particular circumstances of each island state, how it is delivered and through who, and most importantly how we coordinate among well intentioned and well resourced external actors.

#### **Supporting parliaments to implement and monitor international and regional agreements**

A number of participants were keen to discuss the engagement of parliaments with regional and international organisations and agreements, both pre and post ratification. It is a common concern that parliaments are not involved in monitoring the implementation of regional and international agreements that Executives sign up to. For example, the Pacific Plan was endorsed by regional Pacific Governments, with little or no input from parliamentarians. Even now, it is not clear what involvement Pacific parliaments have in monitoring implementation of the Pacific Plan.

PIFS representatives advised that the Pacific Plan Action Committee, which has a representative from each member state, monitors implementation and reports back to countries. It was suggested that perhaps Pacific Parliaments could designate a specific parliamentary committee (eg. the Foreign Affairs Committee or a newly established committee) to monitor implementation. A representative from the Australian parliament advised that in the national Parliament a Treaties Committee was specifically set up to ensure that parliaments were brought into the international agreement/treaty-making process to scrutinise proposed agreements prior to endorsement, as parliamentarians felt that they were not properly being consulted. The PNG UNDP Project Manager advised that it would be good to look at other countries and share ideas and lessons learned on how they are implementing and monitoring their international and regional commitments

## **Perspective From Pacific Parliaments and Providers of Parliamentary Assistance**

The Roundtable was able to benefit from the views of a diverse cross-section of Pacific parliamentary officials who reflected on their experiences of receiving parliamentary support. Specifically, the following presenters shared their views with participants:

- Sir Peter Kenilorea, Speaker, Solomon Islands Parliament
- Mr Rueben Zachras, Vice Speaker, Marshall Islands Nitijela
- Mrs Viniana McGoon, Acting Secretary to the Senate
- Mr Simon Illa, Deputy Clerk, PNG Parliament
- Senator J. Kalani English, Member of the Hawaiian Senate and Vice President of the Association of Pacific Island Legislatures (APIL)

Two sessions at the Roundtable were devoted to reflecting on the challenges of providing assistance to parliaments in a sustainable, coordinated and effective manner. A range of participants were invited to be lead discussants, in order to provide some starting points for discussions, specifically, the UNDP's Project Managers from Marshall Islands and Solomons, representatives from the Australian and New Zealand national Parliaments and academics from USP, ANU, Monash University and LaTrobe University. Speakers details can be found in the agenda which is attached at Annex 1.

The Project Documents for all four Projects can be found on the UNDP Pacific Centre website on the Pacific Parliamentary Portal. The Pacific Centre provided participants with a copy of the Multi-Country Report produced by the Evaluation Team which reviewed all four parliamentary projects in April-May 2007. The Evaluation Team produced individual evaluation reports for UNDP Country Offices. The Multi-Country Reflections on the UNDP's Parliamentary Support Projects summarised good practices and lessons learned from all four Project evaluations.

### ***Crucial importance of support from parliamentary leadership***

One of the strongest themes of the Roundtable was the significance of internal parliamentary leadership support to the overall success of a Project. For example, the Solomon Islands Project Manager advised that the strong support of the Speaker and Clerk was integral to achieving the Projects outcomes. It was suggested that strong commitment from the top should be a key criteria in deciding whether to move forward because without it progress can be very difficult. This view was supported by the Marshall Islands and PNG Project Managers. The RMI Vice Speaker noted that there had been some early misunderstandings about the Project but over time, as the Project progressed, the leadership appreciated the value of the assistance. Likewise, the PNG Project has had its challenges, because there can be different views amongst the leadership about the Project. This can slow progress. Work has been done to build up a relationship with the Parliamentary leadership but this can take time and care.

There was some discussion about what to do when the right mix of circumstances are NOT available to try to bring about an environment more conducive to a successful intervention. Where a shared vision and support from the Speaker doesn't exist, should one pitch their tent and try to work on the Speaker/Clerk or approach the work from a distance? It was suggested that where there is low interest, that would be identified during the Project design process. Consideration should be given to WHY there is a lack of

support. Has there been a history of bad experiences in that jurisdiction? Have the wrong stakeholders been targeted? Who have the parliamentary stakeholders been interacting with – is it just the project they don't want or are they disinterested more generally? Who else could be used to engage with key stakeholders – could peer pressure make a difference?

It was noted by a couple of UNDP participants that they have been involved in Projects where parliamentary support was initially weak. It was suggested that working on a smaller, less controversial area (such as committees, setting up a parliamentary library or an MPs Induction Programme) could demonstrate the usefulness of project and then that success could be built upon. Perhaps key stakeholders could be invited to a key forum/workshop to show them something that has worked before. Notably though, one of the UNDP PNG representatives observed that unlike other programmes where you can deal at a bureaucratic level, in parliamentary projects one needs to be ready to engage at political level. Also, it may well be that sometimes the problem is not a lack of interest by key stakeholders but a need to validate their expectations on an ongoing basis. Because parliaments operate in such a dynamic environment, it is important to be constantly checking and rechecking expectations. Building and sometimes rebuilding commitment is an ongoing process. It can be useful to broaden out the political base for parliamentary assistance, to ensure that more than just a few key parliamentary officials can guide and influence the Project's direction. In this context, strengthening the support from MPs can be a key strategy.

### **Politics and Parliaments**

The Marshall Islands Project Manager noted the importance of recognising that parliamentary projects are not the same as other development project. They are more politically challenging and require more senior level engagement on both sides. Parliamentary work involves politics and engaging with stakeholders with very different and competing perspectives. Parliamentary strengthening is a complex process and this should be taken into considerations when designing a Project.

There was a discussion about the political nature of working in and with parliaments. A number of participants suggested that it was impossible to ever get politics outside of parliament. This is one of the reasons why local support – and broad-based support – can be so important for parliamentary projects. Ensuring that parliamentary work is and is seen to be locally-owned and driven is important in heading off criticisms of external involvement in politics. For example, one participants warned of the danger that in highly fluid political environments, there is a danger that the formal and informal 'good governance' agenda can come to (at least seemingly) define the political spectrum, often transforming the opposition in parliament (and it is usually the opposition) into the standard bearer for 'good governance', and in the process diminishing cross-party support for parliamentary strengthening projects and/or opening the opposition to the charge that it is primarily an 'external' construct.

### **Sustainability**

At the outset, the Fiji parliamentary representative noted the importance of ownership from the beginning of a Project, with a design backed by realistic resources and realistic timelines. The Speaker of the Solomon Islands Parliament was clear that sustainability was one of the most important issues for him when project strategies were being developed. For example, when the graduate programme was suggested (whereby the UNDP Project would employ 7 graduates to act as support staff for the Parliamentary Secretariat), the

Speaker was concerned that it would not be sustainable because the Government would need to agree to take on the staff at the end of Phase 1 of the Project. However, he was brought around to the idea, particularly because of the argument that a professional Secretariat staff would be good for Parliament and Members. In the event, after the first year, the Government actually agreed to increase the budget for the Parliament so that the graduates recruited could be brought onto the staff. The Vice Speaker from the Marshall Islands also noted that sustainability was a key issue for him. He is keen for more staff to go through training programmes, but is also aware of the need to then ensure that they can be retained in the Secretariat. He believes that incentives may need to be developed to keep staff, but strategies like increasing salaries need to be approved by the Government.

The Speaker from Solomon Islands suggested that sustainability in the longer-term could be supported by complementary parliamentary work at a regional level. Specifically, he commented on the need to develop stronger links between Pacific parliaments so that they can continue to share information and expertise after external support is taken away. It would be useful to develop continuing relationships with regional and international experts, who can be drawn on as a sounding board for questions/areas of concern.

The representative from the Australian Parliament supported the idea of building up a community of parliamentary support / parliamentary relations. The Australian Parliament very much encourages direct parliamentary contact and interaction. One participant noted that peer-to-peer strategies can be very effective. The Australian Parliament representatives observed that parliamentary officials can be a good source of technical/operational advice because many parliamentary staff serve for long periods and have learned and adapted over many years of change. It was observed though that while Parliamentary officials are usually very generous with their time and advice, they don't usually put themselves forward but will wait to be asked, such that systems need to be developed to facilitate this. It was suggested that bilateral support could be provided through visits/exchanges, twinning arrangement (whereby a Pacific parliament could be paired with an Australian state or federal Parliament) and/or development of expert groups (eg. parliamentary web administrators group).

#### **Understanding the interplay between the Executive and Legislature**

There was considerable discussion around the need for partners and other stakeholders to understand and take proper account of the complex relationship between the Executive and Legislature, particularly in Westminster systems where the Executive is drawn from the Legislature. When working with legislatures to design activities, the limits of the legislatures powers to lead on some issues needs to be recognised.

#### ***Designing and implementing projects***

A number of participants stressed the importance of flexibility in the design and implementation of activities. While at the outset there needs to be a shared vision about where the Project is going, nonetheless that shared vision often changes over time as goals are met and/or circumstances change. This needs to be understood by the UNDP and others when first conceptualizing Projects, but also by donors when reviewing when and how activities have been delivered. For example, the Marshall Islands Project Manager reflected on his implementation of a training grant from AusAID. Although the Project Manager worked closely with parliamentary staff to encourage them to complete their training programmes, a number of staff dropped out after only 2 weeks which required the Project Manager to rethink his strategy on how to use training money, but there was some pressure from the donor and unhappiness with him for not sticking to his proposal. It is

important for donors to recognise that project benefits cannot be measured in the short-term. In an area like parliamentary development, outcomes need to be measured in 20 year life-cycles because the real impact is likely only to be perceived over time. Change is usually incremental and not radical.

One participant cautioned against trying to create overseas systems in the Pacific. It is important to support the development of locally relevant bodies which are suited to their context. One donor representative pointed out that it was important to “invest in outcomes” not just activities. The starting point is knowing what is trying to be achieved. Only then can we define what we will do, which must be informed by the context in which we are working. For example, the question is not “do we want a parliamentary graduate programme?” but “what do we need to support a sustainable, professional secretariat?” It is necessary to ask the right questions in order to support achievable outcomes.

The LaTrobe University participant drew on his experiences to suggest a number of basic lessons learned about project design. When designing projects it is important to be aware of assumptions, for example, that MP’s are all the same or that CSO’s all understand and support democratic institutions in the same way. Projects need to have clear aims and objectives and broad project aims need to be broken down into measurable components. Outcomes should be defined which cover both the long and short-term. Projects should be aligned with the stated objectives of the legislature itself and build on any strengths which already exist. It is necessary to understand the specific parliamentary environment. In this context, the clerk of the parliament is a key counterpart. It is necessary to understand the local politics and the interplay between the executive and the legislature, as well as the competing interests of MPs (in terms of their party, the local constituents, and any other allies/coalition partners). Project implementation approaches should focus on teaching and not preaching, training and not lecturing. Implementers need to be prepared to be flexible and to be prepared to change. Sustainability strategies should be integrated into all activities. Different approaches can be tried to achieving stated aims. For example, when dealing with substantive issues such as HIV, instead of just a workshop on the topic, consider resourcing a social development committee who could deal with the issue, or supporting a known local parliamentary champion to ask questions in the Chamber or move relevant amendments to Bills.

### ***Change management and reform***

All four of the UNDP Projects have been involved in some element of organisational reform/corporate planning work. In Marshall Islands, the Project supported an organisational review and produced a handbook setting out the agreed staffing structure of the Nitijela including updating position descriptions for all staff. In PNG, the Project supported the development of a draft Corporate Plan, although it is still to be workshopped with the parliamentary leadership. In Solomon Islands, the Project recently completed a Corporate/Strategic Planning exercise that will feed into a final Corporate Plan. It was recognised that a Strategic Plan is important to identify what needs to be done and measure performance at the end of the day. Additionally, rather than relying on the perspectives of individuals within the Secretariat to give Projects’ direction, an agreed Corporate/Strategic Plan ensures that a locally-owned framework is in place that will stand the test of time and can guide project activities. In Fiji, although the Parliament has been suspended, the Project is assisting key staff to undertake an organisational review of the existing staffing structure so that when Parliament returns, returning staff will be placed within a new, streamlined, more effective staffing structure.

The Solomon Islands Project Manager noted that he has approached the entire Project as a change management exercise requiring a more organic/holistic approach. It was observed that the UNDP tends to assume a certain linear approach to implementation, but this does not sufficiently recognise that change does not necessarily occur at an even pace, or even an anticipated pace. Change can be unexpected. For example, the Solomon Islands Project contracted OneNews to film parliament and broadcast edited highlights. The broadcasts became incredibly popular, but the Government felt they weren't being represented as well in the highlights segments and so agreed to broadcast parliamentary sessions in their entirety (and to pay for it). Likewise, the Project was looking at working on updating *Privileges Act* and was planning to work with the House Committee. However, following the Speaker's ruling on a recent Motion of No Confidence where he canvassed some issues related to privileges, the Minister for Foreign Affairs flagged that he would table a Bill as a priority to extend MP's privileges. The Project Manager also noted that work in one area often has flow on effects in other areas. For this reason too, it is more useful to look at Projects holistically and not in a linear fashion.

#### **Importance of broader legal frameworks within which Parliaments operate**

It was highlighted that it is important to properly understand the context in which parliamentary strengthening activities are situated. Jon Frankel advised that in the Pacific Islands (excepting Fiji/New Caledonia), governments are not – by and large - forged on the basis of political parties or ideologies, but more usually personalized networks that tend to be highly fluid, although states remain factionalised and power decentred. Appreciating the contours of domestic politics is important. It is critical to be aware of the local political ramifications of external assistance, including parliamentary strengthening projects.

More specifically, a number of participants suggested that it is important to understand the legal frameworks within which Pacific parliaments operate. For example, the electoral system in place can have a major impact on parliament – who gets in, how they are able to form Government, and how they are able to govern (ie. by majority or via a coalition). The role of political parties is also important to understand. This is an especially challenging issue in the micro-states of the Pacific where numbers do not lend themselves to political parties. It was suggested that political parties could be an entry point for training. In Fiji, support staff from political parties are appointed as public servants to MPs for the life of the parliament Examining party financial and ethics around campaign money could also be an area for consideration because there is a serious concern where individuals finance individual political parties and then what impact that has when the candidate is elected into parliament. UNDP has produced a *Handbook on Assistance to Political Parties*.

It was also suggested that consideration should be given to constitutional frameworks. For example, PIAS-DG recently ran a conference on Pacific constitutions and will produce a publication from that conference. When examining parliamentary effectiveness, it may be useful to reflect on the impacts of the constitutional framework. The adversarial model of most parliamentary systems in the Pacific is but one of the several options. In particular, legislatures have suffered because the Westminster system results in the Executive assuming most of the power, while restricting the number of sittings and not submitting reports to Parliament which are constitutionally mandated.

## **MPs training and services**

The importance of direct training for MPs was highlighted. The APIL representative specifically noted the importance of challenging the idea that the minute an MP is elected they become experts on all issues. This is not the case and should be recognised via the provision of training. He noted that in America, the National Conference of State Legislatures<sup>2</sup> (to which his state of Hawaii pays \$180,000 annually) provides a range of services to legislators, including offering a phone service to answer their questions. A legislator can simply call and ask for comparative information on what other states have done in a similar situation. The Association has also produced an MPs Handbook written at 9<sup>th</sup> Grade level, which contains simple templates for key documents.

One of the UNDP Programme Officers noted that there are often limited budgets for projects. In such a context and noting that UNDP wants to make sustainable and strategic investments, the question arises as to what will be the most effective inputs, considering the high turnover of MPs? Should UNDP train MP's or work through CSOs and the public at large? If training is undertaken, how can it be sustainably institutionalised? The observation of the Marshall Islands Project Manager should also be borne in mind; he noted that there is sometimes a cultural challenge in providing training to MPs. In Marshall Islands, Nitijela means "wise", but the question then arises - how can MPs be expected to admit they need training?

Participants generally agreed that MPs training should be a key area for assistance. UNDP's projects all include a training element, including the very successful Induction Programmes that have been held in Fiji, Solomon Islands and PNG. Training has focused on the roles of legislators, as representatives of their electorate and active people in passing laws and ensuring government oversight. Procedural training is useful (eg. how to draft motions and questions). It is also useful to give them issues-based training (eg. on the MDGs and human rights). The Fiji Acting Secretary to the Senate noted the challenge of coordinating trainings and meetings to ensure they are not an additional burden on busy legislators. A number of participants expressed considerable caution about the challenge of training MPs while respecting their heavy work schedules. Some felt that training programmes took MPs away from the duties they were supposed to be undertaking – often MPs were "overseas at workshops" more than they were at home. In addition, it was noted that training those that support the functions of MPs was as, if not more, important.

Some of the participants representing universities discussed training approaches in more detail, urging that training should not be treated as an add-on activity. Monash University in Australia has undertaken research into the roles of parliamentarians and observed that legislators can play four key roles: being a representative, acting as a Minister, acting as a representative of a party and operating as a political theorist. All of these roles needs to be taken into account when organising training. It was suggested that training of trainers could be undertaken to promote sustainability and that maximum use should be made of regional experts, in particular practitioners who have worked in Pacific parliaments. Experience has shown that role play can be a very valuable training methodology (eg. training parliamentarians on how they will behave in committees, when engaging in Chamber debates, when attending community hearings, etc). In terms of content, it was highlighted that in addition to procedural issues, ethics and the practical implications of codes of conduct. The use of policy discussions (ie. on topics such as MDGs, development policy) can also be useful of way of developing debating skills and communication skills.

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<sup>2</sup> <http://ncsl.org/>

In some countries, legislators have staff support and Cabinet Ministers have advisors. It was suggested that these people should be brought into the training loop because they play a significant role. The Speaker from Solomon Islands also noted that it could be useful to roll out training for the public service more generally, as it is important that public servants understand the role of parliament.

It was noted that non-executive MPs often have few support services, and could be supported in ways in addition to training. For example, few MP's in the Pacific have an office or email access, and fewer have any secretarial support. Usually people prefer not to be in opposition because there is no back up support services. The effectiveness of parliamentary performance depends on these support services. In this context, a number of the UNDP Projects have worked on strengthening secretariat services, through staff recruitment and training, library development, information and research services development and strengthening the capacity of officials responsible for legal drafting. In respect of the latter for example, the Marshall Islands Project has supported two legislative drafting courses for the Legislative Counsel and Attorney General's offices. Notably, participants at the end of the course made recommendations about how to improve the law-making process, and submitted to their Rules Committee recommendations to encourage improvements to procedures (eg. research reports, public involvement, impact assessments). The Marshall Islands Project is also looking at working with USP to develop research services for MPs, which may be more sustainable than locating them inside the Nitijela.

#### **Benchmarking parliamentary performance**

Graham Hassall of USP noted that there is not enough scholarship assessing the functions of Pacific parliaments in a methodical and systematic way. There is some global experience on benchmarking parliamentary performance, most notably the recent World Bank Institute-Commonwealth Parliamentary Association publication on Democratic Benchmarks for Legislatures. However, there is little similar work being done in the Pacific. Some research work looks at parliamentary performance, but there is very little hard available, such as the numbers of days legislatures meet, the bills introduced annually, committee hearings, committee reports produced, laws passed, etc. The difficulty in acquiring data from parliamentary support services to date has not been easy because some parliaments don't appear to be recording relatively simple, but important parliamentary information. It was suggested that interested participants could work with parliaments to agree on baseline data that all parliaments need to collect and use that information to then undertake comparative analysis of parliamentary performance.

#### **Secretariat staff training**

Participants recognised the importance of providing the staff of Pacific legislatures with training. All of the UNDP Parliamentary Projects have major components dedicated to strengthening the Secretariats of legislatures, and this includes upskilling staff so that they can better service MPs, particularly in committees, by providing a range of procedural, information, research and legal services. Work with Secretariats has sometimes been preceded by a specific staff training needs analysis to identify capacity building requirements. Options for staff include internships and staff exchanges, including parliaments and academic institutions (such as the internships offered by the Indian parliament and by the Centre for Democratic Institutions). In Marshall Islands, the Project supported staff to undertake short courses from USP (though concerns were raised at the high drop out rate). In many countries, parliamentary staff are also required to undertake

financial operations (receive and disburse allowances, etc) such that it important that they are also given training to ensure secure financial processes are being implemented.

In addition to training existing staff, it was noted that it is also important to ensure that the right staff are being employed and trained for the right job. The Fiji Acting Secretary to the Senate also noted the importance of developing middle management staff, to ensure that a few senior staff at the top are not required to undertake the bulk of the parliamentary work. Some participants suggested that is also useful to look at hiring practices because often time and money is invested in training staff, but then salary structures don't support their retention. Examining the independence of parliament (ie. whether parliament should be able to recruit its own staff) could also be useful, because it might ensure that staff are put in the right positions according to their skills, can be supported in the career development and will therefore be more likely to stay. If such a system were in place it could also be complemented by some form of performance management system.

### ***Constituency Relations***

A number of participants discussed a range of issues around supporting legislators' broader role as representatives of their constituents. The representative of APIL noted that often, as soon as candidates are elected, people expect them to be able to do anything and to do it immediately. The public often have unrealistic expectations of their MPs, especially considering that in reality a legislator needs the support of a majority of members to be able to get most things done. It is important to educate the public on the role of a legislator and to explain that they rely on others (staff, public, media) for information and support. The Acting Secretary to the Fiji Senate noted that Fiji could benefit from a better public relations complex, to support education and outreach activities.

A number of participants specifically noted that there was a lack of publicity around proposed legislation before it is discussed in the House in many Pacific countries. Often Bills are not released until they are tabled, which can be particularly problematic where countries do not use the committee system to review Bills and they are passed through the House relatively quickly. Often there is a lack of communication of law-making proceedings beyond the capital and/or a very narrow group of people. While it is positive that in many Pacific countries, parliamentary proceedings are broadcast on the radio, nonetheless, many people do not know what is happening in their parliaments. In Marshall Islands, the Speaker advised that the Constitution has been translated into local language and Bills are also in Marshallese. Bills are debated in the local language and most go through a committee stage which includes a public hearing process. One participant noted that in Australia, a number of State Parliaments actually hold regional sittings of Parliament, where they actually move Parliament outside of the capital so that regional people can attend. Some State parliaments have also set up specific public outreach units, and in Queensland they have recently employed an indigenous public outreach officer to ensure that information on parliamentary activities specifically reaches the State's large Aboriginal population.

The Marshall Islands Project Manager noted a number of activities the Project had undertaken with the public. They have developed a public outreach brochure and have begun producing a newsletter in both English and Marshallese. They also produced a handbook on the organisational structure of the Nitijela to help people understand how it operates. They have also developed a new website, which also include audio of all activities in the Nitijela, which has proven particular useful to Marshall Islands large non-resident population.

### **Making connections between civil society and parliaments**

A number of participants highlighted the need to promote and strengthen linkages between parliaments, NGOs/CSOs and the media, recognising that this would help build the local demand for good governance. It was advised that the UNDP Fiji Multi-Country Office is already doing considerable work in the area of civic education, recognising that it is important to work with the public and CSOs as they are the constituents who will demand better performance from their elected leaders. Most of the UNDP Parliamentary Projects also include a component focused on strengthening parliamentary public outreach activities. The UNDP NY Parliamentary Advisor noted that there has already been a fair amount of UNDP work done with CSOs and parliaments. (In the Pacific, the Pacific Centre will soon start implementing a project to support CSO advocacy training.) Some participants suggested that training for CSOs should be seen as indirectly strengthening legislatures, though one participant cautioned that it is useful to be careful about making assumptions that CSOs are always keen to participate in a helpful way because sometimes their agendas may run counter to the mandate of the institution.

Parliamentarians in the region have themselves noted the importance of civic education, in recognition of the fact that it is often harder for them to do their work effectively if the public are not supportive of what they are trying to achieve. It was suggested by one participant that there could be a CSO mapping done to identify CSOs key areas of activity, and these groups could then be specifically contacted by MPs or the Secretariat in relation to certain types of Bills/issues. Public Open Days are another way to bring people inside parliament. Training for the media on how parliament is working can also be effective in getting messages out to communities. The APIL representative noted that he sometimes runs a "shadowing programme" where he gets someone to follow him for 3 days to show them exactly what he does. Mentoring programmes and/or internships could be another way of exposing members of the public to parliamentary work.

### **General Lessons Learned**

Mr Scott Hubli, UNDP's Global Parliamentary Advisor, working with the Bureau for Democratic Governance in New York, drew on the conclusions of a recent workshop to review parliamentary projects throughout the world, in particular, to identify what has worked and what hasn't. Four key issues were identified:

- **The importance of political will and political contextualization:** Multiple donor evaluations undertaken to inform the workshop found that there is a key need to ensure that all programs are locally (including politically) contextualised. Small island states have specific needs. Additionally, UNDP/donors need to be aware that they are not always in the best position to create political will. Otherwise, projects can end up being over-ambitious about what can be achieved. In the context of nationally executed projects, it is also useful to promote the identification of multiple national counterparts, rather than only the Speaker or Clerk of Parliament. Broadening out ownership, for example, by involving a specific committee, leadership forum or the like, can be useful in ensuring the project has bipartisan support and is owned by the whole of Parliament not just its Secretariat.

Too often, activities were undertaken without first assessing the local need and identifying the most appropriate local entry-point. For example, training was undertaken without knowing if it would be used by legislators or assessing the commitment of legislators to actioning it. Importantly, many parliaments operate both formally and informally and parliamentary programmes need to recognise such

subtleties so as not to undermine them. In this context, it is essential to MP's and senior parliamentary staff in the design and implementation of programmes.

Increasingly, there is a sense that a "do no harm" approach could be useful when working with parliaments. For example, care needs to be taken when working with opposition parties to ensure that the opposition is not seen as being used to drive foreign agendas. Likewise, when work is done to build the capacity of CSOs to demand more accountability from representatives, it is important that a constructive dialogue is developed so that CSOs are not unreasonably demanding answers which parliament does not have the capacity to provide.

- **Resource sharing and building capacity:** Coordination of efforts and sharing of experiences, good practice and lessons learned is essential. Many legislators and donors are concerned about duplication of work and the burden on legislators as a result of the number of organisations working with parliaments who expect legislators to have the time and resources available to engage with their activities. This is an issue which needs to be tackled, both in the Pacific and globally. Due to the range of development issues that legislators and their staff need to consider, they are often at risk of 'issue fatigue'.

One way of providing support is to consider regionalizing service delivery and support to legislatures, legislators and their staff. Considerable work has been done to look at how to institutionalise support to legislatures, for example through the establishment of regional training centres to develop parliamentary skills. Regionalisation of approaches can be particularly useful as a means of building capacity and maximizing the use of sometimes scarce resources. Regional approaches are also useful when tackling sensitive issues, such as women's representation, HIV/AIDS, corruption, etc.

- **Parliamentary strengthening as a means not an end:** Care needs to be taken not to overburden developing/weak legislatures with multiple activities and issues areas, especially in the Pacific where many legislatures are very small. MPs have multiple demands on their time and this needs to be recognised when engaging with parliamentarians. In particular, it is important to ensure that training and support on substantive development issues are well-tailored and well-timed. Often the pitch is wrong and this diminishes the likelihood that legislators will be either willing or able to take up the issues that are being discussed.

It is important that issues-based activities are grounded in national agendas, to ensure that they are viewed as neutral and not donor-driven. For example, organizations like UNDP have a normative framework that is well-established (HRs, MDGs, etc), and as long as substantive issues are grounded in those normative principles, they can be discussed without undermining neutrality. It is also important not to view parliaments in isolation, but rather to look at the linkages between institutions (eg. civil society-parliament, government-parliament, media-parliament) because many of these local institutions will also be keen to discuss substantive issues with legislators.

- **The relationship between parliamentary assistance and political party assistance:** There are limits as to what can be achieved in terms of working with political parties, particularly in the Pacific where many countries have weak or non-existent party systems. Nonetheless, consideration needs to be given to whether and how work could be done to engage political parties in parliamentary support activities. Sometimes, parliamentary decisions are outside of parliament because of party politics. There is a real need to look at how parties impact on parliaments. It would be useful to examine what works and what doesn't and what can be done, if anything, to harness the value of political parties for the benefit of parliamentary democracies.

## **Supporting legislatures and legislators to play an active role in development**

It was recognised by a number of participants that parliamentary support in the Pacific will be meaningful if it translates into the enactment of laws which contribute to better development. Nonetheless, it was stressed that it is important to be careful when working on, supporting or promoting developing issues through parliamentary projects, as parliament's need to be recognised as sovereign and independent. Furthermore, the relationship between the executive and the legislature needs to be appreciated when support activities are being designed, as legislatures often do not have primary carriage for issues-based policies and laws, but must engage more strategically if they are to play an effective role in the policy-making and implementation process. There was a suggestion from some participants that parliamentary support activities should be seen as “enabling” change but not directing it. At the same time, other participants recognised that support activities could usefully work actively with legislators to raise their awareness of development and other issues.

It is important to engage closely with legislators to ensure that work on development issues is not seen as externally driven. For example, it is important to assess the commitment of legislators to proposed training activities, to ensure the issues being discussed are genuinely seen as relevant to legislators. It is essential to be context-specific and recognise the special political, social, cultural and other factors in each country which impact on legislators' approaches to issues, such as human rights, gender and the like. At a more practical level, legislators are often short on time, and legislatures short on resources, such that capacity and costs assessments should precede interventions and care should be taken not to overburden developing/weak legislatures.

### ***Human rights and parliaments***

The Regional Rights and Resources Team (RRRT) Project Manager explained that most Pacific Island countries have ratified internal human rights Conventions. In addition, most Pacific constitutions contain a bill of rights which entrenches a range of human rights directly in domestic law. All PICs have also ratified the Pacific Plan which includes human rights protection and promotion as a key component. In this context, although sometimes Pacific islanders suggest that human rights are an ‘add on’ or a foreign agenda, human rights are very much an issue of national and regional importance and a legitimate area of concern for legislators.

One participant noted that it is important to remember that the reality of the Pacific is that we are dealing with very small economies limited resources. In that content, the challenge is how to support small countries to report on treaties, because reporting can sometimes constitute quite a burden. Parliament has effective role in providing oversight. Parliaments can encourage governments to be more accountable by asking ministries to report to them on specific issues. Through the national budget, parliaments can also encourage the commitment of national resources to human rights promotion and protection. The RRRT Project Manager advised that the Office of the High Commissioner on Human Rights (OHCHR) is trying to consolidate the reporting process. There are also financial and technical resources available for governments to access to assist with reporting.

Drawing upon a detailed analysis of human rights work with parliaments in the “UNDP Primer on Parliaments and Human Rights”, the RRRT Project Manager suggested a number of activities that could be undertaken with legislators to promote and protect human rights:

- Organize specific training for MPs on human rights issues (specific and general);
- Champion and mentor MP’s who are interested in Human Rights.
- Train parliamentary researchers and staff to build their capacity and encourage them to include human rights issues in their research and briefings;
- Work with parliamentary committees on different subjects as an entry point;
- Building the capacity of CSO’s to engage with legislators on human rights issues, eg. training them in writing letters, running human rights conference, hosting forums with legislators, etc.
- Support the establishment and/or proper resourcing of a National Human Rights Commission;
- Where a National Human Rights Commission exists, or some other national human rights expert body, draw upon it to provide technical advice/training/briefings to legislators on human rights issues;
- Encourage legislators to commission audits of legislations and policies and human rights treaties.

The OHCHR works on treaty ratification and offers expertise to assist states to meet their obligations under such treaties. RRRT also offers training and technical assistance upon request. RRRT is running a workshop for MP’s on issues related to international obligations related to human rights in November 2007. There are also numerous publications and resources which are available for people to use, including specific materials for parliamentarians. The Pacific Centre Parliamentary Portal has collected many of these documents.

### ***Gender and parliaments***

The Pacific region has the world’s lowest levels of women’s political participation, with little improvement over the past 5-10 years. One of the participants noted that there are two sides to parliamentary strengthening activities that focus on gender: (i) supporting women to get into parliament and (ii) raising gender awareness and providing gender training to ALL legislators and parliamentary officials.

In PNG, the UNDP Parliamentary Project actually has a dedicated Gender Advisor, in response to a request from one of PNG’s MPs. The Gender Advisor has been networking with CSOs and relevant government departments, has run some workshops with intending female candidates and is considering some work around CEDAW reporting and parliamentary committees. The PNG Project Manager advised that they are trying to include male counterparts in their program. For example, the Deputy Clerk of the PNG parliament was funded to attend CAPWIP Gender and Governance Training in the Philippines. During the recent PNG Induction Programme for MP’s, the Project Team also incorporated gender issues into the agenda.

The UNIFEM representative advised that “Advancing gender equality in democratic governance” is one of UNIFEM’s three global goals. UNIFEM Pacific implemented a ‘Women in Politics’ project from 1994-2006. However, the focus was more on cycles of election-related activity, rather than sustained strategic integration with parliamentary, electoral and political party projects. The Gender Equality in Pacific Governance Program (GEPG) is a major new program of UNIFEM Pacific (to be implemented in partnership

with AUSAID) which aims to strengthen Pacific women's political participation and representation, in national and local level governance (see the Pacific Parliamentary Assistance Directory for more information on the programme). UNIFEM is working on a Handbook on Engendering Parliaments with the Centre for Democratic Institutions. UNIFEM is also planning to develop advocacy and training materials for parliaments, electoral commissions and political parties. PIFS, the UNDP Pacific Centre and UNIFEM have already commenced work on joint publications.

It was recognised that it is essential to work with both women and men to promote the election of more women to positions of leadership. It was noted by one participant that there could be more of a focus on supporting women to be elected into local government posts, as a stepping stone to parliamentary positions. It is also important that the promotion of women in parliament is seen as part of a longer-term parliamentary strengthening process. In this vein, UNIFEM supports a focus on community based education activities on women's citizenship and leadership to make women more aware of their political rights and obligations as voters. Consideration could also be given to supporting political party or other funding to encourage young people/women to stand for elections. UNDP PNG advised that they will be piloting a dialogists study to examine why women candidates performed so poorly during the July 2007 PNG elections. Some participants highlighted the need to consider affirmative action strategies, such as quotas or reservations. For example, PNG has reservations at local governance level and Bougainville has 3 reserved seats for women. It was noted however that the effectiveness of quotas/reservations is heavily dependent on the type of electoral system in place and therefore might not work in all countries. Some quota systems only work properly if there is a strong party system or a proportional representation system in place.

Participants also discussed the importance of working with men and women who have already been elected into the legislature. For those women who are elected, it is important to provide ongoing support to ensure that they are effective as women politicians. Both male and female legislators can be encouraged to champion gender issues, for example, by raising questions in the house or in committees. Legislators can also visit schools/universities to give lectures about their work and experiences. They could invite young persons to accompany them to meetings as some form of "mentoring" system to bring young people into the political sphere. This would also tackle the perception that older politicians are threatened by younger colleagues. Legislators could be encouraged to maintain close links with women's organizations to tap their expertise and keep abreast of issues pertaining to women's issues/gender issues. Consideration could be given to setting up a Women's Empowerment Parliamentary Committee to consider how each Bill impacts on gender equity and equality issues and/or to ensure that all parliamentary committees are required to undertake a gender analysis of all parliamentary documents (including policy proposals, Bills, regulations, committee reports, etc). Standing Orders could also be amended to promote gender analysis and to reflect gender neutral language. At a minimum, all legislators could be provided with training/support to undertake more gender-sensitive law-making and oversight activities. Parliamentary sessions could also be made more "family friendly" so that participation is not at the expense of male and female politicians roles as caregivers/parents.

It was noted that the major PIFS regional workshop in Raratonga in 2006 on women's representation highlighted the importance of CSOs working together to achieve proper representation of women. One participant suggested that one mechanism for support

might be to attempt something akin to *Emily's List* in the US<sup>3</sup> and Australia<sup>4</sup>, which provides both technical and financial support to women candidate for elections and has also provided training to both men and women on gender issues. *Emily's List* has been successful because it is non partisan.

### ***Reproductive Rights, HIV/AIDS and Parliaments***

Both a representative from UNAIDS and a representative from the Pacific Parliamentary Assembly on Population and Development (PPAPD) spoke at the Roundtable (see the Pacific Parliamentary Assistance Directory for more information on both programmes). Both participants noted that there have been various declarations on HIV/AIDS and reproductive health in the Pacific region, such as the Suva Declaration. Outcomes documents/declarations can be used to push key agendas. Both speakers highlighted the need to engage in concerted awareness raising activities, including with Pacific legislators. Partnerships throughout communities are important, including with leaders, national advisory committees (eg. on HIV/AIDS), parliamentary committees and the like.

The PPAPD representative noted that PPAPD is planning to establish a full-time Secretariat to promote population and development (P&D) issues. There have been discussions around using the Secretariat to support the Forum for Presiding Officers and Clerks (FPOC) as well. Consideration is also being given to funding officers to work with each Pacific parliament as focal points on P&D issues. The key is to educate and empower legislators to take action, by addressing their practical policy concerns.

### ***Peace and Stability and Parliaments***

The World Bank Institute (WBI) and Commonwealth Parliamentary Association commissioned a publication on *Parliaments as Peace-Builders: The Role of Parliaments in Conflict Affected Countries*<sup>5</sup> in 2005. WBI has done considerable work around the issues of legislatures and conflict prevention and mediation. WBI has found that there is a clear relationship between poverty, conflict and democracy. Parliament is a prime institution through which to address the divergent interests of multiple groups because of the nature of the parliamentary process and parliaments' ability to build relationships within parliament and with the broader community. Divergent interests with respect to important issues have the potential to fuel conflict and parliament can seek to ensure that this type of conflict does not escalate, thereby averting the deleterious impact of violent conflict on economic development. Furthermore, by addressing issues of poverty, equitable distribution of resources and economic development parliamentarians can attempt to guard against the creation of an enabling environment that is prone to the escalation of conflict.

WBI has identified 8 main areas where parliaments can be supported to engage with issues of conflict and peace-building, namely:

- ***Participation, Representation and Reconciliation:*** Parliament can be a place to bring different sides of a conflict together to discuss issues in a rules-based public forum. The role of the Speaker and parliamentary secretariat staff can be vital as

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<sup>3</sup> *Emily's List* stands for Early Money Is Like Yeast; <http://www.emilyslist.org/>

<sup>4</sup> <http://www.emilyslist.org.au/>

<sup>5</sup> [http://regionalcentrepacific.undp.org/fj/HTML%20docs/parliamentary\\_support\\_portal/-%09http://siteresources.worldbank.org/WBI/Resources/PARLIAMENTS\\_AS\\_PEACEBUILDERS-FINAL.pdf](http://regionalcentrepacific.undp.org/fj/HTML%20docs/parliamentary_support_portal/-%09http://siteresources.worldbank.org/WBI/Resources/PARLIAMENTS_AS_PEACEBUILDERS-FINAL.pdf)

they support legislators and feed them with information and technical advice on issues.

- *Parliamentary Functions and Oversight:* Parliamentary Committees in particular, can be a good forum for bring parliamentarians together to meaningfully discuss issues. They also provide an opportunity for ordinary members of the public to be heard and to make their views/grievances known to decision-makers. Money committees can be vital because in influencing how recourses are allocated and security committees can be a useful tool for enabling legislators to engage with the army and or police services.
- *Rule of Law:* Ensuring that fair, impartial, properly vetted laws are enacted is essential. In particular, legislation such right to information laws which contribute to a more open society and government can create an enabling environment more conducive to conflict resolution. It is also important that accountability institutions (such as Ombudsmen, NHRIs, etc) are properly funded and required to report to the legislature to ensure that grievances are being properly dealt with and public accountability is promoted.
- *Dialoguing with Civil Society and Media:* Government oversight and accountability that is undertaken by parliament builds confidence in the democratic process and provides incentives for disparate groups to continue using the democratic process to have their interests met. Citizens, civil society and the media have a role to play in fostering greater transparency and social accountability, which, in turn, can help parliaments increase development effectiveness by ensuring public services are more responsive to the needs of the community and that resources are devoted to the proper purpose.
- *The Role of the Opposition:* Once a representative parliament has been elected, all parliamentarians have the responsibility, capacity and opportunity to represent the broad interests of their constituencies and society in general in conflict prevention and poverty reduction. The strategies used by opposition parliamentarians may differ somewhat from majority members and will depend on the political, financial, regulatory or electoral environments in which political parties, and in particular, opposition parties, operate and function.
- *Promoting Socio-Economic Equality:* Parliament can seek to ensure that conflict does not arise as a result of socio-economic inequality and manage the environment so that all members of society, particularly the rural poor benefit from its resource.
- *Decentralization:* Decentralizing power and resources can contribute to conflict management by facilitating greater citizen participation in decision-making. Decentralization promotes participation rather than conflict by providing a localized institutional mechanism to bring opposition groups into a formal deliberate process that can promote unity and prevent the escalation of conflict.
- *Regional Parliamentary Peacebuilding:* By working with parliamentary colleagues across international borders, parliamentarians can make contributions to peacebuilding and conflict prevention, in their own countries or regionally, by encouraging dialogue, building confidence, and facilitating peer-to-peer learning. Parliamentarians are finding that they are able to represent the interests of their constituents in forums outside parliament, such as international initiatives sponsored by development agencies, such as Poverty Reduction Strategy Processes.

The UNDP Fiji Parliamentary Support Project Manager described his Project's work with Fijian MPs on issues of peace and development. Notably, in 2006, the UNDP Pacific Centre undertook a Peace, Stability and Development Analysis (PSDA) on Fiji.<sup>6</sup> The UNDP then presented the PSDA to Members of Parliament at a workshop in June 2006. The response from MPs was very encouraging, with many MPs indicating their interest in further work on issues around peace-building, mediation and dialogue. In August 2006, a request was made to UNDP by the Fiji Parliament for a further workshop to be conducted on the PSDA. A joint meeting with Parliament agreed on the general strategy of a workshop. Surveys were undertaken of a number of MPs to find out exactly what peace/conflict issues they were keen to prioritise. Workshop dates were finalized for 19-20 February 2007, but the events of December 2006 meant the workshop was never held.

One participant noted the importance of peace/conflict activities with MPs in the Pacific region, specifically querying for example, whether any conflict analysis had been undertaken to inform the work being done in Solomon Islands with the National Parliament. The Speaker of Solomon Islands advised that the Ministry of National Unity, Reconciliation and Peace has been taking the lead, not parliament. Another participant highlighted the importance of ensuring that the role of tradition in conflict resolution is considered when working with parliaments as peace-builders.

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<sup>6</sup> [www.undp.org/cpr/documents/prevention/integrate/country\\_app/fiji/fiji\\_report.pdf](http://www.undp.org/cpr/documents/prevention/integrate/country_app/fiji/fiji_report.pdf)

## Promoting coordination of parliamentary assistance

The final session of the Roundtable focused on considering, more specifically, whether and how national parliamentary work and support activities could be supplemented or complemented through regional or sub-regional initiatives.

### ***Regional cooperation between parliamentary organisations***

As the UNDP Directory of Organisations Working with Pacific Parliaments demonstrates, there are a very wide range of organisations engage with legislatures in the region. Specifically, there are also a number of parliamentary associations active in the Pacific (eg. CPA, APIL, FPOC, etc). It was suggested that the various associations could perhaps be rationalised or at least linked to minimize duplication and reduce the burden on Pacific legislators. As noted earlier, it is understood that there have already been discussions between the coordinators of the Pacific Parliamentary Assembly for Population and Development and Forum for Presiding Officers and Clerks to work through a single secretariat and to run their meetings back to back. The Vice President of APIL noted that it was important to strengthen the link between the legislatures of the North and South Pacific.

Sometimes groupings/networks are created due to donor driven agendas and this needs to be avoided. While there is a need to avoid duplication of efforts, at the same time it is important to identify whether there are any gaps in servicing the needs of legislators, and if so, to identify who is best-placed to fill those gaps. Projects needs to be set up for and by legislators. APIL could be a good entry-point for regional support activities because it already represents some legislatures from both the north and south Pacific and also could develop links between the state legislatures of America.

### **Assistance from Commonwealth Parliamentary Association**

Nine Pacific Island countries are also members of the Commonwealth Parliamentary Association (CPA), although Fiji is currently suspended because of the December 2006 coup. The CPA is a network of 53 member countries, but it also includes state parliaments as branches. It is considered a very useful organisation because it facilitates parliament-to-parliament interactions. CPA supports capacity-building for MPs and secretariat staff, as well as undertaking research in key areas and running/resourcing regional and national workshops on procedural as well as issues-based topics, eg. WTO, HIV/AIDS, gender representation. CPA has also done some work around the government and opposition relationships.

CPA has also been involved with various technical assistance programmes. For example, CPA entered into an MOA to work with the UNDP Solomon Islands Parliamentary Support Project and is currently working in Bougainville in cooperation with the Centre for Democratic Institutions and the NZ Parliament. As noted earlier, the CPA branches situated in Australia's federal and state parliaments are also keen on developing twinning opportunities with Pacific parliaments. Informally, there has also been some discussion around the possibility of inviting non-Commonwealth legislatures to participate in Pacific CPA meetings, to maximise learning and sharing opportunities.

### **Strengthening regional networks for information/expertise sharing**

A number of participants noted that the key is to promote better communication between organisations/associations to ensure that everyone shares information about their work and attempts to collaborate and coordinate where possible. It is important to synchronise our work as much as possible. Consideration could be given to developing a common calendar of events. Additionally, perhaps an on-line network could be developed to facilitate the sharing of information between legislators, Speakers, Clerks and parliamentary assistance organisations. One participant questions whether regional alliances and networks needed to be formal or informal. There was a sense that both could be useful, though it was notable that the Pacific does not have many regularly active formal parliamentary networks (as opposed to organisational groupings). Other existing networks could also be better harnessed, eg. the CPA Women Parliamentarians Network.<sup>7</sup> The UNESCO representative suggested the development of a Pacific Parliamentary Communication Strategy and Network which could address information outreach issues. All Pacific parliaments and agencies could be involved.

#### **Pacific Islands Legal Information Institute (PacLII)<sup>8</sup>**

PacLII publishes legal information from 20 Pacific Island countries, online, for free and with unrestricted access. PacLII was established in 2001 at the USP Law School to promote free access to legal materials of the region for the benefit of academics, students, justice sector. It is part of an extensive growing world-wide network. It provides links to Pacific constitutions, laws, regulations and case law, and has numerous search functions which allow for targeted and comparative legal searches. The PacLII team relies on Governments and Parliaments to forward them legal documents for uploading because the need reliable official copies to work with. Although most information is in English, there is already a push to attempt to translate key documents, such as constitutions.

The UNDP Pacific Centre has launched a Parliamentary Programme Portal<sup>9</sup> which is intended to collect together useful resources on parliamentary issues, but may also be used as a mechanism for promoting coordination of efforts. Already, the Portal includes an Events page, which can be used by all organisations to promote upcoming activities.<sup>10</sup> The Directory of Organisations Working with Pacific Parliaments has also been uploaded but it may be reformatted for the web to make it easier for people to undertake searches.

A number of participants noted the importance of developing strategies for sharing regional expertise as well. For example, the UNDP PNG representative noted that they are considering redesigning their parliamentary support project and would be keen to draw on regional expertise and to circulate their drafts for “peer review”. Other participants also supported the idea of sharing expertise in order to minimize duplication but also to make sure that parliaments could learn lessons from each other. Development partners and donors could also be involved to ensure that their activities were also technically sound and embedding in regional learning. Australia and New Zealand already have the Australian and New Zealand Association of Clerks-at-the-Table (ANZACATT) which is a network of more than 80 members who share questions, advice and expertise on-line and via annual meetings.<sup>11</sup>

<sup>7</sup> <http://www.cpahq.org/archive.aspx?id=2814>

<sup>8</sup> <http://www.paclii.org/>

<sup>9</sup> [http://regionalcentrepacific.undp.org.fj/HTML%20docs/parliamentary\\_support\\_portal/parliamentary\\_support.html](http://regionalcentrepacific.undp.org.fj/HTML%20docs/parliamentary_support_portal/parliamentary_support.html)

<sup>10</sup> [http://regionalcentrepacific.undp.org.fj/HTML%20docs/parliamentary\\_support\\_portal/Events.html](http://regionalcentrepacific.undp.org.fj/HTML%20docs/parliamentary_support_portal/Events.html)

<sup>11</sup> <http://www.anzacatt.org.au/>

## **Regional support to national parliamentary services**

As noted earlier, the Solomon Islands Speaker encouraged participants to consider how regional mechanisms could be developed to support Pacific parliaments, because he had some concerns about the sustainability of activities following the completion of parliamentary assistance programmes such as those provided through the UNDP. Very briefly, the Pacific Centre team noted their interest in pursuing further work in the area of regional support for Pacific parliaments. Three main areas could be considered:

- Regional Information and Research Services (IR Service): Lack of access to information due to the depletion of parliamentary libraries and/or the absence of internet-based research facilities is a serious constraint for many Pacific parliaments. In addition, there is commonly a lack of trained parliamentary staff available to undertake research for legislators. Recognising the limitations many small parliaments face in developing a sustainable IR Services capacity, options could be explored for providing or supplementing such services in other ways. For example:
  - Strengthening Secretariat links between Pacific parliaments to facilitate sharing of information between parliaments;
  - Identifying external research organisations to whom parliamentary research could be outsourced;
  - Establishing of an on-line regional parliamentary library;
  - Providing some research services on a regional basis, for example by: (i) establishing centres of excellence in one or two parliaments who could then provide IR services to multiple parliaments; (ii) building on existing *ad hoc* links between some Pacific parliaments and the Australian and/or New Zealand parliamentary services; (iii) establishing a regional IR Service, ideally in partnership with a Pacific university.
- Regional Training Services: Experience from the UNDP's Projects has shown that training and capacity development for both Secretariat staff and legislators has been a key area of work in Pacific legislatures. While training has been very well-received, the question of sustainability needs to be addressed. Ideally, capacity will be built during the life of a Project. Nonetheless, in the context of smaller Pacific parliaments at least, consideration needs to be given to whether it is feasible to expect secretariats themselves to both develop and implement training programmes for MPs. In this context, consideration could be given to:
  - Developing a regional capacity to deliver Induction Programmes for legislators, which can be drawn upon by Secretariats as needed. Consideration could be given to partnering with supporting an existing training organisation to develop a model Programme, and a roster of resource people to draw on.
  - Developing specific training modules for MPs and/or parliamentary secretariat staff. For example, ANZACATT has developed a Course for Parliamentary Officers in Parliamentary Law, Practice and Procedure. Similar parliamentary-specific training activities could be developed which are Pacific specific.
- Regional Legal Drafting Services for non-Executive Legislators: The UNDP's Legislative Needs Assessments and anecdotal feedback from Pacific legislators recognise that the legal services available to Pacific legislators who are not members of the Executive are generally poor to non-existent. Taking into account the work being done by PIFS with Legal Drafters (see the box below), consideration could be given to exploring more specifically the regional or sub-regional delivery of legal services to Pacific *parliaments*, particularly in countries where the provision of legal research and drafting services to the Government is also limited.

### **Regional support to strengthen legal drafting services**

The Pacific Islands Forum Secretariat and the Commonwealth Secretariat are collaborating on a Pacific Legal Drafting Initiative which is working to strengthening legislative drafting services in the region, including by supporting parliamentary drafters. A 14 point Action Plan has been developed, which mainly targets Legislative Drafters in the Offices of Attorneys-General, but PIFS hopes to expand the programme if resources permit, to include parliamentary drafters. Currently there are 2 legislative drafting courses available in the Pacific region, offered by USP and UPNG. The LD Initiative is working to develop an advanced course which will be implemented for the first time in December 2007. The LD Initiative is also working to facilitate the recruitment, retention and resourcing of legislative drafters, including by developing a marketing plan to make this area of law more attractive to Pacific lawyers. The LD Initiative is also completing Model Legislative Drafting Guidelines and will create a precedent bank (including computerized templates and model laws) which can be used by Pacific legislative drafters.

One participant highlighted the need to ensure that legislation is drafted in plain English and is accompanied by explanatory notes for MPs. The Project Manager from the UNDP Marshall Islands Parliamentary Support Project advised that their Project has been supporting legislative drafting training for the *Nitijela* Legislative Counsel and Attorney Generals office. Notably, the training focuses on legislative drafting as a tool for social change, and recommends that all Bills should be presented along with research report explaining the implications of the Bill for society. Participants advised that both Solomon Islands standing orders require that all Bills are accompanied by explanatory notes in simple language and in Cook Islands, a report must be produced which explains the Bill and advises the implementing cost of the proposal.

## Annex 1: Roundtable Agenda

*The UNDP recognises that there are a diverse range of organisations engaging in parliamentary assistance in the Pacific region that have a wide range of experiences and expertise to draw on and share. The Roundtable is intended to provide a forum for participants to share their experiences of providing and/or participating in Pacific parliamentary assistance activities, as well as to discuss the opportunities and challenges posed by the central role parliaments can and should play in promoting and overseeing the implementation of effective sustainable development and poverty reduction initiatives.*

*The Agenda proposed identifies Lead Speakers whose contributions will provide a starting point for discussion. However, it is intended that the Roundtable will be a highly participatory and inclusive forum, where all participants will be empowered to actively engage in all discussions, to share their experiences and ideas.*

### DAY 1: INFORMATION-SHARING AND REGIONAL COLLABORATION

<b>OBJECTIVE: Why? - Explain the objectives of the Roundtable and set the context for discussions</b>		
Chair: Mr Garry Wiseman, UNDP Pacific Centre		
9.00am – 9.20am	<ul style="list-style-type: none"> <li>• Opening &amp; General introduction</li> <li>• Outline of why Roundtable is being held</li> </ul>	Garry Wiseman, UNDP PC
9.20am - 9.40am	<ul style="list-style-type: none"> <li>• Structure of Roundtable</li> <li>• Desired outcomes</li> </ul>	Ernesto Bautista, UNDP
9.40am – 10.00am	Pacific Plan, Regionalism & Parliaments <ul style="list-style-type: none"> <li>• Why a coordinated regional approach is necessary – and supported regionally</li> </ul>	Henry Ivarature / Lawrie Cremin, PIFS
10.00am – 10.15am	Questions and Clarification	Participants

**10.15am - 10.45am : MORNING TEA**

<b>OBJECTIVE: Who? What? Where? - Introduce participants and explain the nature of their Pacific Parliamentary Assistance activities</b>		
Chair: Ms Laisa Bale-Tuinamaola, UNDP Fiji Multi-Country Office		
10.45am – 12.00pm	<ul style="list-style-type: none"> <li>• Each organisation to briefly outline its Pacific parliamentary assistance work – previous, current, planned (5 mins) <i>(Supported by handout summary circulated pre-workshop)</i></li> <li>• Questions can be asked during presentations</li> </ul>	All participants - Clerks & speakers - Institutions - Donors
12.00pm - 12.30pm	Discussion: Are there gaps? Is there duplication?	Plenary

**12.30pm - 1.30pm : LUNCH**

**OBJECTIVE: What? How? – Draw out views from Pacific partners on what parliamentary assistance is most needed and how effectively it is currently being provided**

Chair: Mr Toily Kurbanov, UNDP Fiji Multi-Country Office

1.30pm – 2.15pm	<ul style="list-style-type: none"> <li>• What assistance is most needed/ beneficial? <ul style="list-style-type: none"> <li>- eg. MPs training, staff development, infrastructure, systems development, technical procedural support,</li> </ul> </li> <li>• How effective is current assistance? What works well?</li> <li>• How could assistance be improved? What has not worked so well?</li> </ul>	<b>Lead contributors:</b> Parliamentary representatives from Solomon Islands, PNG, RMI and Fiji + Association for Pacific Islands Legislatures
2.15pm – 3.00pm	Discussion	Plenary

**3.00pm - 3.30pm : AFTERNOON TEA**

**OBJECTIVE: What? How? – Reflect on different approaches to Pacific parliamentary assistance currently being implemented**

Chair: Ms Michelle Rooney, UNDP PNG Country Office

3.30pm – 4.15pm	<ul style="list-style-type: none"> <li>• Pacific Centre: Presentation of multi-country project evaluation summary</li> <li>• Types of support – strengths &amp; weaknesses, <ul style="list-style-type: none"> <li>- eg. ad hoc workshops, long-term projects, exchanges, procurement, publications</li> </ul> </li> <li>• Current efforts to collaborate</li> </ul>	<b>Lead contributors:</b> Pacific Centre RMI Project Manager Solomons Project Mger Australian Parliament NZ Parliament/CPA
4.15pm – 4.50pm	Discussion	Plenary
4.50pm – 5.00pm	Interim wrap up	Garry Wiseman

**7.00pm onwards – PARTICIPANTS' DINNER**

**DAY 2: PARLIAMENTS AS FOCAL POINTS FOR  
NATIONAL SUSTAINABLE DEVELOPMENT POLICY AND OVERSIGHT**

**Objective: Identify the challenges for providing effective parliamentary assistance taking account of local context and the broader governance framework within which parliaments sit, and extract good practice models and lessons learned in addressing those challenges**

Chair: Mr Ernesto Bautista, UNDP Pacific Centre

9.00am – 9.45am	<ul style="list-style-type: none"> <li>• Challenges for effective parliamentary operations? How do they impact on Pacific Parliaments effectiveness as a major player in good governance and participatory development? <ul style="list-style-type: none"> <li>- Analysis of causes of causes of capacity weakness (eg. human, financial, institutional, structural, etc)</li> </ul> </li> <li>• Specific areas for support re strengthening law-making, oversight/ committees, representation <ul style="list-style-type: none"> <li>- Good practice models – why? In what contexts?</li> <li>- Lessons learned – what hasn't worked? Why?</li> </ul> </li> <li>• How should/can other govt agencies be engaged, eg. Attorney Generals dept, Ombudsman, Leadership Code Commission</li> </ul>	<b>Lead contributors:</b> SSGM La Trobe Uni Monash Governance Unit USP PIAS-DG
9.45am – 10.30pm	Discussion	Plenary

**10.30am - 11.00am : MORNING TEA**

**Objective: Identify the challenges to integrating substantive development issues into parliamentary assistance activities and share strategies for addressing them**

Chair: Ms Charmaine Rodrigues, UNDP Pacific Centre

11.00am – 12.00pm	<ul style="list-style-type: none"> <li>• How can Parliaments be supported to become a more active stakeholder in national development activities</li> <li>• Consider whether and how parliamentary assistance can support work on issues such as poverty reduction, gender, conflict and human rights</li> <li>• Identify practical strategies for addressing such issues <ul style="list-style-type: none"> <li>- eg. through committees, amending standing orders, workshops (for MPs? parl staff? CSOs?), regional activities</li> </ul> </li> </ul>	<b>Lead contributors:</b> UNIFEM (gender) PNG Project Manager (gender) RRRT (human rights) OHCHR (human rights) UNAIDS (HIV/AIDS) PPAPD (population & reproductive rights) UNDP Fiji Project Manager (conflict) World Bank Institute (conflict)
12.00pm – 1.00pm	Discussion	Plenary

**1.00pm – 2.00pm : LUNCH**

**Objective: Consider practical programming options for future parliamentary support, including how to promote collaboration (regionally and multi-country), to maximise outcomes from parliamentary assistance activities**

Chair: Mr Garry Wiseman, UNDP Pacific Centre

2.00pm – 2.45pm	<ul style="list-style-type: none"> <li>• Coordination of assistance – an agreed goal? If so how? If not, why?               <ul style="list-style-type: none"> <li>- Sharing information across projects</li> <li>- On-line discussion group/network?</li> </ul> </li> <li>• Linking parliamentary assistance to other national governance activities?</li> <li>• Ideas for effective regional support?</li> <li>• New ideas?</li> </ul>	<b>Lead contributors:</b> PIFS (legislative drafting + FPOC) UNDP NY PacLII USP Law School
2.45pm – 3.30pm	Discussion	Plenary
3.30pm – 3.45pm	Wrap up: Where to from here?	Charmaine Rodrigues & Ernesto Bautista

**3.45pm – onwards : AFTERNOON TEA**

A report of the discussions in the meeting will be circulated.

## **Annex 2: List of participants**

### **UN Agencies**

1. Garry Wiseman, Pacific Centre
2. Ernesto Bautista, Pacific Centre
3. Charmaine Rodrigues, Pacific Centre
4. Shoma Prasad, Pacific Centre
5. Toily Kurbanov, Fiji MCO
6. Laisa Bale, Fiji MCO
7. Navin Bhan, Fiji MCO
8. Michelle Rooney, PNG CO
9. Christina Carlson, Solomon Islands Sub-Office
10. Scott Hubli, UNDP New York
11. Sandra Berkenlau, RRRT
12. Sadhana Sen, UNIFEM
13. Tanya Smith, OHCHR
14. Steven Vete, UNAIDS
15. (Mr) Tangata Vainerere, PPAPD
16. Jim Bentley, UNESCO

### **UNDP Parliamentary Projects**

17. Alifereti Bulivou, Fiji Project
18. McAnthony Keah, Marshall Islands Project
19. Jeremiah Andrews, PNG Project
20. Warren Cahill, Solomon Islands Project

### **Parliamentary representatives**

21. Sir Peter Kenilorea, Speaker, Solomon Islands
22. Teasi Sanga, Clerk, Solomon Islands
23. Rueben Zachras, Vice Speaker, Marshall Islands
24. Simon Illa, Deputy Clerk, PNG
25. Vininia Mcqoon, Secretary to the Fiji Senate

### **Regional parliamentary orgs**

26. Henry Ivarature, PIFS, Governance Advisor
27. Lawrie Cremin, PIFS, Political Affairs Advisor
28. Daiana Buresova, PIFS Legislative Drafting Officer
29. Joanne Kanatuba, PIFS, Gender Officer
30. Senator J Kalani English, Association of Pacific Island Legislatures
31. David Williams, NZ Parliament
32. Andres Lomp, Australian Parliament
33. Lynette Mollard, Australian Parliament
34. Lenore Hamilton, PacLII
35. Don Paterson, USP Law School
36. Graham Hassal, USP PIAS-DG
37. Jon Fraenkel, ANU SSGM
38. Peter Loney, Public Sector Governance & Accountability Research Centre, LaTrobe University
39. Ken Coghill, Monash Governance Research Unit, Monash University
40. Mitch O'Brien, World Bank Institute

**Donors**

41. Sue Ingram, AusAID Canberra
42. Suzanne Bent, AusAID MOG Solomons
43. Atenasi Wasuka, AusAID MOG Solomons
44. Dimitri Geidelberg, NZAID Fiji