

SEPTEMBER 15



INTERNATIONAL DAY OF DEMOCRACY

Your Parliament: Working for you, Accountable to you





Your Parliament: **Working for you, Accountable to you**

Parliament is generally perceived as democracy's most important representative institution. It is the institution that links government to the people, representing the people's interests and safeguarding their rights. Parliament's standing depends on the trust of the people and being accountable to them. To be effective, parliament needs to be accessible and well understood, so that the public are regularly and actively involved in its work.

The IPU's theme for the International Day of Democracy 2010 is "Political accountability: Strengthening links between parliaments and citizens". This brochure focuses on six central themes concerning how parliaments work and at their relationship with the people they represent. It considers how parliaments can engage more effectively with citizens, be better understood, promote equal representation and ensure that they are accountable to the people.

1

The unique role of parliament: To serve and represent the people

Different parliaments often have different roles but they all fulfil certain crucial functions. They have a unique legitimacy, which derives from the mandate they have received, generally through election by the people. This legitimacy gives parliament certain powers that other bodies do not possess and the right to carry out specific functions, such as the ability to debate, scrutinize and amend legislation, taxation and government spending.

Parliaments represent the people's interests and hold the government to account on their behalf, by:

- Examining and challenging the work of the government
- Ensuring public money is well spent and public services are well run
- Raising public concerns and debating current issues
- Helping individual citizens with problems
- Safeguarding the rights and freedoms of the people.



AFPPhoto/Pierre Verdy

Parliament's work affects the whole of society; its decisions and actions have an impact on every individual citizen, each business, organization or school. Members of parliament work in various ways. Sometimes they ask questions or debate issues in the chamber. At other times, their work is less visible and is carried out in committees. Dealing with an individual constituent's problems or promoting their local area is also important.

Parliaments represent the people's interests and hold the government to account on their behalf.

Parliaments also have a central role to play in protecting and promoting democracy and enhancing the well-being of society. Parliamentarians must deal with the competing interests and demands for resources from society as a whole. The public interest should underpin all parliamentary activity, so that parliament works in the service of the people it represents.¹

The public interest should underpin all parliamentary activity.

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2

Ensuring that people are fully informed and understand their parliament

Information and knowledge are essential elements of an effective democracy. Parliaments should be as open and transparent as possible about what they do and how they do it. Efforts should be made to communicate effectively with the public.

“It is especially important that information about Parliament is accessible and straightforward to understand.”

The website of the National Congress of Chile provides extensive information on the membership, work and records of its two Houses.

Many people do not know much about, or are not very interested in, parliament or politics. It is especially important that information about parliament be accessible and straightforward to understand. If the public knows about and understands parliament and politics, it is more

likely to be engaged and participate in the democratic system.² Full records of what happens in parliament should be easily available, in plain language and should include:

- Agenda, business, committees, legislation, debates, questions and reports.
- Names of members, constituencies, party affiliations and contact details.
- Rules and procedures, Presiding Officers, key officials and election procedures.
- Links to government departments, international organizations and useful contacts.

Most parliaments use websites to allow full and easy access to their work. For instance, the web-



site of the National Congress of Chile provides extensive information on the membership, work and records of its two Houses, uses audiovisual methods to show parliamentary activity and its library website provides background material on subject areas relating to parliament.³

Engaging with the media

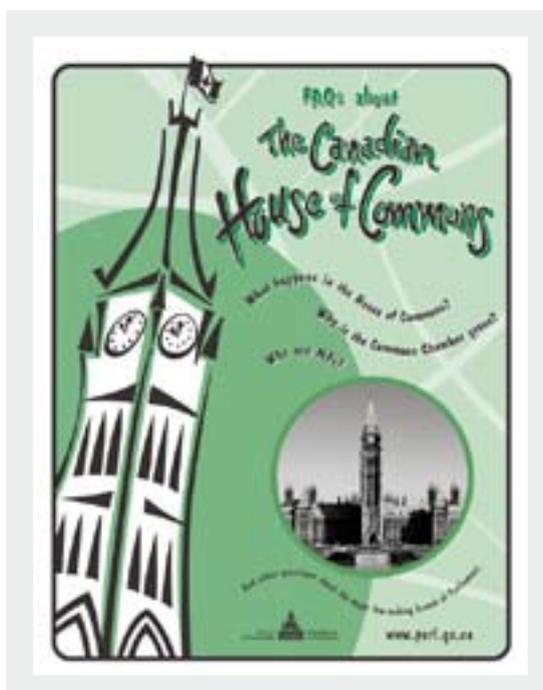
Television, radio and newspapers are the public's main sources of information about parliament. Many parliaments now have their own television channel, which allows full and unedited coverage. It is vital that parliaments engage with the media to promote their work, adopting an active communications strategy to maximize coverage and present information that is accessible to journalists and citizens alike. A range of initiatives are used to improve coverage, such as: encouraging the media to attend committee meetings and debates; reviewing regulations governing media access to parliament; issuing accessible and regular press releases on parliament's work; advertising important forthcoming debates and reports; promoting the existence of parliamentary television channels and radio programmes; and appointing advisers to liaise with the media.

Civic education

Civic or citizenship education can play a crucial role in improving knowledge about politics. In Canada, there is an extensive programme of education on parliament, including resources specifically designed for different age groups, activity packs, videos, teacher kits and publications. Some materials examine the typical day of a member of parliament and encourage students to produce their own projects and scripts. There is also a Teachers Institute on Canadian Parliamentary Democracy, which allows selected teachers to attend courses at the Parliament.⁴



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3

Breaking down barriers: Making parliaments welcoming and accessible

6

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The public should be able to visit parliament and attend its proceedings.

The public should be able to contact parliament easily. Parliament should not appear to be complicated, exclusive or out of touch with ordinary people.

- Constituents should have access to their elected representative by letter, telephone, e-mail or website. For example, the Turkish Parliament lists the e-mail addresses of its members on its website.⁵
- Information and documents should be available in relevant languages, presented in plain language and a clear format. Materials should be regularly reviewed to ensure that they are accessible and not confusing.
- The public should be able to visit parliament and attend its proceedings (while recognizing the security needs of parliament and its members).
- Parliaments should introduce procedures to allow the public to place its concerns on the agenda, including legislation and committee inquiries and how to respond to consultations.

- Parliaments should invite evidence and views, by developing a register of civil society, experts and bodies which may not usually be closely engaged with parliament.
- Parliaments should hold parliamentary inquiries or hearings away from parliament in different venues in other parts of the country.

The South African Parliament provides clear guidelines on Forums for Public Participation, stating "As one of Parliament's most important functions is to encourage and facilitate participation by you, the people, in our work, we have created many ways that make it easy for you to become involved. Whatever level of participation suits you, you are most welcome in the people's Parliament."⁶ The guidance note gives clear information on making submissions and petitions and organizing forums. The Hungarian National Assembly has a Civil Bureau, which liaises with civil society and gauges public opinion on the operation of parliament.⁷

Using technology

The Internet, e-mail and mobile phones have transformed the ways that parliament and the public are able to communicate with each other, access information and submit views and evidence.

- Blogs allow MPs to put views on the website and allow the public to respond. Twitter allows members of parliament to send regular updates to their constituents. The Philippine Parliament has its own Facebook site to interact with the public.⁸
- The National Assembly of Suriname provides a form on its website for people to fill in and submit to raise issues and concerns.⁹



The Africa i-Parliaments website was established to strengthen the role of African parliaments in fostering democracy and good governance through knowledge and information management. The website contains information services on producing documents, guides on legislation and record-taking, devising joint parliamentary mechanisms and ways to encourage public participation.¹⁰

Petitions

Public petitions – in writing or on-line – can be used to alert parliament to public concerns or place issues on the parliamentary agenda. The Parliament of Scotland has a Public Petitions Committee, which assesses the merits of each petition before deciding to conduct an inquiry on the subject or seek government action or response.¹¹

Using citizens' initiatives and referendums

Some parliaments make use of a range of citizen's initiatives and referendums – either binding or advisory. These allow the public to influence or determine the parliamentary agenda or to require votes. In the Costa Rican Parliament,

there is an Office for Popular Initiatives, which allows citizens to make suggestions on initiatives and laws.¹²

Asking the public and evaluating strategies

One way to find out what the public wants from their parliament is to commission research. Some regional opinion polling surveys gauge attitudes to democracy and participation, e.g. Afrobarometer and Latinobarometer.¹³ Procedures used to engage and involve the public should be evaluated to verify whether they are working effectively, and updated to ensure best practice.

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4

Just like us:

Parliament as a reflection of the people



A voter casts her ballot during legislative elections in Burundi.

A society is made up of people with many different characteristics: gender, ethnicity, economic and social status, language and religion, among others. Parliament should aspire to be as diverse and representative as society.

- The practices and procedures of parliament should be based on a commitment to non-discrimination and equal opportunities.
- Specific issues such as language facilities, working practices and hours, should be examined to allow access to all groups.
- Representation of different groups in parliament should be monitored and procedures for selecting candidates to ensure representation of underrepresented groups should be explored and, if appropriate, adopted.

Gender equality

There is still a marked gender imbalance in the proportion of women elected to parliaments worldwide, with women making up only about 19 per cent of parliamentarians.¹⁴ Article 4.1 of the UN Convention on the Elimination of All Forms of Discrimination against Women states that "Adoption by State Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination".¹⁵ Parliaments use different methods to boost women's representation in parliament. The policy which appears most effective is the use of quotas, which are used in various forms in about half of all countries.¹⁶

Legal gender quotas require that a certain proportion of women be placed on lists of candidates. These are used in many countries, including Uganda and the United Republic of

Tanzania, where quotas have been adopted under constitutional provisions.¹⁷ Quotas may also be mandated under electoral law or political party law.

- Voluntary party quotas can be introduced by political parties for their own candidate lists. This model is used in Norway, Sweden and by the African National Congress in South Africa.¹⁸
- UK law was changed to allow political parties to draw up shortlists of exclusively women candidates for elections.¹⁹
- A separate mechanism, used less frequently than quotas, is when a parliament sets aside a reserved number of places for women.

Parliament for all

It should be recognized that members of parliament can effectively represent people who do not share all of their personal characteristics. However, there is a good case to be made that parliament is strengthened when people see others like them representing their interests.

Many parliaments have introduced procedures to ensure more balanced representation. The Slovenian Parliament reserves one seat each for the Italian and Hungarian communities.²⁰ In New Zealand, a proportion of parliamentary seats are reserved for people who choose to register on a separate Maori electoral roll.²¹

There are sometimes conflicting views about whether such methods are beneficial. Although they may increase the representation of certain groups, concerns have been raised that special procedures can create members with different legitimacy, separate communities or cause divisions within society. It is therefore critical for a parliament to adopt the system that is right

for its society – and for all its constituent parts – and after the fullest possible consultation and consensus.

Promoting harmony in society

Different people bring different experiences to parliament. If there are competing needs and demands within a society – especially where there has been prior division or conflict – a fully representative parliament is able to articulate and mediate these interests in a way that no other body has the legitimacy to do.

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In New Zealand, a proportion of parliamentary seats are reserved for people who choose to register on a separate Maori electoral roll.

AFP Photo/Hrvoje Polan



The Slovenian Parliament reserves one seat each for the Italian and Hungarian communities.

5

Listening to, speaking for and addressing the people's concerns

10

Parliament is the voice of the people and allows a dialogue between the government and the governed. Its members have the right to raise issues on behalf of the people they represent. Many parliaments have privilege rules so that members are free to speak on any subject they choose.

- Through the use of debates and parliamentary questions, MPs can seek answers about government action and policies.
- MPs who do not agree with the government can speak against it, highlight injustice and call for change.
- Speeches or questions in parliament can alert the public and the media to issues that deserve wider consideration. Parliaments can be the forum to unite a society at time of national crisis or emergency.

- There should be mechanisms to ask questions, initiate debates, table motions or even introduce legislation. The Australian House of Representatives has introduced a parallel chamber, known as the Main Committee, to increase the amount of time available for debates on bills, committee reports and papers presented to the House.²²

Helping individuals and promoting their constituency

In many parliaments, members help individual citizens with their problems and seek explanation or redress from government on their behalf. MPs also act on behalf of their local area and support campaigns and issues in their constituency. Parliamentarians usually have offices in their locality to meet constituents and undertake their advocacy work.

Through the use of debates and parliamentary questions, MPs can seek answers about government action and policies.

AFP Photo/Olivier Laban-Mattei



Wikipedia

The Australian House of Representatives has introduced a parallel chamber, known as the Main Committee, to increase the amount of time available for debates on bills, committee reports and papers presented to the House.

AFP Photo/Vanderlei Almeida



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The Ombudsman

Many parliaments have an Ombudsman, who is an independent official with the power to assess complaints about government action and services. For example, the Pakistani Parliament has the Wafaqi Mohtasib (Office of the Ombudsman), with its own user-friendly and interactive website, described as a way “to ensure prompt redress of your grievances and to protect your rights.” The website contains complete information, guidelines and forms for making complaints.²³

Members of parliament, and sometimes committees, keep close links with the Ombudsman. In Namibia, the Ombudsman reports to a Standing Committee of Parliament, which examines



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reports brought before the National Assembly under the Ombudsman Act, confirms that the government ministries and agencies are responding positively and cooperating with the Ombudsman, and that the Office of the Ombudsman has itself been carrying out its duties effectively.²⁴

Other parliamentary bodies, such as human rights committees, can ensure that individual human rights are protected and that grievances can be aired in a safe way. In Brazil, the Parliamentary Human Rights Committee is responsible for investigating allegations of human rights violations and works with the media and civil society to publicize violations in local areas.²⁵

6

Trust and accountability: At the heart of an effective relationship

It is essential to parliament's standing and to the health of a democratic system as a whole that its members are fully accountable.

- Free, fair and regular parliamentary elections are essential. The ability of the public to decide not to re-elect a member of parliament, or their affiliated party, or the government of which they are a part, is central to the democratic process.
- The provision of full, publicly available information is a prerequisite for accountability. The work of MPs must be open to scrutiny. Many parliaments produce annual reports on their activity, outputs and expenditure; for example, the Parliament of Finland.²⁶
- Freedom of information legislation has been passed in a number of countries to give citizens, civil society and the media the right to request information and documents from both government and parliament. For example, the Trinidad and Tobago Parliament passed the Freedom of Information Act in 1999. The Act specifies that Parliament and its

committees of either House are covered by the provisions of the Act, which is explicitly designed to support the following tenets of governance: transparency, accountability, equality of access, empowerment and increased participation.²⁷ Freedom of information legislation can also help encourage parliaments to develop a culture of openness to the public.

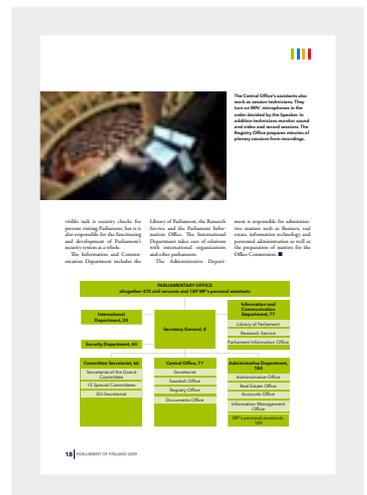
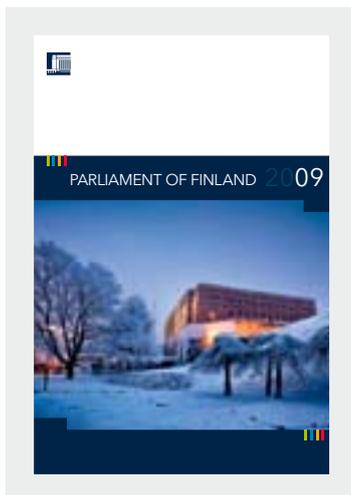
- One aspect of accountability is whereby government should be accountable to parliament, and through parliament, to the people.

Ensuring accountability

It is essential for parliamentarians to uphold high standards of honesty, probity and integrity. Regulatory and oversight mechanisms can play a key role. Key features for promoting probity and integrity in office include:

- Standards of conduct, integrity and probity, with appropriate sanctions.
- Register of private interests and income and rules on conflicts of interest.

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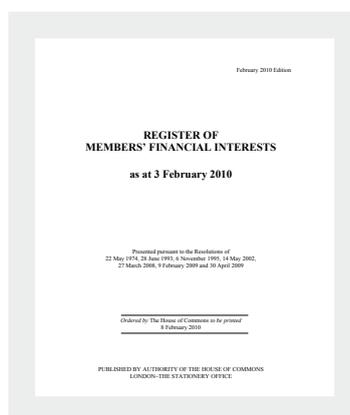
- Transparency on party funding and election expenditure, rules on parliamentary expenses and employment of staff.

The South African Parliament sets out a detailed Code of Conduct based on certain principles and aims, including: Members' conduct and minimum standards of behaviour, guidelines on the tasks of office, how members are held accountable, how personal interests are open to public scrutiny and sanctions and complaints procedures.²⁸ Many parliaments have committees to oversee rules and conduct. For example, the Indian Lok Sabha has a wide range of committees, including a Committee on the Absence of Members from Sitzings of the House, a Committee on Offices of Profit, and a Committee on Privileges.²⁹ In the United Kingdom, the independent Parliamentary Commissioner for Standards oversees the Register of Members' Financial Interests and investigates complaints of members having breached the Code of Conduct.³⁰

Some parliaments depend on self-regulation; others rely on a formal system and sanctions. The development of a culture of openness, honesty and integrity means that issues leading to loss of trust are less likely to happen in the first place.

External accountability

External bodies and civil society can play a vital role in providing information on the work of parliament and improving accountability. The German Bundestag and two state parliaments are covered by abgeordnetenwatch.de, a German Internet portal that allows citizens to publicly ask questions of their representatives in parliament. It promotes accountability through the transparency of members' voting behaviour and members' additional income.³¹



Recall provisions

Some parliaments have powers to recall members before their term is completed. In Uganda, Article 84 of the Constitution states that members may be recalled from office on the following grounds: physical or mental incapacity, misconduct or misbehaviour likely to bring hatred or disgrace to the office, and continuous deserting of the electorate without reasonable cause. The mechanism requires a petition to be signed by at least two-thirds of the registered voters of the constituency and is subject to certain conditions.³² In the Canadian province of British Columbia, the Recall and Initiative Act allows registered voters to petition to remove a member of the Legislative Assembly from office.³³

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Summary of Recommendations

To promote public engagement and improve accessibility and accountability, parliaments should:

- Provide full and easily available records of debates, questions and committee proceedings, along with information on members and other aspects, including functions and rules. This should be in plain language, in paper form and on websites.
- Review parliamentary language and procedures so that they are accessible and not confusing for the public.
- Promote their work through television, radio, printed media, digital media and the Internet by: encouraging the media to attend committees and debates, reviewing media access to parliament, issuing regular press releases on parliament's work, advertising parliamentary television channels and radio programmes and using websites and social forums.
- Engage with young people, schools and colleges by devising programmes and materials for civic education.
- Introduce procedures to allow the public and civil society to communicate their concerns to parliament and reach out to groups which may not be closely engaged in the parliamentary process. Methods include: developing a register of civil society, experts and bodies to be invited to give evidence, establishing petitions systems and methods for the public to influence parliament's agenda, and holding parliamentary hearings in different parts of the country. Undertake research, polling and forums on what the public wants from their parliament and whether these expectations are being met.



AFP Photo/Vasser Al-Zayyat

- Ensure there are sufficient opportunities for individual members to raise issues of concern to the public, through questions, debates and committee work, and ensure the ability of members to act on behalf of individual citizens.
- Strive to be as diverse and representative as the people who elect it by adopting procedures such as quotas to rectify gender imbalance, and mechanisms to achieve effective representation of all groups in society.
- Put in place regulatory procedures to oversee the performance, conduct and integrity of members, with sanctions if rules are broken, including: establishing codes of conduct and probity, a register of interests, and independent commissioners or committees to oversee standards. Regulatory mechanisms and sanctions should be regularly reviewed and updated as necessary.

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Inter-Parliamentary Union

The House of Parliaments
5 chemin du Pommier
Case postale 330
CH-1218 Le Grand-Saconnex Geneva
Switzerland

Telephone: +41 22 919 41 50
Fax: +41 22 919 41 60
E-mail: postbox@mail.ipu.org

Office of the Permanent Observer of the IPU to the United Nations:

Inter-Parliamentary Union
220 East 42nd Street - Suite 3002
New York, N.Y. 10017
United States of America

Telephone: +1 212 557 58 80
Fax: +1 212 557 39 54
E-mail: ny-office@mail.ipu.org

www.ipu.org

ISBN 978-92-9142-457-3



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Text: Global Partners

Graphic design: Julian Knott and Rick Jones, Studio Exile

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