European Commission
United Nations Development Programme
International IDEA

In collaboration with
International Organization for Migration
Canadian International Development Agency
Organization of American States

Joint Training on Effective Electoral Assistance

Concepts and Agenda

Accra, 29 June - 3 July 2009
Parliamentary development in post-conflict societies

Observations from working with the Assembly of Kosovo

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Context

Building a democratic parliament in transition or post-conflict situations.

Challenges are related to:

- organizing an orderly, peaceful and democratic transition of power (after elections)
- building a effective political institutions in a context where there are often other urgent humanitarian or social needs
- parliaments to demonstrate an inclusive and democratic decision making process, which contributes to internal peace building within a society overcoming the burden of past conflict
Specifics from Kosovo experience

- First parliamentary elections in 2001: proportionally system, closed lists, one electoral zone, gender quota

- Strong impact of international community and parliamentary development community

- Building institutions while cause of conflict had not yet been resolved; ‘statehood dilemma’

- Process of building institutions from scratch and gradual transfer of competencies from UN to local institutions
Structure of presentation

Opportunities for post-conflict parliaments

Challenges for post-conflict parliaments

5 Key features of post-conflict parliamentary development

Parliamentary donor coordination
Opportunities for post-conflict parliaments

1. Developing a parliamentary system addressing key issues of the conflict

- Kosovo: relationship between majority and minorities; constitutional and institutional minority protection

  - Reserved seats; guaranteed representation in Assembly Presidency; one out of two vice-chairmanship of Committees, chairmanship of Communities Committee, vital interest clause and reconciliation procedure

  - Protection but no veto; inclusion in process but no blockage of the decision making process; e.g. law on languages

  - Non participation of significant part of K-S community
2. Parliament to lead society in public gestures for internal reconciliation

- Kosovo: parliamentary resolution on armed struggle and peaceful resistance in 2003
  - Post-war violence between rivals within majority community
  - Long negotiations result in agreement on mutual recognition of efforts, and adoption of parliamentary resolution
  - Welcomed in majority society; important public gesture of reconciliation
  - concern for Kosovo-Serb community
Opportunities for post-conflict parliaments

3. Parliament to initiate or endorse legislation to overcome the wounds of the war and accommodate victims of the conflict

- Kosovo: Law on war veterans and civilian victims of the war
  - Provide social benefits to those who suffered in the war, and compensation for relatives of who passed away
  - Different interpretation of events: make law non-discriminatory and inclusive
  - Challenge on implementation and financial sustainability
4. Inaugural session as “symbol of new era”

- Scenario and symbols: flag, anthem
- Oath and languages
- Seating order and presiding officer
- Election of government / president

Opportunities for post-conflict parliaments
1. Strong institutions or strong leaders: parliament and political party leaderships

Kosovo:

- dominant influence of political party leaders; relationship with parliamentary groups; where is the decision making center?
- Informal parliamentary groups, such as Women Caucus
Challenges for post-conflict parliaments

2. Building an effective Secretariat at service of all MPs and ensuring institutional memory

Kosovo:
- Weak human resources management;
- incomplete structures;
- lack of political will
Challenges for post-conflict parliaments

3. Parliament communicating with the voters: preparing for voters’ turn out at next elections

Kosovo:

- from closed to open lists;
- public hearings and civil society inclusion in the legislative process;
- institutional communication;
- MPs presence in their municipality or constituency
5 Key features of post-conflict parliamentary development

1. Introduction round tables / program, and knowledge materials

2. Assisting in developing and reviewing parliamentary Rules of Procedure: possibility to start without too much historical burden on procedures. Examples:
   - offering best practices on oversight techniques such as Question time and how to secure responses to questions, law implementation review and field visits, and inquiry committees
   - models on parliament’s say on its own budget: expenditures framework and parliament’s internal decision making process
   - outline division of responsibility = division of power between President / Bureau and Parliamentary Groups
5 Key features of post-conflict parliamentary development

3. Advise legislative process, built upon:
   - Committee scrutiny,
   - budget impact assessment,
   - implementation capacity,
   - inclusive process with stakeholders,
   - time frames for review of laws

4. Strengthen the position of women in parliament and political system:
   - Gender quota
   - Women Caucus in parliament
   - gender budgeting and review of legislation
   - outreach
5. Basic elements for a functioning parliament secretariat

**Quality services, non-partisan service to MPS, continuity and institutional memory**

- organigram,
- status of personnel,
- JDs and transparent recruitments,
- system of evaluation and promotion
- partisan and non-partisan staff
- Specifics: Language Standardization Unit
Parliamentary donor coordination

Objective

Providing quality assistance to the beneficiary (parliament) by coordinating project activities, avoiding duplication and competition and supporting the implementation of the parliaments strategic development plan.

Four levels of coordination in Kosovo’s “Assembly Support Initiative”

I. Coordination of timing of events, workshops, conferences
II. Division of labor in assistance to Committees / Secretariat / Leadership under comprehensive methodological framework
III. Inter-agency (or common )needs assessments
IV. Joint policy recommendations and technical advice
Parliamentary donor coordination

- **Leadership and ownership**
  - Mandate to coordinate: International organization; Parliament (MP, advisor, Secretary General); transfer of chairmanship
  - Parliament ownership – relation to President / presidency and Secretary General
  - Weekly – two weekly coordinating meetings
  - Organizational interests

- **Implementing agencies and donors**

- **Human factor: skills, building trust and relationships, time intensive**
Thank you!