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In collaboration with

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Joint Training on Effective Electoral Assistance

Concepts and Agenda

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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**



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-chairmanships 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



Opportunities for post-conflict parliaments

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



Opportunities for post-conflict parliaments

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



Challenges 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 know ledge 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 Key features of post-conflict parliamentary development

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**



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