

# The World of Parliaments

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**The Speaker of the Lebanese National Assembly, Mr. Nabih Berri, said that** "Arab societies are half paralysed and hampered in their development because of limitations on the role of women and because patriarchal or male society is still reluctant to give women equal rights in the political, economic, social and cultural fields". He was speaking at an event held in Beirut on the subject of parliament, the budget and gender. Members of parliament from 17 Arab countries took part.

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The IPU has signed a 1.12 million contract with the National Planning Commission of Nigeria and the European Commission for a 17-month technical cooperation project in Nigeria. **Interview with the Speaker of the Senate of Nigeria, Mr. Adolphus Wabara.**



Photo IPU/LB

In June 2004, the IPU President, Chilean Senator Sergio Pérez Verdugo and the IPU Secretary General, Anders B. Johnsson, were received in São Paulo by Brazilian President Luis Ignacio Lula da Silva. The President and the Secretary General informed the Brazilian President about the parliamentary meeting organised by the IPU and the Brazilian National Congress in São Paulo on the occasion of UNCTAD XI.

## **Speakers of parliaments want to develop a framework of criteria and good practice for democracy**

**T**he second meeting of the Preparatory Committee for the Second World Conference of Speakers of Parliaments was held within the gilded splendour of the Hungarian Parliament on 2 and 3 September 2004.

The host, Speaker Katalin Szili, welcomed the Committee to Budapest and alluded in her opening remarks to the particularly exciting times that Hungary was experiencing after accession to the European Union five months earlier.

The Committee began its work by reviewing the report on the replies to the questionnaire entitled Best practices for action taken by parliament to consolidate its involvement in international affairs. The report was applauded as being an excellent compilation of information on the role of parliaments in the international arena and the different means by which that role was being consolidated. A final report will be presented to the Speakers' Conference in 2005.

*(Follow up page 2)*

## **The House of Parliaments, seen by Jean Mohr**

A year after the inauguration of its new Headquarters, the IPU is publishing a commemorative book entitled The House of



Parliaments/La Maison des Parlements. This volume provides an illustrated look at how a residence built by architect Marc Camoletti was transformed into the House of Parliaments, as seen through the lens of photographer Jean Mohr. Born in 1925 in Geneva, Jean Mohr has travelled all over the world. His photo essays have appeared in the Swiss and international press, and he has numerous books to his credit, including some published in collaboration with the writers John Berger and Edward Saïd. For two years, his camera focused on the tradesmen that worked on transforming the old Villa Gardiol into the House of Parliaments. Jean Mohr's photos, adeptly laid out by Swiss graphic designer Sandra Binder, pay tribute to their artistry.

(From page 1)

At its first session, the Preparatory Committee had decided to explore the possibility of establishing indicators relating to parliamentary democracy. The Speakers suggested that the IPU avoid the term "indicators", which might be misleading, and instead develop a framework of criteria and good practice for addressing democracy within countries. The framework would focus specifically on representation, and hence on parliament. It was agreed that the IPU would set up a small working group composed of members of parliament and experts to start work on preparing the framework. Given the difficulties inherent to the task, it was considered unlikely that the work would be completed in time for the 2005 Conference. However, the Committee decided that a status report should be delivered to the Conference.

## **Speakers of Parliaments and the Cardoso Panel**

The Preparatory Committee for the Second World Conference of Speakers of Parliaments discussed the recommendations of the report of the Cardoso Panel on relations between the United Nations and civil society, which referred specifically to parliaments. While the report made some substantive recommendations which tallied with those of the IPU, much concern had already been expressed at the IPU's Mexico City Assembly because the report suggested that the United Nations, an intergovernmental institution, should create inter-parliamentary structures. Apart from overlapping with work currently undertaken by the IPU, this ran contrary to the principle of the separation of powers between the legislative and executive branches of government.



The second meeting of the Preparatory Committee for the Second World Conference of Speakers of Parliaments was held within the gilded splendour of the Hungarian Parliament on 2 and 3 September 2004. The host, Speaker Katalin Szili, welcomed the Committee to Budapest.

Given that the IPU had suggested to the United Nations Secretary-General that it would be advisable to consult first with it and with parliaments on how best to develop the substantive recommendations of the Panel, the meeting agreed that the Second World Conference of Speakers of Parliaments would provide the ideal occasion for the IPU to present its conclusions on the matter. Pending the outcome of those consultations, the General Assembly should defer any decisions on this subject until its 60th session.

The Committee gratefully accepted the invitation of Mr. A. Radi, Speaker of the House of Representatives of Morocco, to hold the Second World Conference of Speakers of Parliaments in Morocco from 7 to 9 September 2005, subject to confirmation of the venue by the IPU Governing Council. It then adopted the agenda for the Conference.

The Committee requested the IPU President and Secretary General to prepare a first draft of the declaration to be adopted by the Speakers' Conference, and to circulate it to members for comments. The Committee will finalise the text at its third meeting.

## **Speakers condemn the use of violence for political ends**

On a less positive note, the Budapest meeting was being held at the same time as the Beslan hostage tragedy was moving towards its bloody culmination. The Speakers issued a joint declaration deploring the fact that terrorists increasingly resorted to hostage-taking, and condemning the use of violence as a means to achieve political ends.

### **... READ IN THE PRESS ...**

#### **IPU founder from Magoslliget**

Magoslliget [Hungary] had not had this many visitors for quite some time: the descendants of Dr. Viktor Hagara, a jurist, politician, prefect, deputy and publicist, visited this small border village .... According to László Kovács, the Secretary of the Hungarian National Group at the Inter-Parliamentary Union (IPU), the inhabitants found out that Viktor Hagara was a founding member of the IPU, the world organisation of parliaments. "We just recently discovered, thanks to a French source, that the Hungarian participant at the founding meeting of the IPU was Dr. Viktor Hagara. The IPU held its first session in Paris on 29 and 30 June 1889, and among the representatives from the nine countries was the Hungarian deputy, Victor Hagara.... That is how we found out that he was from one of Magoslliget's noble families whose ancestors too had been famous."

**Eastern Hungary – 24 June 2004**

### **Páez proposes drafting a parliamentary code of ethics**

Senator Sergio Páez Verdugo, the President of the IPU, explained that "many of our countries are now confronted with problems of corruption, and as elected representatives of citizens, we cannot be aloof to these situations, which can be extremely detrimental to democracies". The corruption scandals that have affected the Latin American countries in recent years have moved this issue beyond national boundaries; it is now a subject raised at international parliamentary meetings. According to the IPU President, it is necessary to draw up a code of ethics or of moral conduct for all the parliamentarians of the Americas "in order to improve the image of parliamentarians as people at the service of society".

**El Mostrador.cl (Chile) – 11 September 2004**

### **IPU concerned about Zardari detention**

Islamabad. The Committee on the Human Rights of Parliamentarians of the Inter-Parliamentary Union (IPU) has expressed concern over the injustices done by the Pakistani authorities on Senator Asif Ali Zardari and urged the government either to conclude proceedings against him without further delay or to close them...

**Daily Times (Pakistan) – 24 August 2004**

## **Editorial**

### **Remember the victims**

**W**eek after week it is the same old story, a chronicle of horror and violence flooding the media, leaving people dumbstruck at the world's inability to halt this escalation of atrocities. Men and women on all continents are brought face to face with unbearable pictures; those of naked children shot in Beslan; of youths escaping from the shrapnel of a missile fired to destroy a tank in their occupied city; of the Al-Arabiya television journalist killed by the same shrapnel while recording his commentary next to the half-burnt tank, surrounded by men celebrating its destruction; of the ruins of the Australian embassy in Jakarta, destroyed by a bomb; or of the victims who have fallen in Israël and the Palestinian territories.

The numerous faces of terror are there to be seen every day on our television screens, in a seemingly endless crescendo of cruelty. What can average citizens do to halt this spiral of violence? They can show their solidarity with the families in Beslan, or with those whose loved ones have been taken hostage, or with other victims in every corner of the Earth; they can write condolence messages or hold candle-light vigils in the cities of the world. In the words of one friend who neatly sums up the helplessness felt by millions of people when they see terrorism - any terrorism - in action, "But what good does it do, apart from salving our conscience?" This September, in a month of sadness in New York, Beslan, Baghdad and Jakarta, we have a way of expressing our solidarity. We can remember the

people who have fallen and the pain of their loved ones. The bombers and others who deal in death might not care. But then again, we can hope that even some of them do.

In 1950, Albert Camus wrote the play "The Righteous". In it, the three main characters face a dilemma that has since time immemorial faced all of humankind: is it right to sacrifice people for a cause?

Dora: Open your eyes. The Organisation would lose all its power and influence if it were to condone even for an instant that children should be mangled by our bombs.

Stepan: I can't take any more of this foolishness. When we finally decide not to care about children, then we'll be masters of the world and the revolution will triumph.

...

Kaliayev: Stepan, I am ashamed, but I cannot let you go on. I could accept killing someone to destroy tyranny. But in what you say I can see a new tyranny, one which, if it ever took hold, would make me into an assassin, when what I want is to render justice.

What can we do in the face of such chaos and brutality? Take a look at how helpless we are, and think of how much more helpless we would be in silence.

**LB**

## **MEMBERS OF PARLIAMENT CONFERRING AT UNCTAD XI IN SAO PAULO:**

***" Promises made should be promises kept"***

**O**n 11 and 12 June, over one hundred legislators from 46 countries met at the headquarters of the Latin American Parliament in São Paulo on the occasion of the United Nations Conference on

Trade and Development (UNCTAD XI), at the invitation of the IPU and the Brazilian National Congress. They adopted a Declaration in which they recalled that the Bangkok Plan of Action, considered the road map to managing globalisation, was an objective that had yet to be fulfilled. The Declaration states that "promises made should be promises kept", and adds that the problem has been compounded by globalised uncertainty and growing insecurity.

In their Declaration, which was presented by the President of the IPU, Chilean Senator Sergio Páez Verdugo, to UNCTAD XI on Monday, 14 June, the parliamentarians insisted on the importance of "coherence among the public sector policies and programmes pursued by bilateral, regional and multilateral economic institutions". They underlined that globalisation involves extensive integration among national economies and that the adoption of international rules places limits on discretionary public policy formulation at the national level: "it is urgent for governments acting nationally and internationally to strike the right balance between the two, (i.e., integration and national policy), thus ensuring that development strategies are nationally owned and that they converge with international rules in order to generate jobs, growth and overall development."

### ***Speaker of the chamber of deputies of brazil calls for a forum allowing legislators to participate more fully in international trade talks***

**I**n a short interview, the Speaker of the Chamber of Deputies of Brazil, Mr. João Paulo Cunha, noted that all international treaties were submitted to parliaments. "We should therefore take a position as to whether such treaties are well-founded, and have political provisions, not only at the national level, but also in respect of international relations. Specifically, we should fight for international trade to be fair. Trade relations must not exist only between rich countries; the poorest countries must benefit from them more fully".

Are governments willing to give more say to parliamentarians? Mr. Cunha replied, "I do not know whether they are willing to do so, but it is for us as parliamentarians to demand it, so as participate more fully in international trade talks and have our voices heard".

Can the IPU play a more active role in making governments, WTO and UNCTAD more aware of this? The Speaker of the Chamber of Deputies of Brazil concluded that "the IPU is a very old organisation with a great deal of authority. It can indeed be the spokesperson for parliaments and parliamentarians, to ensure more active participation in the discussions on international trade rules".



"Trade relations must not exist only between rich countries; the poorest countries must benefit from them more fully", declared the Speaker of the Chamber of Deputies of Brazil, Mr. João Paulo Cunha .

Photo: Parlatino

## "INTERNATIONAL TRADE NEGOTIATIONS DEAL WITH FIELDS AT THE HEART OF NATIONAL SOVEREIGNTY"

**I**n São Paulo, UNCTAD Secretary-General Rubens Ricupero spoke to parliamentarians. Interview.

**Q.: What role can parliaments and parliamentarians play in international negotiations held by UNCTAD and WTO?**

**R.R. :** I believe there has been a radical change in international trade. Previously, trade negotiations exclusively addressed tariffs. These days, they deal with fields that are at the heart of national sovereignty, such as investments and environmental rules, for example, which are in the remit of the national parliaments. I think that parliaments must therefore take part in negotiations and must be kept up to date on everything that is discussed before, during and after a decision is made, and not only after an agreement is signed.

**Q.: Do you think that in order for that to happen relations between the IPU and UNCTAD should be strengthened?**

**R.R. :** I have no doubt about it. I even think that we should establish mechanisms to launch initiatives to assist parliamentarians in becoming better informed on the issues that I mentioned.



"Parliaments must take part in negotiations and must be kept up to date on everything that is discussed before, during and after a decision is made, and not only after an agreement is signed", said UNCTAD Secretary-General, Mr. Rubens Ricupero.

### Parliamentary Conference in Brussels on WTO

**F**ollowing the breakthrough in negotiations held under the auspices of the World Trade Organization (WTO) and WTO's decision to organise its next Ministerial Conference in Hong Kong in December 2005, the IPU and the European Parliament intend to hold a session of the Parliamentary Conference on the WTO from 24 to 26 November 2004, in Brussels, at the premises of the European Parliament. The Brussels session will follow up on previous, highly successful sessions held in Geneva in February 2003 and in Cancún in September 2003, the latter of which took place in conjunction with the Fifth WTO Ministerial Conference. Parliamentarians, WTO officials and high-level negotiators from over 140 countries are expected to attend.

## Arab reps look at gender and the budget

Meeting from 22 to 24 June 2004 in Beirut, representatives from 17 Arab parliaments took part in a seminar entitled Parliament and the budgetary process, including from a gender perspective. Hosted by the Lebanese National Assembly, the event was organised by the IPU, the United Nations Development Programme and the Arab Inter-Parliamentary Union.

The significance of such a seminar being held in the Arab region cannot be overstated, and the enthusiasm shown by the participants testified to their commitment to improve the well-being of their peoples and to strengthen their democratic processes. The seminar was the fifth in a series of regional events on this subject, all of which have been aimed at strengthening the capacity of parliaments to ensure transparency and accountability in the budget process, a key aspect of government activity.

For three days, the participants discussed the budget process and stressed the need for stronger parliamentary involvement. Speaking on behalf of the IPU, Mr. Martin Chungong, the IPU Director of the Division for the Promotion of Democracy, remarked that "legislators of the Arab world are entrusted with the crucial task of implementing the commitments made by their countries to the strengthening of democracy. Only with an effective parliament can people really feel that their interests and rights are promoted, respected and represented on a daily basis."

Dominating the discussion was the question of gender budgeting. With one or two exceptions, this is a relatively new approach, both in the Arab region and worldwide. The seminar provided the first opportunity for a broad gathering of Arab legislators to address the question. Women account for a mere 6% of all Arab legislators. In contrast, at the seminar, women comprised more than 20% of all participants. That was a first success, which enriched the tone and content of the proceedings.



The Arabic version of the Handbook for parliamentarians "Parliament, the Budget and Gender" has been launched in Beirut.

## ... READ IN THE PRESS ...

### Limiting the role of women weakens our societies

The regional seminar for Arab parliaments on parliament and the budgetary process, especially from the gender perspective was inaugurated by Mr. Nabih Berri, Speaker of the Lebanese National Assembly and President of the Arab Inter-Parliamentary Union. This event, organised by the Arab Inter-Parliamentary Union, the Inter-Parliamentary Union, the Lebanese National Assembly and the United Nations Development Programme (UNDP), included the participation of 22 Arab delegations and a number of delegates representing other parliaments, UNDP, the IPU and the World Bank.

In his inaugural address, Mr. Berri spoke about the role of women in societies and in politics. He said that Arab societies were half paralysed and hampered in their development because of limitations on the role of women. Arab patriarchal society was still reluctant to give women equal rights in the political, economic, social and cultural fields.

**Al Safir (Lebanon) - 23 June 2004**

### "Arab societies are half paralysed", said Speaker Nabih Berri

While the gender-budgeting approach raised many questions, some of which ultimately remained unresolved, the seminar also offered a forum for a discussion of gender issues. The result was constructive and supportive, as the place of women in Arab society was emphasised and promoted. The Speaker of the Lebanese National Assembly, Mr. Nabih Berri, clearly set the tone in his opening speech.

"Arab societies are half paralysed and hampered in their development because of limitations on the role of women and because patriarchal or male society is still reluctant to give women equal rights in the political, economic, social and cultural fields. This means that Arab people, systems and societies stand, but on one foot, can see, but with one eye, and can hear, but with one ear; they benefit from only half of their labour force, severing away half of their production by maintaining a reactionary status quo that is fundamentally at odds with nationalist, human and religious teachings and thought, be they Muslim or Christian."

At the close of its proceedings, the participants adopted a report summarising the main issues discussed. The Arabic version of the Handbook for Parliamentarians entitled Parliament, the Budget and Gender was also presented and distributed at this event.

## African members of parliament discuss refugees

Finding lasting solutions to the plight of refugees depends in large measure on the provision of adequate resources in a spirit of international solidarity and shared responsibility.

No country is immune to the risk of generating and receiving refugee flows. Speakers and legislators from 26 African parliaments met to discuss these matters at a three-day conference in Cotonou, held at the invitation of the National Assembly of Benin. The conference, entitled Refugees in Africa: The challenges of protection and solutions, took place from 1 to 3 June 2004, and was organised by the African Parliamentary Union (APU) with the support of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the IPU.

From the outset, the participants agreed that protecting refugees is a shared duty of all States, and is a matter of respect for basic human rights. As stated by the President of the conference, Mr. A. Kolwolé Idji, Speaker of the National Assembly of Benin, "what refugees expect from us as parliamentarians is for us to become involved with our governments and others in our countries in protecting and monitoring the treatment of refugees in our countries and throughout the continent".

The discussions were held with a very constructive spirit and approach. They focused on the implementation and development of lasting solutions to the plight of refugees, in particular voluntary repatriation and sustainable reintegration. Particular attention was paid to the protection of refugees, and more particularly women and children, who face greater security challenges. Another focus was ways and means of building on local capacity.

At the close of the conference, the participants adopted a declaration and a concrete programme for action. Self-reliance of refugees was promoted as an important means to decrease their dependency, maximise their initiative and potential contributions and prepare them for lasting solutions. However, it was recognized that the success of such solutions (whether they consist of voluntary repatriation, local integration or resettlement to a third country) depended in large measure on the provision of adequate resources in a spirit of international solidarity and shared responsibility. UNHCR, development partners and international and regional financial institutions were called upon to redouble their efforts in support of countries of asylum as they facilitate refugee self-reliance, and countries of origin as they ensure sustainable reintegration following the return of refugees.

## TECHNICAL COOPERATION UPDATE<sup>1</sup>

### ● *Afghanistan: Preparing for a new parliament*

At the request of the United Nations Development Programme, the Union has designated a team of experts that will travel to Kabul in October

<sup>1</sup> The Union's Technical Cooperation Programme provides assistance to parliaments worldwide, strengthening their capacity to perform their functions more efficiently



Mr. A. Kolwolé Idji, Speaker of the National Assembly of Benin.

2004. They will carry out a comprehensive assessment of the needs of the future parliament of Afghanistan and make proposals for meeting those needs. Among other things, the team will consider the human and material resources required by the future parliament, with a view to implementing a project to ensure that the new legislature is equipped adequately to handle the urgent tasks facing it as it sets out to prepare a new legal framework for Afghan society. Parliamentary elections are scheduled for April 2005. (Follow up page 8)

- **Equatorial Guinea: Providing newly-elected parliamentarians with the know-how they need**

Under the assistance project the IPU is implementing for the parliament of Equatorial Guinea, the Union held a three-day seminar from 15 to 17 September 2004. This event was scheduled to follow the parliamentary elections of April 2004, and was intended to give newly-elected legislators in-depth knowledge of the role and working methods of a parliament as they assumed their duties for the next five years. The seminar focused on such issues as the rule of law and democracy, including human rights, legislative procedure and committee systems, as well as the administrative set-up of parliament to support its work. It marked the full-scale start of this European Union-funded project, which also includes components aimed at strengthening the parliament's documentation capacity, improving its human resources and developing its relations with society as a whole.



Photo IPU/CH

The IPU held a seminar at the premises of the parliament of Equatorial Guinea

- **Iraq: Fundamentals of a well-functioning parliament for the members of the interim legislature**

The IPU and United Nations Development Programme are currently working together to establish a package involving the improvement of the the parliamentary skills of the members of the new Iraqi interim National Council, elected in August 2004. Activities will include seminars and workshops as well as working visits to foreign parliaments, to allow the legislators to experience first-hand how such bodies function. The IPU's involvement is

consistent with the statement issued by the Speakers of Parliaments of the countries neighbouring Iraq when they met in Amman in May 2004, which pledged that the international parliamentary community would contribute to the establishment of democratic institutions in Iraq. The newly-elected interim National Council is tasked with designing and overseeing the implementation of the legislative provisions that will lead to a stable constitutional democracy in 2005. It has been given a prominent oversight role in respect of provisional institutions in Iraq, including the Government.

- **Nigeria: Bringing parliament closer to the people**

In July 2004, the IPU signed an agreement with the Nigerian Federal Government and the European Commission to implement a multi-million euro democracy project in support of the Federal Parliament and six state legislatures. Project implementation began immediately, with the establishment of a project management team composed of one international and four Nigerian experts. This project seeks to build the capacity of the legislatures concerned and to ensure that legislative decisions are informed by inputs from various sectors of society. Apart from training and information activities, the project will help to establish well-equipped documentation centres in the legislatures, including Internet capacity, and encourage more interaction with constituencies and civil society organisations. The IPU is working in partnership with a local organisation, Legis 37, and is thus helping to build endogenous capacity to deliver assistance to legislatures in Nigeria following completion of the current project.

- **Kosovo: Building parliamentary documentation capacity**

As part of its assistance project for the Assembly of Kosovo, which is being implemented jointly with the United Nations Development Programme, in September 2004 the IPU fielded a needs assessment mission to the Assembly. The mission also provided advice and assisted in the design and implementation of a plan for the physical reorganisation, equipment and management of the parliamentary library and the strengthening of research capacity. It also assisted in developing an official information policy and strategy for the parliament, and advised on the best possible mechanisms for forging closer ties with constituents and society in general.

## Major project in Nigeria: Interview



"The project corresponds with my vision for the development of democracy in Nigeria", said Mr. Adolphus Wabara, Speaker of the Senate of Nigeria.

The IPU has signed a 1.12 million contract with the National Planning Commission of Nigeria and the European Commission for a 17-month technical cooperation project in Nigeria. Under this project, the IPU will help to build capacity in the national and state legislatures. Interview with the President of the Senate of Nigeria, Mr. Adolphus Wabara.

***"The project will enhance the capacity-building of the legislatures at both the federal and state levels"***

**Q.: Mr. Speaker, what are your expectations from this project? How can it help fulfil your vision for the development of democracy in Nigeria?**

**Senator Adolphus Wabara:** My expectation is that the project will enhance the capacity-building of the legislatures at both the federal and state levels, providing the necessary tools to carry out legislative and oversight functions. The project corresponds with my vision for the development of democracy in Nigeria. Presently Nigerians have a great deal of expectation for the legislature as a branch of government. It is common knowledge that each time the military has intervened in governance, the legislative branch of government has been forced to remain in abeyance as long as the military held sway, while the executive and judicial branches continued to function.

**Q.: What does this project mean for the people of Nigeria?**

**A.W.:** The project will facilitate a two-way communication channel between the legislators and their constituencies. In that way, the constituents will become active participants in the legislative process.

## Expansion of the European Union: Challenges facing the parliaments of the new member States

Follow-up to the comments we received from the parliaments of the new member States of the European Union (EU). (See *The World of Parliaments*, Nos. 13 and 14)

***Since Governments are the main national decision-makers in the EU, the Hungarian National Assembly must develop effective means to scrutinise its Government's activities***

László Sinka, from the EU Department, Office of Foreign Relations of the Hungarian National Assembly, says that for Hungary, the challenge is to establish appropriate new conditions for effective parliamentary action. Since some of the decision-making will be transferred to the EU level, the Hungarian National Assembly has to find new ways of influencing the decision-making process. This will involve new tasks for the National Assembly.

The Hungarian parliament first of all must create appropriate mechanisms for regulating relations between the legislature and the Government. According to the representative of the Hungarian National Assembly, the Hungarian Constitution stipulates that all aspects of such relations in the field of EU affairs should be covered by a law to be adopted by a two-thirds majority. "Since Governments are the main national decision-makers in the EU, the Hungarian National Assembly must develop effective means to scrutinise its Government's activities. Later, when the EU Constitutional Treaty comes into force, the parliament too will be able directly to influence EU decision-making when it comes to reinforcing the subsidiary principle", he added. The Hungarian National Assembly now has to make all the necessary arrangements to meet these goals.

## Cooperation between the IPU and the United Nations

### Winning the peace: Revitalising disarmament and post-conflict negotiations

On 19 and 20 October, the annual Parliamentary Hearing at the United Nations will reconvene in New York around a most urgent cluster of issues: disarmament and arms control, peacekeeping, peace-building and reconciliation. Disturbing developments that threaten the security of nations have led to the choice of these topics. Indeed, since the end of the cold war, the emergence of new forms of terrorism and the international response to them, the increasing non-compliance with pivotal covenants, as well as the escalation of old conflicts and the birth of new ones (both between and within States) have led to unprecedented tension in international relations. When it comes to disarmament and arms control issues, none seems more urgent than curbing the production and spread of weapons of mass destruction (WMD). Today, almost 35 years after the nuclear Non-Proliferation Treaty (NPT) came into force, some States still hold thousands of nuclear warheads, while the list of nuclear States (declared or undeclared) has grown longer. With respect to biological and chemical weapons, things are not much better. What we have seen over the last two years is a strong and certainly necessary effort at coordinating action to keep such weapons out of the hands of terrorists, but this has not been accompanied by equivalent efforts to limit their production and better account for States' chemical and biological capabilities. The Biological Weapons Convention, for example, still lacks a verification protocol. And although WMD have taken centre stage in recent years, one must not forget that in reality most victims of war today are killed or wounded by small, conventional arms. Here too, however, there are few signs that States are curtailing the production and sale of such arms. Annual worldwide military expenditures today exceed \$800 billion, and are once again on the increase. The amount is less than at the peak of the cold war, but it is still incredibly high, especially in comparison with global development expenditures.

These disturbing developments make it crucial for parliaments to help revitalise arms control and disarmament talks and take action to ensure that governmental programmes are consistent with treaty obligations, to allocate funds needed to implement multilateral commitments, and to enact implementing legislation under the relevant treaties.

In addition to the disarmament challenge, the world is also facing a crunch in the areas of peacekeeping and humanitarian affairs. The large number of conflict and post-conflict situations that exist today and the complexity of many of these situations is straining the resources of States and of the United Nations to an unprecedented degree. Although the United Nations peacekeeping budget for last year was only \$2.8 billion, a small amount, if compared to the \$800 billion in global military expenditures, this figure may easily double in the near future if the demand – both qualitative and quantitative – for peacekeeping operations keeps rising. In what is now an almost irreversible trend, peacekeeping has gone from being a purely military operation to keep two sides



Last year's Hearing in New York focused on security and development financing.

of a conflict at arm's length, to a more complex kind of intervention, mixing together military objectives with humanitarian and reconstruction activities.

On the humanitarian front, the greater challenge goes beyond the mobilisation and fair allocation of resources. It has to do with the question of how to guarantee access to humanitarian aid for people in distress, often against the will of belligerents, and how to provide humanitarian assistance without compromising the impartiality and neutrality of such operations. Humanitarian assistance should not normally be provided by the same military force that is occupying a territory, but by a separate contingent of trained professionals whose objectives are not to be confused with military strategy.

In sum, the challenges the world is facing today in the peace and security arena are not likely to be resolved without the injection of new approaches, new ideas, and the more direct involvement of critical partners such as members of parliament. In addition to the aforementioned specific actions, members of parliament can work to help break down the wall of mistrust and silence that is being built up in various places in the world. They can talk to each other across borders and help bring about a better understanding of their peoples' true aspirations. Perhaps more importantly, parliamentarians today can help redefine the whole concept of security to mean not only military defence, but also social, economic and environmental security in the broadest sense.

The Parliamentary Hearing that will take place at the United Nations in a few weeks will allow members of parliament to think critically and express their views on all these issues, in direct interaction with the Member States and the highest officials of the United Nations. We can only look forward to a substantive and meaningful debate, which should lead to a series of concrete recommendations to be shared with the relevant bodies of the United Nations.

## Parliamentary developments

### BANGLADESH

On 17 May 2004, Parliament passed by 220 votes to one a bill of constitutional amendments that included the reservation of 45 seats in the 300-member legislature for women. Most of the opposition parties boycotted the vote because the women are to be awarded the seats according to proportional representation, rather than being directly elected.

### BELGIUM

On 11 June 2004 a second paragraph was added to article 67, chapter 1, of the Constitution, which deals with the composition of the Senate. Previously, when regional elections took place during sessions of the federal parliament, senators representing the linguistic communities who were not re-elected as members of their community councils lost their Senate seats on the day of the council elections. As a consequence, the Senate was incomplete until such senators were replaced by the renewed councils. To remedy this situation, the new constitutional provision extends the mandates of those Senators who represent the communities and who are not re-elected until the renewed councils hold their first meetings.

In relation to election law, the Communal Elections Act of 4 August 1932 was modified by an act adopted on 19 March 2004 to permit foreigners to vote in communal elections. In addition, an act of 25 April 2004 introduced technical changes in the Act of 23 March 1989 on European Parliament elections. The Special Act of 25 April 2004 modifying articles 6.1.VIII.4.1 and 31.5.1 of the Special Act of 8 August 1980 on Institutional Reform, and modifying paragraphs 1 and 2 of article 22.5 of the Special Act of 12 January 1989 on Institutions in Brussels, sets out the oversight functions of the councils in respect of election spending and public awareness and communications campaigns. Another act of 25 April 2004 modified several election laws by lowering the age of eligibility for election to the regional and community councils.

Two more acts were adopted on 25 April 2004; one modified the Act of 19 May 1994 limiting and supervising election spending for European Parliament elections, the act of 23 March 1989 on European Parliament elections and the Electoral Code, and the other modified the Act of 19 May 1994 on the limitation and control of election expenditure for elections to the Council of the French Community, the Flemish Council, the Council of the Brussels-Capital Region and the Council of the German Community.

### GERMANY

On 25 March 2004, the Bundestag adopted the Twenty-Fourth Act to Amend the Act on the Legal Status of Members of the Bundestag, and the Twentieth Act to Amend the Act on the Legal Status of Members of the European Parliament. These legislative changes reduced the benefits previously available to members of the Bundestag and German members of the European Parliament, by abolishing subsidies that had previously been payable towards costs arising in the event of death. The amount of interim financial assistance payable to survivors of deceased parliamentarians was also reduced, by 1,050, with effect from 31 March 2004. In addition, funeral expenses paid by persons outside the deceased parliamentarian's family will no longer be eligible for interim financial assistance.

On 15 August 2003, the Bundestag adopted the Fourth Act to Amend the European Elections Act, and the Nineteenth Act to Amend the Act on the Legal Status of Members of the European Parliament. These legislative changes were introduced in order to bring national law into line with the relevant provisions of European Union law, and were the subject of a memorandum produced by the Bundestag in spring 2004. The main provisions of the European Elections Act in its original and amended versions subsequently entered into force. Articles 2 and 3 of the amending legislation, including the core amendments to be implemented in the European Elections Act and the Act on the Legal Status of Members of the European Parliament, such as the incompatibility of membership of the European Parliament with membership of the Bundestag, entered into force on 1 April 2004. Article 1, paragraph 3(b), of the amending legislation entered into force on 20 July 2004. In line with this provision, the election of the representatives to be appointed to the parties' representative bodies must in future be held no earlier than 18 months (previously 12 months) before the start of the year in which the elections to the European Parliament take place.

### IRAQ

Iraq's newly appointed National Council met for the first time on 1 September 2004. The swearing-in ceremony was attended by the Deputy President, Mr. Rowsch Shaways, a number of ministers and the Special Representative of the United Nations Secretary-General for Iraq, Mr. Ashraf Jehangir Qazi.

The 100 members of the Council were selected by a National Conference that had convened in August 2004 in Baghdad. The main task of the National Council will be monitoring the performance of the interim Iraqi Government. In addition to this, the Council has to approve the 2005 budget, and will help set the framework for elections early in 2005 to create a permanent Government.

## REPUBLIC OF THE CONGO

The rules of procedure of the National Assembly have been changed in respect of the amount of time allotted to deputies during the session for putting oral questions to the Government, with debate. The time allotted to each deputy now may not exceed five minutes, whereas it had previously been 10 minutes.

## SAUDI ARABIA

In the process of granting the Majlis Ash-Shura additional legislative power, the King issued a decree dated 26 November 2003 amending two articles of the Majlis Ash-Shura's rules of procedure. Before the amendment, all the Majlis Ash-Shura's resolutions were forwarded to the Prime Minister, for consideration by the Council of Ministers. If the views of both Councils were in agreement, the resolutions would come into force following the King's approval. The amendment in the decree establishes instead that the Majlis Ash-Shura's resolutions shall be forwarded to the King, who will decide which resolutions are forwarded for consideration to the Council of Ministers. If both Councils are in agreement, the resolutions come into force following the King's approval. If there is disagreement, the issue is returned to the Majlis Ash-Shura, which can then include its viewpoint when forwarding it to the King, who then decides what he deems to be appropriate.

The other modification eliminates the stipulation that only groups of at least 10 members of the Majlis Ash-Shura

have the right to propose draft laws or amendments to laws. The law now stipulates that the Majlis Ash-Shura has the right to propose draft laws or amendments to laws, without any mention of the number of members who should submit it.

## SWEDEN

Several articles of the Elections Act (1997:157) underwent terminological changes following a change of names of the Swedish Tax Authority. The new wording of the text took effect on 1 January 2004. Further amendments to the Elections Act were made to adapt it to new European Union (EU) rules concerning elections to the European Parliament. The most important effect of these amendments was to add further positions (such as member of the national parliament, member of the European Central Bank Board of Directors and EU Ombudsman) to the list of positions that cannot be combined with that of being Member of the European Parliament. These regulations took effect on 30 April 2004.

On 4 December 2003, the parliament (Riksdag) passed a recommendation from the Committee on the Constitution concerning amendments to supplementary provision 5.4.1 of the Riksdag Act (1974:153) and article 2(a) of the Act concerning the Duties of the Riksdag Administration (2000:419). The amendments, which took effect on 1 January 2004, were both minor adjustments of a correctional nature that had been required due to earlier, misleading changes in the Acts concerned.

An amendment to article 10 of the Act concerning Support for the Parliamentary Work of Members of Parliament and Parliamentary Party Groups (1999:1209) raised the level of economic support provided to political advisers (one per two MPs) from 35,600 SEK (about US\$ 4,800) per month to 36,700 SEK (about US\$ 4,940) per month. The new regulation took effect on 1 January 2004.

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