UNDESA CONFERENCE, NAIROBI, KENYA, FEBRUARY 9-11, 2005, SAFARI PARK HOTEL

By Marc Cassidy, MA, MRP, State University of New York, Center for International Development.

"Is a common comprehensive programme of assistance and institutional building advisable? Can ICTs support it?"

To answer the question directly, in the case of designing technical assistance projects for parliaments, I think not. However, in the case of ICT there are common approaches that should be in adopted. After listening to the proceedings of this conference I am confident that initiatives such as PAPI are the beginning of a lingua franca for the semantic interchange of parliamentary information in Africa.

However, in terms of parliamentary technical assistance programs, if we take East African parliaments as an example we can see that even though all of the big three(Kenya, Uganda and Tanzania) have inherited Westminster models, each parliament's role in their nations' political development has been different. And, while they may have many similarities in terms of rules of procedure and parliamentary culture, there are enough significant differences to render technical assistance packages to be tailored made in order to meet the individual needs of the institutions.

Another major factor which argues for a more tailored approach to parliamentary technical assistance programs is that there are differing parliamentary systems which have their differing approaches to governing. In the US, legislators are the major initiators of bills and play a key role in oversight of the executive; while in the case of European parliaments, their committees are not as often imbued with the same powers of inquiry and, more crucial is that fact the leaders of the executive and parliament are one. In African countries, parliaments may constitutionally have greater independence that their European counterparts, but there are long standing tradition of executive dominance.

Other factors that impact the appropriate form of technical assistance are:

- The rules for choosing candidates
- The electoral system—party list versus direct election of members
- Level of civil society involvement in legislative process
- Campaign finance laws
- Existence of parliamentary modernization group that was self initiated
- Whether staff are part of the parliamentary or civil service
- Role of local media
- Extent of current and previous donor involvement

As noted democracy assistance scholar Tom Carrothers notes: "treating legislatures as self contained entities that can be fixed by repairing internal mechanism is unlikely to get

very far." In other word institutional repair packages do not work so well in a dynamic multi-power center institution like parliament.

So what are some common approaches for successfully assisting parliaments?

1) **Create a true partnership based on mutual trust.** This means that the donor or implementer must take great care to be accepted as one who listens to concerns of the parliament officials. This translates into making great efforts to let the parliament take the lead on how to develop their institutional. involve them in the decision making process as much as possible: By taking time to build a solid relationship and move at the pace of the institution, there is a greater likelihood that the institution will sustain the investments made by the donors.

2) **Involve parliament in procurement process.** Ensue that there is appropriate representation from parliament in the selection process; this is especially true for large ICT projects.

3) **Encourage stakeholder involvement.** To the extent that the rules that govern the contract for technical assistance allow, involve your counterparts in the design, implementation and monitoring and evaluation of the project. If a parliamentary commission, modernization committee or equivalent exists, make sure it has the mandate from parliament's leadership to make decisions so that program can be implemented in a timely fashion.

4) **Use local expertise**. Whether it is carrying out training, doing assessments, designing websites, utilize as many local experts as is expedient—this helps build a cadre of local specialists who can continue providing technical assistance after the donor project ends.

5) **Buy Locally.** Assuming the procurement rules allow, purchase locally—this helps the local, and facilitates services contracts.

6) **Be patient**. Institution building takes years. And a long term outlook. Most legislative programs only begin to see results after the completion of the second year as trust is built and mutual understanding and agreement on how to achieve the goals and objectives of the project are sorted out.

7) **Do not impose, but expose** counterparts to different ways of doing business. Avoid imposing solutions whether they be on how to effectively manage a committee or how to develop a parliament's IT system. Rather ii is best to expose stakeholders to a variety of successful models and help to plan for implementation.
8) **Encourage African to African collaboration and regional networks** as a why to achieve economies of scale in technical assistance.

9) **Be modest**. As donors or implementers it is essential to remain modest in you approach to proving development assistance to parliaments. . Even though we are the stewards of our countrymen's taxes, it does not give us the right to demand things from our counterparts; they are often very busy people who have tremendous pressures exerted on them. The corollary to this is that our counterparts should also understand the constraints that implementers face and need make exceptions in order to move the reform process forward.

Other important steps that can be taken are to develop a legislative strengthening assessment frameworks, which focuses on identifying the needs and priorities of the legislature in key areas of relevance for programming decisions. These are:

1. Assess the overall political context and the legislature's formal powers and relationships to other institutions within this overall context (e.g., constitutional powers of the legislature, the type of political and electoral system, the political party situation, etc.).
2. Assess the political will of key stakeholders with respect to legislative strengthening
3. Assess the performance of the legislature with respect to representational, lawmaking and oversight functions.
4. Assess how well the legislature manages itself and the extent to which it has the needed resources and infrastructure in place.

A key factor in the success of such technical assistance projects is the willingness of the institution and the actors of parliament to participate in planning and implementation of project related activities.

In general, assistance to strengthen legislative bodies broadly follows the governing principles and objectives associated with other forms of assistance designed to enhance good democratic governance. These principles and objectives include enhancing the transparency, pluralism, citizen involvement, representation, accountability and overall effectiveness of government.