

## **Conference of Speakers of European Union Parliaments**

*Nicosia, 21-23 April 2013*

### **Session I: The role of EU national parliaments and the European Parliament** **in enhancing democracy and human rights in third countries,** **emphasizing on the Mediterranean region**

#### **Background Paper**

##### **Current developments- the Arab Spring**

The mobilization of people in countries of the Middle East and North Africa, also known as the Arab Spring, was sparked by the despair and self-immolation of a street vendor in Tunisia, following mistreatment by police and local authorities. This resulted in social uprisings and massive demonstrations, which spread all over the said area, demanding better living and working conditions for citizens, as well as more democratic systems of governance.

Considerable changes were brought about, including extensive reforms (Jordan), conduct of elections (Tunisia, Egypt, Libya, Yemen, Morocco, Syria, Algeria, Jordan) and the adoption of new constitutions (Morocco, Egypt, Tunisia), altering the previous status quo and overthrowing regimes, often established for decades. This process being ongoing in some countries, further developments are expected with regard to the balance of power and reforms, while the consolidation of democracy, and by extension human rights and the rule of law, remain the main goals for this area for international actors.

Although the commitment of the European Union (EU) to its southern neighbourhood is not recent, the turmoil in the region caused the renewed interest of the EU and its Member States. The response, which was prompt both rhetorically and in practice, was motivated by the geographical proximity and ties linking the region with the Union and individual Member States. The support offered to the Arab Spring countries was also closely related with the overall EU goal of promoting and consolidating peace, stability, security and development in its neighbourhood and in all parts of the world.

In this respect, the tool of consolidating democracy and human rights is of utmost importance. Following similar practices of the past, when shaping its response to its fast changing neighbourhood, the EU expressed its willingness to support the demand for political participation, dignity, freedom and employment opportunities, provided that universal values

and shared interests were respected. Through the proposed "Partnership for Democracy and Shared Prosperity", the EU intended, inter alia, to see progress in the domain of democratic transformation and institution-building, with a particular focus on fundamental freedoms, constitutional reforms, reform of the judiciary and the fight against corruption. Electoral assistance has also been provided, including through election observation missions, deployed in Tunisia, Algeria, Libya and Jordan.

### **The role of Parliaments in promoting democracy**

Freely elected parliaments, through their representative role, constitute the central institution of democracy. A strong and efficient parliament is an important element of a democratic system, while its efficient functioning can be a cornerstone to good governance. This emanates from its work of oversight of the executive and its legislative role, which should ensure the protection of citizens and their rights, as well as securing peace and development. Fulfilling all criteria for a well- functioning parliament, namely accountability, equal and effective representation, transparency and effectiveness at both national and international level<sup>1</sup>, can provide the conditions for proper democratic systems.

As the EU and its Member States aim for the consolidation of democracy and human rights around the globe, the contribution of Parliaments in enhancing democracy constitutes the very reason why they should be supported. In addition to that, support should be provided since, during transition, Parliaments can and should act as stability agents. Through providing the structures needed, and through operating in accordance with all principles of democracy, including equality and representation, they can ensure the smooth and effective operation of the democratic system.

### **How can Parliaments contribute in consolidating democracy and human rights.**

Promoting democracy and human rights worldwide should be a key mission of Parliaments. Acting as multipliers in promoting democracy and human rights is a proof of their commitment to their own principles, while their expertise in the domain of all aspects related to parliamentary life can contribute substantially to capacity building, necessary for bringing about stable democracy. Capacity building being indeed the sector such parliamentary work should focus on, peer to peer technical assistance and provision of support to parliaments, as well as to civil society, including political parties, is of great importance and could therefore help create stable and sustainable institutions and bring lasting change in the long run.

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<sup>1</sup> Source: "IPU Guide on Parliament and Democracy"

The added value of their action, compared to activities carried out by traditional diplomacy actors, is furthermore encapsulated in their image as softer actors in international relations, as opposed to actors whose actions hide behind national interests and the will to impose own-shaped policies. Being perceived as actors wanting to contribute in an honest manner towards progress with regard to shared universal values, any assistance provided needs to be carried out in a spirit of mutual respect in order to ensure a truly effective cooperation. Jointly elaborated projects, as well as the identification of issues of common interest and common solutions to the challenges we are all called to address, are an essential component of a well rooted partnership with the parliaments with which cooperation exists or will be initiated. It is of equal importance to identify the needs of receiving parliaments, listening to their points of view and concerns before taking action.

In their role as defenders of democracy and human rights, parliaments also need to speak up for those values and support members of all parliaments when they hold this discourse. Relevant resolutions adopted by Parliaments and pertinent conventions ratified, can also prove to be a useful tool for achieving the above and for promoting equal opportunities and freedom of speech and association.

The European Parliament's external action for democracy building and the promotion of human rights is also worth mentioning. In addition to its activities similar to those undertaken by national parliaments in this domain, the European Parliament provides parliamentary development support in new and emerging democracies, through the Office for the Promotion of Parliamentary Democracy which has been established to accommodate demands to provide parliamentary support. Furthermore, the European Parliament operates in a way as to mainstream human rights in its work, while through awarding the Sakharov prize for the freedom of thought, it honours and offers visibility to the fight for human rights and freedoms.

All activities aforementioned are conducted at both bilateral and multilateral level. Apart from texts adopted, many Parliaments and Inter-parliamentary Organizations have indeed been active in creating links with Parliaments of newly emerging democracies and countries in transition, such as the Arab Spring countries. A series of exchange programmes, twinnings, programmes of technical assistance, aiming at sharing good practices, providing information, advice, training and consultancy to parliaments to help them develop and perform their functions in a more effective way, have been carried out, while election observation missions have been deployed with a view to assist the electoral systems of host countries.



At the inaugural meeting of the Interparliamentary Conference on CFSP and CSDP, held in Paphos on 9-10 September 2012, in the framework of the Cyprus Presidency, the enhanced role of parliaments in supporting the democratic transitions in its Southern and Eastern Neighbourhood was stressed, while parliamentary activities to support these countries' transition efforts were encouraged.

The existing wide range of examples of initiatives taken in the direction of supporting transition democracies, shows that there is room for such activities, both at bilateral and multilateral level. This is the reason why caution should be used to avoid overlap with already existing work and activities carried out by other bodies and organizations. As in the case for the assistance to new and emerging democracies, on which a working group was set up by this Conference<sup>2</sup>, the need for coordination and exchange of information seems crucial.

However, if any initiatives and concrete measures are to bear fruit, Parliaments in EU member countries as well as in countries of the southern and eastern Mediterranean must uphold the Charter of the United Nations, international law and human rights instruments. Dictatorships, foreign aggression and annihilation of peoples and deprivation of democratic rights can never be accepted.

### **Questions for debate**

How can efficiency, effectiveness, impact and sustainability of related work be ensured?

How to ensure adequate contribution both at bilateral and multilateral level, avoiding overlap?

As far as support of Parliaments towards Parliaments of the Middle East and North Africa region is concerned, how can contribution at EU level be of added value?

Could this Conference take any initiative in this direction?

Is there a common perception of what democracy is? Should democracy be re-defined with southern partners?

Which kind of support is needed?

In times of austerity, how can cost-effective actions be shaped?

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<sup>2</sup> A Working Group on assistance to new emerging democracies was set up as a result of the Conclusions adopted during the Speakers Conference held in Budapest in 2005.