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Democracy building in the regional context: Insights
from the European Parliament and beyond



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Democracy building in the regional context: Insights from the European Parliament and beyond

International parliamentary institutions (IPIs) are often seen as a valid response to the democratic challenges posed by globalization and regional integration. Following the principles underpinning their national counterparts, IPIs have the potential to contribute to democratization by promoting the representation of affected citizens and by facilitating their incorporation into regional or global governance structures. They can also foster the articulation of popular interests in coherent democratic claims and lead to greater levels of transparency and accountability of international actors.

The United Nations University – Institute on Comparative Regional Integration Studies (UNU-CRIS) and the International Institute for Democracy and Electoral Assistance (Int. IDEA) sought to analyze this emerging phenomenon. The questions asked relate to the way IPIs perform as vectors of democratization. What is the status of democracy in regional integration and cooperation processes? Do IPIs play an important role in promoting democratic practices across regions? How can we strengthen international legislative assemblies? The research aimed to answer such questions and to produce tangible policy

recommendations for enhancing the democratic performance of IPIs¹.

Taking account of the plethora of mandates, legal frameworks and institutional relations that characterize the various IPIs, the study focused on international parliaments that dealt with regional integration. In particular, we examined comparatively the following parliaments: the European Parliament (EP), the Parliamentary Assembly of the Council of Europe (PACE), the East African Legislative Assembly of the East African Community (EALA), the MERCOSUR Parliament (PARLASUR) and the ASEAN Inter-Parliamentary Assembly (AIPA). A great deal of attention was paid to the EP as the more mature and developed IPI.

Making use of International IDEA's framework for democracy, and relevant work by the international policy community, the comparative exploration of the IPIs under study was based on the following dimensions: Representativeness and accountability; Legislative capacity; Control and oversight; Transparency; Democracy support (in member states and/or across the region).

The IPIs covered in the study vary in terms of democratic capacities and in the ways they perform their role as the motors of democracy.

¹ The full report is available at the following link: http://www.cris.unu.edu/News-Archive.33.0.html?&tx_ttnews%5Btt_news%5D=1571&cHash=0da90c009db515e1ae6b474a56f27d53

Table 1: Overview of democracy in IPIs

	EP	EALA	PARLASUR	PACE	AIPA
Representativeness and Accountability	XXX	X	XX	XX	X
Legislative powers	XXXX	XX	X	XX	-
Oversight, control	XXX	X	X	XX	-
Transparency	XXX	XX	X	XXX	X
Democracy support	XXX	X	XX	XXX	-

XXXX = excellent. XXX = strong. XX = satisfactory. X = weak.

Unsurprisingly, the EP is the leader in all categories. PACE, the second most important European IPI performs well in representativeness. Despite the fact that its members are elected by and are members of national parliaments, political plurality in the chamber is such that it ensures a good degree of popular representation. The fact that parliamentarians are organized according to ideological and not national lines also ensures better representativeness. To some extent, the same can be said of PARLASUR. In addition, PARLASUR is scheduled to have all its members directly elected (until 2020). Once completed, this process could be a milestone in its development as a democratic organ and much like in Europe can lead to a significant increase of its powers. On the other hand, representativeness in EALA is mitigated by the fact that ruling parties and leaders of East Africa tend to favor their own members and supporters when filling the seats of the

regional chamber. The same is the case in AIPA, which is equally disadvantaged by the democratic weaknesses prevalent in many of its member states.

Accountability is in theory strong in the EP but in practice has limits. Many European citizens do not know their Members of Parliaments (MEPs), are unable to tell what their delegates vote and legislate on and use European elections solely as means of penalizing incumbent parties and not in order to support or recall their representatives (relegating European elections to second-order national elections). Moreover, media attention of European affairs, while on the increase remains uneven and fragmented, thus inhibiting further popular interest. Accountability is also low in the rest of the regional assemblies of our study with the lack of direct elections and media interest for regional affairs being major impediments. The parliamentarians of PACE are mostly accountable to their peers in national

assemblies. Additionally, their double mandate impacts on the time they devote to the PACE. In general, European publics do not have many chances for holding members of PACE accountable. The problem in other IPIs is also linguistic, as for both EALA and AIPA the official working language is English. This evidently means that significant numbers of people in Africa and Asia simply cannot follow the work of these assemblies². Of course, maintaining an extensive translation service (like the EP) is an expensive affair and surpasses the administrative capacities of AIPA and EALA. Nonetheless, some effort towards making their work more linguistically accessible by the wider public is necessary if these assemblies are to progress as institutions.

Concerning legislation, the picture is equally mixed. EALA possesses the right of legislative initiation and as such outperforms the EP. However, this is allayed by the strong legislative powers of the Summit of Heads of State of the East African Community (EAC). It is only after the bills have been accepted by the Heads of State that they become acts of the EAC, a fact which evidently puts limits to the powers of the assembly. Hence, unsurprisingly the clear leader in legislative capacities is the EP, which under the Ordinary Legislative Procedure (post-Treaty of Lisbon)

² In East Africa, French is the official language of Burundi, while Kiswahili functions as the lingua franca of the region. The situation in AIPA is even more complex.

has managed to play a very strong role in the making of EU laws. The other assemblies studied here do not have strong legislative capacities. PARLASUR remains very weak and in AIPA these powers are almost inexistent. The PACE exercises influence over the decisions of the Committee of Ministers (CM), but again this is more 'soft' than 'hard' as the assembly does not have direct say in the actions of the CM.

Similarly, with the exception of the EP, the IPIs studied here have little power over their respective executives (not applicable in the case of AIPA). Indeed, one thing that characterizes all of them is the prevalence of the intergovernmentalist logic. States have been reluctant to give away powers to supranational institutions and especially to representative assemblies. Even in the case of the EU, which did indeed give significant powers to the supranational EC, the strengthening of the EP has been a slow and arduous process. On the whole, national leaders find it difficult to submit themselves to further layers of scrutiny or control – and transnational ones at that. This is a major obstacle in the road to make IPIs stronger and more democratic. And it is something that members of IPIs themselves will have to grapple with, proactively, if they wish to increase their powers.

In terms of transparency it is no accident that the older and more established IPIs (the EP and PACE) unmistakably outperform the rest. Transparency in the

MERCOSUR, the EAC is subject to provisions and this trickles down to the level of the assemblies. Equally, the non-European assemblies suffer – to varying degrees – from organizational and financial concerns. Their institutionalization has not reached the levels of the EP and PACE. This has an effect on their ability to increase transparency as in many cases they cannot develop the necessary infrastructure (e.g. web based TV coverage like the EP).

Finally, concerning democracy support most of the assemblies covered have developed worth mentioning if not important initiatives. The EP has the most resources and is involved in multiple programs of parliamentary assistance - training, fellowships, seminars etc. – and electoral monitoring. The challenge for the EP is to expand its actions beyond election observation and support for parliaments. PACE plays a key role inside the Council of Europe (CoE) – especially during the accession process for a new member state – while the ‘partner for democracy’ status allows it to build direct links with national parliaments of non-member states. Its members are also heavily involved in election observation missions while the reports produced by the relevant committees are important tools in the design of CoE’s democracy support measures. PARLASUR and EALA engage in monitoring of the democratic conditions in their member states and organize or take part in election observation missions. IPIs

recognize the fact that they have a key role to play in the promotion of democracy in their regions, and they seem to embrace it. While for the time being, this mostly involves monitoring and contributing to election observation missions, it can with time and better finances (as the European examples have shown) lead to the development of more systematic and widespread capacity-building actions. Indeed, this is a functional and normative niche that IPIs will have to exploit more explicitly.

The IPIs covered in this study vary in terms of democratic capacities and in the ways they perform their role as the motors of democracy. Naturally, the EP is by far the stronger IPI. Despite its weaknesses in terms of representativeness, executive control and transparency, it does perform all the functions that national assemblies do, and in some ways (notably in amending laws and expanding its own powers) outperforms them. Of course, one ought not to forget that it took the EP four decades to develop its powers, yet the fact remains that it clearly emerges as a source of inspiration for other IPIs. Naturally, it goes almost without saying that this is a process of emulation and not imitation. Political traditions are not the same everywhere and as such require different approaches. A case in point is the prevalence of Presidentialism in Latin American politics; a fact which to some extent impacts regional integration institutions.

On the whole, two preconditions seem to emerge for the advancement of international parliamentary democracy: the prevalence of intergovernmentalism in IGOs and (unsurprisingly) the nature of political regimes in the different world regions. The heavy prevalence of intergovernmentalism does not augur well for the development of strong IPIs, which require a certain degree of sovereignty pooling. At the same time, an environment inimical to parliamentary democracy is hardly solid ground for the strengthening of IPIs. These are challenges that IPIs and their members will have to tackle via promoting parliamentary democracy as a standard of legitimacy. Indeed, if there is a major lesson to be drawn from the EP is the active role of parliamentarians in pushing for greater powers and more democracy. Hence, members of IPIs will have to wholeheartedly embrace their role as democracy promoters at the regional level (either within an IGO or at the level of member states) and actively work to strengthen their prerogatives.

Policy Recommendations

European Parliament (EP)

1) Elect a number of additional MEPs in a pan-EU constituency from transnational lists put forward by European transnational parties. The number of these new MEPs could be 25 as suggested by the EP's Constitutional Affairs Committee in 2011.

2) Introduce a uniform electoral law for this pan-EU constituency.

3) Enhance the effectiveness of the Joint Transparency Register by making it compulsory.

4) Oblige candidates for the Presidency of the European Commission to run for a seat at the EP. Candidates must also publicly advance their political vision about the future of the EU and EU governance issues.

5) Further institutionalize and extend the scope and number of debates among the main candidates for the European Commission's presidency.

6) The EP should contribute to EU democracy by proposing that the composition of the European Commission (2019) reflects the majority coalition of political groups in the European Parliament.

7) Further enhance EU democracy by proposing that Commissioners (2019) be chosen from amongst MEPs, while maintaining all EU Member States' representation.

East African Legislative Assembly (EALA)

1) Introduce direct elections for EALA after the end of the 3rd EALA assembly (2012-2017).

2) Commission a feasibility study and recommendations on the creation of supranational political groups.

3) EAC member states should allocate more resources for the regional integration organs, and increase the EALA's budget to enhance the infrastructure of standing committees (allocating permanent staff and operational budgets).

4) Add Swahili as an official language to reach a greater audience and thereby increase transparency.

5) Allow EALA to revise the EAC's budget.

6) Reduce the veto power of the Summit by granting EALA the power of oversight (amend Treaty) in leading policy areas (e.g. development, common market issues), when it can raise a 2/3 majority.

7) Provide resources to develop and implement a communication strategy, and promote the existence and work of EALA via the radio and press.

8) Institutionalize the assembly's engagement with civil society groups (deliberative council) with a dedicated session during each assembly session.

Parliament of the MERCOSUR (PARLASUR)

1) MERCOSUR should grant the parliament greater budgetary powers after the 2014 PARLASUR elections.

2) Utilize and take advantage of the existing fast track procedure which grants PARLASUR the power to assent to legislation.

3) Enhance the capacity of Parliamentarians to effectively use their consultative powers to dialogue on relevant issues with Executive organs.

4) PARLASUR should compile and debate a transparency report concerning MERCOSUR decisions on an annual basis.

5) Enlarge the presence of supranational political groups and rely less on consensus voting.

6) Establish mandatory quotas (40% for women) in the PARLASUR direct elections.

7) Develop and implement a more systematic communication strategy, especially with regard to direct elections.

8) Member States should make more funds available to PARLASUR for democracy support activities, and in particular, capacity building.

Parliamentary Assembly of the Council of Europe (PACE)

1) Allow PACE more control over the budget of the Council of Europe.

2) Use budgetary power as a bargaining instrument in policy dialogues with the Committee of Ministers.

3) The Secretary General of the Council of Europe should participate in a debate with PACE at all plenary sessions.

4) Grant co-decision right to PACE in the adoption of Treaties.

ASEAN Inter-Parliamentary Assembly (AIPA)

1) Commission a study to make recommendations on the feasibility of further institutionalization of the assembly with a view of AIPA becoming an official organ of ASEAN.

2) Formalize meetings between AIPA delegations and the Heads of ASEAN's

Community Councils to facilitate AIPA's advisory functions.

3) Increase the number of AIPA delegates representing opposition parties of member states.

4) Institutionalize the participation and engagement of civil society representatives and organizations in the current work of committees, study groups, etc.

5) Formalize common guidelines for the election of AIPA delegates from national parliaments.

6) Strengthen the Secretariat of AIPA by increasing the number of professional staff and organize annual capacity building seminars for staff and parliamentarians.

7) Establish an AIPA center for monitoring and promoting best practices in parliamentary democracy and elections across the region.



This Policy Brief builds on the 'Democracy building in the regional context' policy link panel at the recent #EUIA14 conference and was made possible thanks to the financial assistance of the European Commission's Jean Monnet programme. For more information about the conference, please visit www.ies.be/euia2014/.