



**THE CONTRIBUTION OF PARLIAMENTS TO DEMOCRACY:  
BENCHMARKS FOR THE PARLIAMENTS OF THE AMERICAS**

## **Self-assessment tool for use by Parliaments of the Americas**



Committee on Democracy and Peace  
Parliamentary Confederation of the Americas



## TABLE OF CONTENT

<b>SECTION 1 – BACKGROUND.....</b>	<b>p. 3</b>
<b>A) INTRODUCTION</b>	
<b>B) OBJECTIVES</b>	
<b>C) METHODOLOGY</b>	
<b>D) DISSEMINATION</b>	
<b>SECTION 2 – SELF-ASSESSMENT.....</b>	<b>p. 7</b>
<b>A) INTRODUCTION</b>	
<b>B) METHODOLOGY</b>	
<b>C) SELF-ASSESSMENT GRID</b>	
<b>SECTION 3 – CONCLUSIONS.....</b>	<b>p. 35</b>



## SECTION 1 - BACKGROUND

### A) INTRODUCTION

In recent decades, the Americas have seen a number of reforms to advance representative democracy and witnessed a true consolidation of democratic legislative institutions.

The exercise of democracy cannot, however, be limited to electing political representatives. While a legal and transparent election process remains the cornerstone of a healthy democracy, what do the conditions in which elected representatives go about their work reveal about the state of parliament?

Several international organizations have recently turned their attention to this issue. The Inter-Parliamentary Union (IPU), the International Institute for Democracy and Electoral Assistance (IDEA), the National Democratic Institute for International Affairs, the United Nations Development Programme (UNDP), the *Assemblée parlementaire de la Francophonie* (APF) and the Commonwealth Parliamentary Association (CPA), to name but a few, have proposed a certain number of benchmarks to assess the characteristics of democratic parliamentary institutions.

The Parliamentary Confederation of the Americas (COPA), through its Committee on Democracy and Peace, has joined in this endeavour. On September 9, 2011, at its 11th General Assembly in the Québec City, it adopted a document entitled *The Contribution of Parliaments to Democracy: Benchmarks for the Parliaments of the Americas*.

Adopted by consensus, the COPA benchmarks are meant to serve as tools for the legislative assemblies of the continent. They are in no way intended to promote a unique model or a unique set of good practices. On the contrary, the wide diversity that exists throughout the continent must be acknowledged and celebrated.

The logical next step after the adoption of the COPA benchmarks was to design this self-assessment tool, whose purpose is to help the parliamentary assemblies look at their own institutional habits and practices, and initiate reflection or reform as needs come into sharper focus.

### B) OBJECTIVES

Any parliament undertaking self-assessment must define its objectives in participating in such an exercise. The IPU proposes two broad objectives, namely, “to evaluate parliament against international criteria for democratic parliaments” and “to identify priorities and means for strengthening parliament”.<sup>1</sup> Its benchmarks are grouped under six topics:<sup>2</sup>

- the representativeness of parliament;
- parliamentary oversight over the executive;
- parliament’s legislative capacity;
- the transparency and accessibility of parliament;
- the accountability of parliament;
- parliament’s involvement in international policy.

---

1. Inter-Parliamentary Union (IPU), *Evaluating parliament: A self-assessment toolkit for parliaments* (Geneva, Switzerland: IPU, 2008), p. 5, <http://www.ipu.org/pdf/publications/self-e.pdf> (accessed March 15, 2012).

2. *Ibid.* p. 5.

For its part, the UNDP found that parliaments conducted self-assessment for specific purposes or to achieve specific objectives such as the following:<sup>3</sup>

- to help prepare the parliamentary budget and/or strategic plan;
- to stimulate a parliamentary reform process;
- to promote debate;
- to enable new Members of Parliament (MPs) to discuss key issues;
- to conduct a review or create a baseline for measuring progress;
- to support a request for external assistance;
- to make a CSO (civil society organization) assessment of parliament;
- to promote gender sensitivity in parliament.

Training new MPs, reinforcing the role of MPs as representatives of the people, consolidating the independence of the legislative branch versus the executive branch, and raising public awareness of parliamentary democracy and related issues are other examples of the specific goals driving parliaments to examine their own practices.<sup>4</sup>

### **C) METHODOLOGY**

Just as parliaments engaging in self-assessment must set objectives of their own on their own, so too must they choose the methodology to be used. The self-assessment may, for instance, be entrusted to a multi-party committee of parliamentarians or to outside assessors. The President or Speaker of the parliament may lead the process or it may be handed over to institutional or public debate. Again, the methodology to be used is largely contingent on the goals pursued.

The IPU has proposed a checklist to prompt reflection on methodology.<sup>5</sup> Among the points covered are the need to identify the people who will be participating in the self-assessment and to ensure that the group represents the broadest possible range of perspectives on parliament. Other aspects that should be addressed include

- how the exercise will be organized;
- the outcome documents to be produced;
- whether the outcome documents will be disseminated;
- the financial resources allocated to the self-assessment;
- the timeframe in which the exercise is to be conducted.

### **D) DISSEMINATION**

Follow-up to the self-assessment report should be planned and a timeframe set in light of the objectives pursued and the methodology chosen. Will the assessors' mandate include making recommendations to help parliament achieve its stated goals? Will the report be made public? Will it be submitted to COPA's Committee on Democracy and Peace?

---

3. Lisa Von Trapp, *Benchmarks and Self-Assessment Frameworks for Democratic Parliaments: A Background Publication prepared for the International Conference on Benchmarking and Self-Assessment for Democratic Parliaments* (New York: UNDP, 2010), p. 34.

<http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/dg-publications-for-website/benchmarking-and-self-assessment-for-democratic-legislatures/benchmarks%20Legislatures.pdf>, (accessed March 16, 2012).

4. *Ibid.* p. 37.

5. Inter-Parliamentary Union (IPU), *Evaluating parliament*, p. 16.

Parliamentarians who wish to do so may, with due regard for the sovereignty of their parliaments, make self-assessment outcomes available to the Committee on Democracy and Peace. The Committee will not use these outcomes to put together a comparative survey of parliaments in the Americas, but rather to inspire other parliaments to initiate self-assessment of their practices and thus give renewed impetus to the consolidation of democracy already well under way throughout the continent.

In coming years, the Committee will take this topic up from time to time so that those who wish to do so will have the opportunity to report on the work they have conducted and the recommendations framed.



## SECTION 2 – SELF-ASSESSMENT

### A) INTRODUCTION

What are the broad objectives of the self-assessment?

---

---

---

---

---

What are the specific purposes or objectives of the self-assessment?

---

---

---

---

---

### B) METHODOLOGY

Which parliament is under self-assessment?

---

---

---

---

Which authority is overseeing the self-assessment?

---

---

---

---

---

Is that authority delegating its powers to a group? If so, who are the members of that group (give the individuals' names and titles)? Are they elected representatives? University experts? Journalists? Civil society members? Other?

---

---

---

---

---

---

Will the self-assessment be conducted in committee?

---

---

---

---

What methodology will be used to collect data (answers arrived at by consensus in committee, compilation of individual results, other)?

---

---

---

---

---

---

How would you describe the diversity of opinion within the group of assessors?

---

---

---

---

---

---

What percentage do men and women respectively account for on the committee?

---

---

---

---

---

---

How often do the people in charge of the self-assessment meet? How many meetings are planned over the course of the exercise?

---

---

---

---

---

---

What financial and other resources can the assessors count on?

---

---

---

---

---

---

What timeframe has been established for the self-assessment?

---

---

---

---

What types of outcome documents will be produced?

---

---

---

---

---

---

**C) SELF-ASSESSMENT GRID**

The following self-assessment grid is designed to measure the degree to which the COPA parliamentary democracy benchmarks apply to your parliamentary institution.

Please check the box (1 to 5) that best corresponds to the situation within your parliament. If the benchmark does not apply, check N/A. At the end of each section, space is provided for further comment on the answers given or for any further information you feel is relevant.



## 1. ELECTIONS AND THE STATUS OF PARLIAMENTARIANS

### 1.1 Elections

1.1.1 The Constitution of the State must include basic rules to govern elections.	<input type="checkbox"/>					
1.1.2 Parliamentarians must be elected through universal suffrage, by free, direct and secret ballot. However, in the case of a bicameral parliament, the second chamber may be governed by special rules provided for in the Constitution or the legislation of the country concerned.	<input type="checkbox"/>					
1.1.3 Legislative elections must meet international standards for free, genuine and transparent elections.	<input type="checkbox"/>					
1.1.4 The integrity and independence of the body that manages and supervises elections must be guaranteed with respect to its composition, mandate, powers and budget.	<input type="checkbox"/>					
1.1.5 Discussion, research and consultation must be encouraged to achieve an electoral system and electoral structures that enjoy broad support within society.	<input type="checkbox"/>					
1.1.6 To foster accountability, elections must be held at regular intervals. A legislature must be of limited duration and be followed by new elections.	<input type="checkbox"/>					
1.1.7 In order to foster better representation of social diversity, the participation of persons from under-represented groups (e.g., young people, members of minorities, immigrants and persons with disabilities) must be encouraged.	<input type="checkbox"/>					
1.1.8 The principles of fair competition and equality must be observed, and general standards of conduct for political actors must be defined during election campaigns.	<input type="checkbox"/>					
1.1.9 States must adopt legislation to govern the financing of political parties and election campaigns, and establish an independent body to ensure compliance with such legislation. Each party must develop internal by-laws to ensure compliance with legislation respecting the fair and transparent financing of election campaigns.	<input type="checkbox"/>					
1.1.10 Regional and global networks for sharing expertise and developing standards must be promoted.	<input type="checkbox"/>					
1.1.11 Legislation must allow international observers to conduct free and independent missions.	<input type="checkbox"/>					

**Comments/Further information:**

---



---



---



---



---



---



---

**1.2 Eligibility and Representativeness**

1.2.1 Restrictions on candidate eligibility must not be based on gender, religion, economic status, race, physical disability, or private life considerations.

1.2.2 Notwithstanding the preceding clause, special measures may be taken to ensure the representation of national or regional diversity and its components.

1.2.3 Electoral processes must be fair and guarantee that no voter, candidate or party is penalized or discriminated against.

1.2.4 Seats must be divided among the parties in a manner that reflects as faithfully as possible the votes obtained by each party.

**Comments/Further information:**

---



---



---



---



---

**1.3 Status of Parliamentarians**

**1.3.1 Incompatibility**

1.3.1.1 Incompatible<sup>6</sup> parliamentary offices must be defined by law.

1.3.1.2 In bicameral parliaments, parliamentarians may not be members of both chambers simultaneously.

1.3.1.3 A specific procedure must be established to monitor and sanction incompatibilities.

6. Incompatible: “Incapable of being held by one person at one time—used of offices that make conflicting demands on the holder” Cf. Merriam-Webster (2003).

**Comments/Further information:**

---



---



---



---



---

**1.3.2 Parliamentary Immunity and Privilege**

1.3.2.1 Parliamentarians must enjoy immunity for words spoken in the performance of their duties. Parliamentarians cannot be prosecuted, sued, wanted by the authorities, arrested, mistreated, detained, judged or imprisoned after expressing opinions verbally or in writing before Parliament, or after voting in the performance of their duties.

1.3.2.2 Parliamentary immunity may not be used to place parliamentarians above the law.

1.3.2.3 Parliamentary immunity does not extend beyond a parliamentarian's term of office. However, former parliamentarians continue to enjoy protection for their term of office.

1.3.2.4 Parliament has exclusive jurisdiction to lift the immunity of a parliamentarian.

1.3.2.5 Parliamentarians must be able to perform the duties of office in accordance with the Constitution, free from any undue influence or pressure.

**Comments/Further information:**

---



---



---



---



---

**1.4 Individual Rights of Parliamentarians and Party Discipline**

1.4.1 Parliamentarians may only be expelled from their party in accordance with the party's internal by-laws, which must guarantee fair treatment, including the right to defend oneself

1.4.2 Expulsion from a party must not automatically result in the loss of a parliamentarian's seat, or a reduction of his or her term, in violation of the right to free expression.

1.4.3 Only Parliament may decide to exclude a parliamentarian from Parliament under established rules, which must guarantee fair treatment, including the right to defend oneself.

Evaluate the degree of implementation of each criterion on a scale of 1 to 5:  
5 meaning "fully implemented", 1 "not implemented" and N/A "not applicable"

5 | 4 | 3 | 2 | 1 | N/A

1.4.4 The right of freedom of association exists for parliamentarians, as for all people.

**Comments/Further information:**

---



---



---



---



---

### 1.5 Material Resources Provided to Parliamentarians

#### 1.5.1 Indemnities

1.5.1.1 Parliament must provide parliamentarians with appropriate and fair remuneration, proper material infrastructure and reimbursement for expenses incurred in the performance of their duties.

1.5.1.2 Any form of compensation paid to parliamentarians by Parliament must be allocated in a transparent manner on the basis of the duties performed.

**Comments/Further information:**

---



---



---



---



---

#### 1.5.2 Conflict of Interest and Corruption

1.5.2.1 Parliament must establish rules, applicable to all parliamentarians, to govern transparency and the conduct of public and parliamentary activities.

1.5.2.2 There should be a legal mechanism to govern relations between public office holders and interest groups. The mechanism may be a public register of such interest groups and their activities.

1.5.2.3 Conflict of interest rules must be established to foster the independence of parliamentarians as regards private interests and undue political pressure.

1.5.2.4 Parliamentarians must avoid placing themselves in situations in which their personal interests may influence the performance of their duties.

Evaluate the degree of implementation of each criterion on a scale of 1 to 5:  
5 meaning "fully implemented"; 1 "not implemented" and N/A "not applicable"

5 | 4 | 3 | 2 | 1 | N/A

1.5.2.5 A financial asset and business interest declaration procedure must be established for parliamentarians.

1.5.2.6 There must be legislation to prevent and sanction fraudulent practices by parliamentarians.

1.5.2.7 Preventive and repressive measures to fight corruption must be reinforced and enforced. Independent disciplinary bodies must be put in place to investigate corruption.

**Comments/Further information:**

---

---

---

---

---

---

### 1.6 Resignation

1.6.1 Parliamentarians must be able to resign their seat at any time.

1.6.2 A replacement procedure must be established to fill vacant seats.

**Comments/Further information:**

---

---

---

---

---

---

**2. PARLIAMENTARY PREROGATIVE**

**2.1 Organization of Parliamentary Proceedings**

**2.1.1 General**

2.1.1.1 Only Parliament—or, as the case may be, each of the Houses of Parliament—may adopt or amend its rules of procedure.

2.1.1.2 The rules of procedure of Parliament—or, as the case may be, of each of the Houses of Parliament—must be consistent with the Constitution.

2.1.1.3 Parliament must take special measures in order to establish and maintain an equal proportion of women and men at all levels of responsibility throughout its organization.

**Comments/Further information:**

---



---



---



---



---

**2.1.2 Presiding Officers**

2.1.2.1 Parliament—or, as the case may be, each of the Houses of Parliament—must elect or select a presiding officer and at least one deputy presiding officer pursuant to criteria and procedures clearly defined in its rules of procedure.

**Comments/Further information:**

---



---



---



---

**2.1.3 Legislative Session**

2.1.3.1 Parliament must meet regularly, at intervals sufficient for it to fulfill its responsibilities.

2.1.3.2 Parliament must establish procedures for calling itself into regular or extraordinary session.

2.1.3.3 Provisions allowing the executive branch or a group of Members to convene Parliament must be clearly specified.

**Comments/Further information:**

---



---



---



---



---

**2.1.4 Plenary**

2.1.4.1 The plenary must be organized in such a way as to allow enough time for the items on Parliament’s agenda to be examined.

2.1.4.2 Interference between the timing of the plenary and other parliamentary organs must be minimized.

**Comments/Further information:**

---



---



---



---



---

**2.1.5 Parliamentary Agenda and Calendar**

2.1.5.1 Legislators must have the right to vote on the agenda and the time allowed for each item.

2.1.5.2 Parliament must give its Members and the public sufficient advance notice of meetings and the agenda for the meetings.

2.1.5.3 A calendar of legislative work must be set so that the legislative schedule is known.

2.1.5.4 The agenda must ensure that proposed legislation is carefully examined in a reasonable time frame by parliamentarians.

**Comments/Further information:**

---



---



---



---



---

**2.2 Legislative Functions**

**2.2.1 General**

2.2.1.1 Members of Parliament or of the elected House must have the right to introduce legislation and amendments.

Evaluate the degree of implementation of each criterion on a scale of 1 to 5:  
5 meaning "fully implemented", 1 "not implemented" and N/A "not applicable"

5 | 4 | 3 | 2 | 1 | N/A

2.2.1.2 All legislation, as well as the budget, must be passed by Parliament. Exceptions to this rule must be clearly laid down.

2.2.1.3 Parliament must have the power to adopt resolutions without advance notice, and to take a stand on certain issues of general interest.

2.2.1.4 Parliament must have the prerogative, under specific legal criteria, to delegate legislative functions to the executive branch for a limited period of time and with a view to achieving a clearly-defined goal.

**Comments/Further information:**

---



---



---



---



---

**2.2.2 Legislative Procedures and Bicameralism**

2.2.2.1 Legislative work must be governed by a clear set of rules that cover the introduction of bills, their consideration and their enactment.

2.2.2.2 In a presidential system, Parliament must have the right to override a veto of the executive branch.

2.2.2.3 In a bicameral parliament, the role of each of the Houses must be clearly defined.

2.2.2.4 In a bicameral parliament, a conciliation process must be in place to resolve potential disagreements between the two Houses.

**Comments/Further information:**

---



---



---



---



---

**2.2.3 Constitutionality of Legislation**

2.2.3.1 An independent judiciary must be made responsible for constitutional review, that is, for verifying whether laws that have been enacted are consistent with the Constitution.

**Comments/Further information:**

---

---

---

---

**2.2.4 Power of Amendment**

2.2.4.1 Every parliamentarian must have the right to propose amendments, in accordance with the rules governing their admissibility.

2.2.4.2 In order for debate to be organized and all opinions expressed, the order of amendments and the terms for discussion of amendments must be governed by strict regulatory provisions.

**Comments/Further information:**

---

---

---

---

---

---

**2.2.5 Debates**

2.2.5.1 Parliament must establish and follow clear procedures for structuring debate and determining the order of precedence of motions introduced by Members.

2.2.5.2 Parliament must provide adequate opportunity for Members to debate proposed legislation prior to a vote.

**Comments/Further information:**

---

---

---

---

---

---

**2.2.6 Votes**

2.2.6.1 Only Members of Parliament may vote in Parliament.

2.2.6.2 Except for certain clear exceptions, plenary votes must be public.

**Comments/Further information:**

---



---



---



---



---

**2.2.7 The Legislative Process and the General Public**

2.2.7.1 Citizens must be involved in the legislative process, through their representatives in Parliament or alternative means.	<input type="checkbox"/>					
2.2.7.2 The public must be made aware in a timely manner of the issues being debated in Parliament. Enough information must be made available to allow civil society to express its opinions regarding bills.	<input type="checkbox"/>					
2.2.7.3 Information regarding legislation must be accessible not only to all parliamentarians, but also to the general public.	<input type="checkbox"/>					
2.2.7.4 Debates on proposed legislation must be open to the public at some stage in the legislative process.	<input type="checkbox"/>					
2.2.7.5 In the absence of a referendum, amendments to the Constitution must be approved by the Members of Parliament.	<input type="checkbox"/>					

**Comments/Further information:**

---



---



---



---



---

**2.3 Parliamentary Oversight**

**2.3.1 General**

2.3.1.1 Parliament must be empowered to oversee the actions of the Government.	<input type="checkbox"/>					
2.3.1.2 The Government must provide Parliament with sufficient information for it to exercise its oversight function effectively.	<input type="checkbox"/>					
2.3.1.3 A rigorous, systematic procedure must be established to govern questions (both written and oral) addressed to the executive branch by parliamentarians.	<input type="checkbox"/>					
2.3.1.4 In addition to its oversight of government departments, Parliament must oversee publicly-owned enterprises and government agencies, including those in the defence and national security sectors..	<input type="checkbox"/>					

2.3.1.5 In presidential systems, where ministers are not Members of Parliament, nominations for high-ranking positions within the executive branch must be subject to parliamentary approval following an in-depth examination of the nominee's fitness for the post.

**Comments/Further information:**

---



---



---



---



---

**2.3.2 Budget Review and Financial Control**

2.3.2.1 Parliament must be given sufficient time to review and discuss the budget.

2.3.2.2 The law must guarantee the right of parliamentarians to create commissions of inquiry. Such commissions must have the power to compel persons outside of Parliament, including executive branch officials, to appear and give evidence under oath. Persons testifying before a commission of inquiry must benefit from a form of protection.

2.3.2.3 Parliamentary committees specifically tasked with reviewing government expenditures must, in accordance with Parliament's rules of procedure, allow all parliamentary groups an in-depth review of government spending. They must have access to all necessary documents and the power to hear high-ranking officials within government departments and agencies.

2.3.2.4 An independent, non-partisan body (a Tribunal of Accounts or Auditor General) must be put in place and provided with adequate resources and legal authority to carry out oversight and audit functions.

2.3.2.5 This body must report to Parliament in a timely manner so that follow-ups may be conducted effectively.

2.3.2.6 Parliament must have the power to solicit the help of this body.

**Comments/Further information:**

---



---



---



---



---

### 2.3.3 Relationship with the Executive Branch

2.3.3.1 In Westminster-style parliamentary systems, clear mechanisms must be put in place to ensure a measure of independence between the legislative and executive branches.

2.3.3.2 In presidential systems, an appropriate level of coordination must be established between the legislative and executive branches. To that end, the creation of special coordinating bodies or committees may prove essential.

**Comments/Further information:**

---



---



---



---



---

### 2.4 Parliamentary Committees

#### 2.4.1 General

2.4.1.1 The rules of parliamentary procedure must provide for the creation of standing or temporary committees.

2.4.1.2 Where stated in the rules of procedure, the sittings of a committee must be public. Exceptions must be clearly defined and provided for in the rules of procedure.

2.4.1.3 Committee proceedings and voting procedures must be consistent with the rules of procedure.

2.4.1.4 The rules of procedure must clearly describe the mandate and composition of committees.

2.4.1.5 To avoid conflicts of jurisdiction, committees must have clearly-defined areas of competence.

2.4.1.6 The conditions under which a committee may vote in public must be outlined in the rules of procedure.

**Comments/Further information:**

---



---



---



---



---

**2.4.2 Selection of Committee Members**

2.4.2.1 The membership of a committee must reflect that of Parliament as closely as possible, with special consideration given to gender.

2.4.2.2 Committees must select or elect a chair and at least one vice-chair, according to the method described in the rules of procedure.

2.4.2.3 Committees must have the power to hire experts.

**Comments/Further information:**

---



---



---



---



---

**2.4.3 Terms of Reference**

2.4.3.1 Proposed legislation must be referred to a committee for consideration. Exceptions to this rule must be transparent, clearly outlined in the rules of procedure and extraordinary in nature.

2.4.3.2 Committees examine the bills referred to them and have the power to amend them.

2.4.3.3 Committees have the power to hold hearings and to summon any papers and records they require.

2.4.3.4 Only the members of a committee, or authorized substitutes, have the right to vote in committee.

**Comments/Further information:**

---



---



---



---



---

**2.4.4 Decision Making**

2.4.4.1 Whenever possible, committees must strive for consensus in decision making.

**Comments/Further information:**

---



---



---

**2.5 Public Protector**

2.5.1 Parliament must also exercise the function of public ombudsman, by creating an independent body with the power to receive complaints from citizens who believe that they have been unfairly treated by the State or one of its bodies, and to watch out for and correct inequities, injustices, abuses and violations of rights committed by the State or one of its bodies.

2.5.2 This body must be completely independent from the Government.

2.5.3 It must have broad investigative powers.

2.5.4 It must be provided with the necessary resources and be cost-free for complainants.

2.5.5 It must be easily geographically and electronically accessible.

2.5.6 It must report to Parliament and be accountable to it.

**Comments/Further information:**

---



---



---



---



---

**2.6 Fostering political appeasement**

2.6.1 Parliament must at all times serve the public interest and protect the welfare of citizens. It is responsible for fostering political appeasement by supporting democratic institutions and processes throughout the country.

2.6.2 Parliament must help settle political conflict in its country democratically, through dialogue and compromise.

**Comments/Further information:**

---



---



---



---



---

**2.7 International Relations**

**2.7.1 Parliamentary Diplomacy**

2.7.1.1 Delegations operating within the framework of parliamentary diplomacy must reflect the membership of Parliament as closely as possible, with special consideration given to gender.	<input type="checkbox"/>					
2.7.1.2 Parliamentarians may take part in opportunities to share their experiences with Members of other parliaments.	<input type="checkbox"/>					
2.7.1.3 Parliamentarians must be prepared to take part in missions to other parliaments and to welcome delegations of foreign parliamentarians.	<input type="checkbox"/>					
2.7.1.4 Parliament must fulfill its obligations towards international parliamentary institutions.	<input type="checkbox"/>					

**Comments/Further information:**

---



---



---



---



---

**2.7.2 Participation in International Affairs**

2.7.2.1 Parliament may participate in regional and international organizations, particularly in order to strengthen the parliamentary component of these organizations.	<input type="checkbox"/>					
2.7.2.2 Parliament must have access to the necessary information, organization and resources for examining international issues	<input type="checkbox"/>					
2.7.2.3 Parliamentarians must have the opportunity to be included in government delegations during missions or international negotiations.	<input type="checkbox"/>					

**Comments/Further information:**

---



---



---



---



---

**2.7.3 Participation in the Regional Integration Process**

2.7.3.1 Mechanisms must be put in place to facilitate cooperation between parliaments, in order to make coexistence with a regional parliament possible.	<input type="checkbox"/>					
--	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

Evaluate the degree of implementation of each criterion on a scale of 1 to 5:  
5 meaning "fully implemented"; 1 "not implemented" and N/A "not applicable"

5

4

3

2

1

N/A

**Comments/Further information:**

---

---

---

---

#### **2.7.4 Cooperation and Support**

2.7.4.1 Parliaments must be prepared to offer the best possible technical assistance to other parliaments.

2.7.4.2 Members of Parliament and parliamentary personnel must have the right to benefit from technical assistance.

**Comments/Further information:**

---

---

---

---

---

---

### 3. ORGANIZATION OF PARLIAMENT

#### 3.1 Status of Political Parties<sup>7</sup>

##### 3.1.1 General

3.1.1.1 Any conditions on the legality of political parties must be narrowly drawn in law and must be consistent with the International Covenant on Human and Political Rights.

3.1.1.2 Where it exists, public and private funding of political parties must conform to norms of transparency and accountability. A competent, independent judicial authority may oversee such funding. Equal access to public funding must be assured.

3.1.1.3 Parliament must encourage political parties to base their by-laws on principles of due process, clarity, transparency and accountability.

**Comments/Further information:**

---



---



---



---



---

##### 3.1.2 Functions of Political Parties

3.1.2.1 Political parties may promote democratic values, human rights, tolerance and the right to dissent.

**Comments/Further information:**

---



---



---



---

##### 3.1.3 Rights and Obligations of Political Parties

3.1.3.1 Political parties must be legally recognized and their legal existence certified by the State.

3.1.3.2 Political parties must be free to organize as they see fit, so long as they do not undermine the fundamental rights of members or other citizens, or run counter to the principles of the rule of law.

<sup>7</sup> The term "political party" also refers to other political entities (e.g. citizen movements and associations).

Evaluate the degree of implementation of each criterion on a scale of 1 to 5:  
5 meaning "fully implemented", 1 "not implemented" and N/A "not applicable"

5 | 4 | 3 | 2 | 1 | N/A

3.1.3.3 Political parties have a duty to act within institutional channels, using peaceful means to promote and achieve their political vision and objectives. Their actions vis-à-vis other parties must be respectful of democratic rules and procedures.

3.1.3.4 Political parties must uphold democracy within their organization, that is, they must adhere to democratic procedures and protect the fundamental rights of their members.

**Comments/Further information:**

---



---



---



---



---

### 3.2 Status of Parliamentary Groups

3.2.1 Parliamentary groups must be granted legal status or some other form of recognition.

3.2.2 The criteria for forming a parliamentary group, as well as the rights and responsibilities of such groups, must be clearly stated in the rules of procedure.

3.2.3 All parliamentary groups have the right to place items on the agenda, to take part in debates and to propose amendments to bills.

3.2.4 Parliamentary groups must be provided with adequate resources and facilities according to a clear, transparent and equitable formula.

**Comments/Further information:**

---



---



---



---



---

### 3.3 Status of the Opposition

3.3.1 The role of the opposition must be seen as beneficial to the democratic process.

3.3.2 Parliament must encourage conditions that guarantee a place for opposition parties in democratic parliamentary life.

**Comments/Further information:**

---



---



---



---



---

**3.4 Balancing personal life and parliamentary life**

3.4.1 Parliament must be organized in such a way as to facilitate the participation of parliamentarians and allow them to fulfill their role while maintaining a balance between their parliamentary life and personal life.

**Comments/Further information:**

---



---



---



---

**3.5 Status of Administrative Personnel**

**3.5.1 General**

3.5.1.1 The administrative management of Parliament must be left to permanent, professional, non-partisan personnel providing support for the various services.

3.5.1.2 Parliament must have control of parliamentary services and determine the terms of employment of its personnel, independently from the executive branch.

3.5.1.3 Parliamentary personnel must carry out their functions with impartiality and mindful of their duty of restraint.

3.5.1.4 A clear distinction must be drawn and maintained between parliamentary service employees and political personnel (persons employed by a parliamentarian or parliamentary group and working exclusively for them).

3.5.1.5 Women must be adequately represented at all levels of parliamentary administration.

**Comments/Further information:**

---



---



---



---



---

### 3.5.2 Recruiting and Promotion

3.5.2.1 Parliament must determine the terms for recruiting its permanent personnel, independently from the executive branch.

3.5.2.2 Parliament must be provided with the resources necessary for recruiting the personnel it needs.

3.5.2.3 The recruitment and promotion of non-partisan personnel must be based on merit, and the selection process must be fair and transparent.

3.5.2.4 When hiring or promoting employees, Parliament must not discriminate based on gender, religion, financial situation, race or physical handicap.

**Comments/Further information:**

---



---



---



---



---

### 3.5.3 Organization and Management

3.5.3.1 The status of parliamentary service employees must protect them from any form of undue political pressure.

3.5.3.2 Neither partisan nor non-partisan personnel may have any legislative or procedural authority, including a vote in Parliament.

3.5.3.3 Permanent and political personnel must be subject to a code of conduct. A mechanism must be put in place to deter, detect and bring to justice any parliamentary employee engaged in fraudulent or corrupt practices.

**Comments/Further information:**

---



---



---



---



---

### 3.6 Budget

#### 3.6.1 Control of Parliament's Internal Budget

3.6.1.1 Only Parliament may determine and approve its budget, and the executive branch may not question the appropriateness of the means required by Parliament for the exercise of its functions.

Evaluate the degree of implementation of each criterion on a scale of 1 to 5:  
5 meaning "fully implemented"; 1 "not implemented" and N/A "not applicable"

5

4

3

2

1

N/A

**Comments/Further information:**

---

---

---

---

### 3.7 Material Resources

#### 3.7.1 Facilities

3.7.1.1 Parliament must have access to the physical and material facilities necessary for its Members to carry out their functions under appropriate conditions.

**Comments/Further information:**

---

---

---

---

#### 4. PARLIAMENTARY COMMUNICATIONS

##### 4.1 Accessibility

##### 4.1.1 The Media

4.1.1.1 Parliament must recognize access to information as a fundamental right of citizens. To allow this right to be fully exercised, Parliament must ensure that the media are given appropriate access to the proceedings of Parliament and its committees without, however, compromising its proper functioning.

4.1.1.2 Access by the media must be based on transparent, non-partisan criteria.

4.1.1.3 Parliament must promote new information and communication technology and seek out ways in which technological advances could reinforce the democratic process and improve individual participation and decision making.

4.1.1.4 Parliament must promote freedom of expression

**Comments/Further information:**

---



---



---



---



---

##### 4.1.2 The Public

4.1.2.1 The proceedings of Parliament and its committees must be accessible to the public, as long as this accessibility does not interfere with public security or parliamentary business.

4.1.2.2 Plenary sessions of Parliament must be open to the public.

4.1.2.3 Parliament must have access to resources for helping citizens understand its proceedings.

4.1.2.4 Parliament must ensure that the interaction between political parties and civil society is based on dialogue and cooperation.

**Comments/Further information:**

---



---



---

---



---



---

**4.1.3 Language**

4.1.3.1 Parliament must facilitate the use of all working languages recognized by the Constitution or in the rules of procedure, including simultaneous interpretation in debates and proceedings and the enactment of laws in all working languages.

**Comments/Further information:**

---



---



---

**4.2 Dissemination of Parliamentary Information**

**4.2.1 General**

4.2.1.1 Key decision-making processes must be presented in detail when they are officially recorded.

4.2.1.2 Parliamentarians must disclose their assets before, during and at the end of their term.<sup>8</sup>

**Comments/Further information:**

---



---



---



---

**4.2.2 Democratic Values**

4.2.2.1 Parliament must foster a spirit of tolerance and promote all aspects of democratic culture in order to educate and raise awareness among public officials, political actors and citizens about the ethical requirements of democracy and human rights.

4.2.2.2 Any restriction of freedom of expression must be prescribed by law. If restrictions prove necessary (for reasons of national security or to protect rights or reputations, for example), they must be proportional to their objectives.

---

<sup>8</sup> The extent of public disclosure of assets depends on the standards adopted by each Parliament.

Evaluate the degree of implementation of each criterion on a scale of 1 to 5:  
5 meaning "fully implemented"; 1 "not implemented" and N/A "not applicable"

5

4

3

2

1

N/A

**Comments/Further information:**

---

---

---

---

---

---

#### 4.2.3 Access to Legislation

4.2.3.1 Laws, proposed legislation, committee reports and any other parliamentary document provided for by the rules of procedure must be made accessible to the public.

**Comments/Further information:**

---

---

---

---

#### 4.2.4 Access to Open Sitings and Committee Debates

4.2.4.1 Parliament must encourage the use of widely-available information and communication tools to broadcast its proceedings.

**Comments/Further information:**

---

---

---

---

### SECTION 3 – CONCLUSIONS

What conclusions has your parliament drawn from its self-assessment?

---

---

---

---

---

---

---

---

Strengths:

---

---

---

---

---

---

---

---

Areas for improvement:

---

---

---

---

---

---

---

---

What recommendations emerge in relation to the objectives stated above?

---

---

---

---

---

---

---

---

How will the self-assessment be used?

---

---

---

---

---

---

---

---

What is your action plan for follow-up on this report?

---

---

---

---

---

---

---

---

---

---

Do you wish to communicate the conclusions of the self-assessment to COPA's Committee on Democracy and Peace?     YES     NO

**For additional information or to submit  
your report to COPA:  
Email: [copa@assnat.qc.ca](mailto:copa@assnat.qc.ca)  
Fax: 418 643-1865**





ASSEMBLÉE NATIONALE  
QUÉBEC

*Place aux citoyens*

**SECRETARIAT DU QUÉBEC DE LA COPA**

1020, rue des Parlementaires, 6<sup>e</sup> étage  
Québec (Québec) G1A 1A3 CANADA  
Téléphone : 1 418 644-2888  
Télécopieur : 1 418 643-1865  
copa@assnat.qc.ca  
www.copa.qc.ca