



WESTMINSTER
FOUNDATION FOR
DEMOCRACY

Utilising Human Rights Principles and Guidelines in Parliamentary Strengthening

George Kunnath
September 2015

Introduction to the Westminster Foundation to Democracy

WFD's vision is the establishment of legitimate and effective, multi-party, representative democracy.

Our approach to Human Rights has been mainly from the angle of capacity building and strengthening the institution of Parliament.

WFD focuses on sharing British experience such as the work and practices of JCHR.

WFD works in partnership with the HOC, IBA-HRI, academics and CSOs in our Human Rights work.



Obstacles to accepting a standard set of principles

1. The stage of political transformation.
Understanding the context and history.
2. The extent of political will.
Understanding the political economy and incentives.
3. The level of resourcing.
People and finances.

WFD and Oxford University Parliaments and Human Rights Project

The objective is to determine the current state of Parliaments in terms of their capacity, ability and responsiveness in the areas of human rights and the rule of law.

We are using the draft principles and guidelines on the role of parliaments in the protection and realisation of the rule of law and human rights.

The assessment toolkit has 108 questions.

Methodology

1. Conduct an assessment of the parliament based on the assessment toolkit
2. Validation of findings
3. Reflections workshop with the Parliament
4. Collectively agree action points
5. Gain exposure to best practice
6. Support in capacity development and introduction of the best practice

Countries

- Uganda
- Tunisia
- Ukraine
- Serbia
- Georgia



- United Kingdom (baseline comparator)

Elements of the draft principles and guidelines for human rights and rule of law

- Parliamentary Structures
- The Parliamentary Human Rights Committee
- Functions of the Human Rights Committee
- Working methods of the Human Rights Committee
- Key relationships
- Training and research services
- Effectiveness



WESTMINSTER
FOUNDATION FOR
DEMOCRACY

Sample of principles met by the pilot parliaments

All three Parliaments:

- Ensure that any relevant reports of the human rights committee are drawn to the attention of members before any proceeding on human rights or rule of law issues
- Have a specialised parliamentary Human Rights Committee with a broadly defined remit in their rules;
- Have Human Rights Committees supported by specialised staff with expertise in human rights law and policy ;
- Have Human Rights Committees conducting their work in such a way as to provide opportunities for civil society to have a direct input into parliamentary consideration;
- Ensure Members of the Government are ineligible to be members of the Human Rights Committee.

Sample of opportunities for improvement

- Only Ukraine has human rights lawyers in their legal services department;
- Only Ukraine examines the budget to see if the national human rights obligations are included;
- All the committees have a government majority;
- Only Uganda and Tunisia have a gender balanced committee (Ukraine has two women members);
- None of the committees systematically scrutinise government responses to court judgements on human right issues;



Sample of opportunities for improvement

- Only Ukraine does post legislative scrutiny (Ugandan ongoing WFD project);
- Only Ukraine maintains its committee's website;
- Ukraine and Uganda consider or debate national reports submitted to the Universal Periodic Review (UPR) of the Human Rights Council;
- Only Ukraine's research department has specialist human rights researchers.



Conclusions

- Human Rights standards are necessary in establishing a vision or goal;
- WFD's work should help feed into the process of developing and refining principles and guidelines;
- Principles work best if there is some sort of peer-review or association that applies influence and encouragement;
- They need to lead to some sort of analysis and capacity building tool;
- Support needs to be provided to parliaments for changes to be implemented.