

**Role of Regional Parliaments in  
Realizing Integration and Regional Effectiveness  
Assessing the Role of the Pan-African  
Parliament and the Arab Parliament**

*Dr. Kareem al-Sayed Abd al-Raziq  
Political Science Lecturer, Alexandria  
University*



**I**n light of the rising importance of the role of the regional and international parliament diplomacy, whether as regards the presentation of political visions in international forums, the resolution of international disputes, and the convergence of views among the disputing parties, appears the significance of proposing initiatives to assess the experiences of regional parliamentary performance addressing their activation to play an active role in succeeding the experiences of regional integration on one hand and in achieving international balance on the other hand . In this respect it's noteworthy to study the experiences of the "Pan-African Parliament" and "the Arab Parliament".

***First:*** the "Pan-African Parliament" experience. It is a main organ of the African Union (AU), which was turned from a consultative to a legislative institution so as to express the will of the peoples of Africa and to propagate for their issues before the international community aiming to realize peace, stability and security in Africa. The evolution of the Pan-African Parliament, as a main step in the evolution of the AU, has grabbed the attention of the African parliamentarians and politicians since Vote on the Pan-African Parliament is complete on December 14, 2003, where it worked as a consultative organ for the AU, and all through its following five years of development in a bid to realize the objective mentioned in the underlying protocol, namely to turn it to a full legislative authority whose members are elected through direct vote.

***Second:*** the Arab Parliament experience. The idea of its establishment dated back to 1955, however, it was actually found as a transitional parliament in 2005 and its statute was officially endorsed as a permanent parliament in 2012 to become a tool for practicing the principles of Shura (consultation), democracy, freedom and human rights.

**Indicators of Measuring the Effectiveness and the Role of Regional Parlia-**

ments

**Indicator 1: Idiosyncrasy**

The measurement units are represented in the inversely proportional relationship between the regional parliaments and their objectives. This means that whenever the regional parliaments are established “particularly” for realizing parliamentary objectives (including representation, legislation, monitoring... etc), the more such objectives are achieved. On the contrary, if such parliaments are established as a subsidiary or an “accompanying” to political or to other specialized operations such as integration, economic cooperation, coordination in foreign policy or security and defense affairs, the more possible that the achievement of such parliamentary objectives are delayed in favor of other non-parliamentary ones.

On applying this indicator on the cases under study, as regards the Pan-African Parliament, it was established in the process of upgrading the AU. Before its establishment, there was no applied mechanism for discussing and confirming wider knowledgeable information over development and other means that might affect the African countries and peoples. Furthermore, there was no mechanism for inserting and sustaining a continental programme in the national parliaments.

Heads of states and governments

have adopted the protocol of the African Economic Community; the originator of the Pan-Arab Parliament, during the 4<sup>th</sup> extraordinary summit held in Sert (Libya) in March 2001. Article 2 of such protocol stipulates that the main objective behind establishing this parliament is to create an institution of full legislative authority where its members are elected through suffrage; however, it should remain an institution with consultative authorities unless the member states decide otherwise through amending the protocol. The Pan-African Parliament was established for a special purpose represented in shouldering the responsibility of implementing the policies and objectives of the African Union/Regional Economic Community, in addition to foster the African integration through adopting legislative procedures for the national parliaments in conformity with the recommendations of the Pan-African Parliament.

As regards the Arab Parliament, it was established by virtue of the Arab League resolution no. 292, issued during the 17<sup>th</sup> ordinary session on March 23, 2005 which introduced Article 19 which, in turn, was added to the Pact by virtue of the Summit resolution no. 290, stipulating: "an Arab Parliament should be established within the framework of the League of Arab States which

defines the statute, formation, tasks and term of reference thereof." The statute of the Arab Parliament referred to the objective behind its formation "to be a space for practicing the principles of consultation, democracy, freedom and human rights," and to be a tool for conducting dialogue, taking decisions, in addition to being a popular thrust for the Arab working system and an active partner in formulating the common Arab policy for serving the upper interests of the Arab nation. It also aims to assert the principle of expanding the popular participation as a basis for democratic transformation in Arab countries so as to consolidate ties among Arab peoples.

**Indicator 2: The Clarity of Objectives:**

The measurement units are represented in determining the clarity of the objectives and how far it is applicable. Wide interest has been drawn to the importance of crystallizing and formulating the objectives, especially upon the propagation of the notion "Management by Objectives."

On applying this indicator on the cases under study, as regards the Pan-African Parliament, despite the clarity of the main target behind establishing this parliament, yet such targets are loose and do not include definite procedures and

steps. In this respect, Article 3 had determined the objectives of the Parliament as follows:

- Facilitating the implementation of the AU policies and objectives.
- Fostering the principles of human rights and democracy in Africa.
- Encouraging good governance, transparency and accountability in the member states.
- Getting the people acquainted with the objectives and policies that aim at the integration of the continent.
- Fostering peace, security and stability.
- Motivating cooperation and development in Africa.
- Consolidating the continental solidarity and creating the feeling of common destiny among the African Peoples.
- Facilitating cooperation among the economic regional communities and the parliamentary forums.

As regards the Arab Parliament, its objectives came as loose without determining certain clear procedures or stage objectives that should be evaluated to move on. In this respect, according to the preamble of the statute, the Parliament should fulfill the following objectives:

- Establishing an Arab system to be a space for practicing the principles of consultation, democ-

racy, freedom and human rights, and forming a collective framework for parliamentary representation for the sons of the one Arab nation.

- Applying effective participation in drawing the common Arab policies and establishing integrated Arab system that would realize social justice, face challenges and foster the developments of the Arab nation.
- Realizing economic and social integration and sustainable development in order to realize the Arab unity.

**Indicator 3: Relation between Governmental Organizations (Regional)**

Activating and improving the performance of the regional parliament shall be hard without an accordance over the fields of coordination and mutual cooperation with the executive wing inside the regional organization and without determining the channels and means through which the aspired cooperation can be achieved. Experiences of various regional parliaments refer to a certain kind of discussion and competition in order to realize cooperation and coordination between the regional parliament and the executive wing.

On applying this on the two cases under study; as regards the Pan-African Parliament, it is still a consultative body affiliated to a governmental organization. Stances of

some African countries from establishing the African Union in General and the Pan-African Parliament in particular reveal three main trends concerning the powers and specializations of the Parliament.

The first trend lies under the leadership of major countries and indicates the importance of introducing bodies that represent the abilities and potentials of the continent where the major countries should play an effective role in return of its burdens and commitments. The second trend indicates the necessity of adhering to absolute equality among its members in rights and powers, regardless of the burdens on each member state.

Supporters of the third trend call for considering the African Parliament a consultative organ in its primitive stages before reaching the stage of practicing consultative authorities.

As regards the Arab Parliament, it is still a consultative organ. Furthermore, an Arab Summit Resolution had been issued in March 2014 to assert the consultative role of the Arab Parliament. It is noteworthy to mention that emphasizing the consultative nature of the Arab Parliament comes for many reasons; its members are selected from national parliaments, part of whom are selected by appointment without elections. It is not yet clear whether

heading towards direct elections should be adopted, especially in light of the opposition of some Gulf States. The second reason is the equal number of seats dedicated for the member states in the Arab Parliament, without taking the population and the area of each state into consideration. The third reason is the ambiguity of the statute which did not apply any legislative or supervisory role for such Parliament.

**Indicator 4: Determining the Nature and Competences of the Parliament:**

- The clearer and more definite the tasks and competences of the Regional Parliament are, the more effective it is in fulfilling its role and the easier its performance is assessed.
- On applying this indicator on the cases under study, as regards the Pan-African Parliament, the founder protocol determined its tasks, which asserted its consultative nature and role, as follows:
- Facilitating the implementation of the policies, objectives and programmes of the Union, in addition to applying an effective supervision from the various Union bodies.
- Enhancing human and people's rights, consolidating the democratic institutions, the culture of democracy, rational governance, transparency, and the rule of law.
- Participating in the creation of an

awareness of the objectives and policies of the African Union's Programme, consolidating continental cooperation, solidarity and development, entrenching peace, security and stability in Africa, in addition to the importance of following up a common strategy for economic recovery.

- Contributing to the harmonization and coordination of the member states' legislative texts.
- Enhancing the coordination of the policies, procedures and activities of the regional economic communities and their legislative institutions.
- Putting the budget of the African Union under study and presenting recommendations in this respect before receiving the endorsement of the Conference.

As regards the Arab Parliament, Article 5 of its statute determines its competences and terms of references. It came loose and general without clear-cut procedures. It also did not determine the mechanisms of the implementation; thus making it incumbent to conclude a mechanism for organizing the relation with the League of Arab States in order to enable the Parliament to fulfill its role. Article 4, which organizes the terms of reference of the Arab Parliament, stipulates: "The Parliament fulfills its Competences in a manner that would enhance the common Arab action, realize economic stabil-

ity, social solidarity and sustainable development, in order to realize the Arab Unity.”

**Indicator 5: The Parliamentary Nature:**

The nature of the regional parliament may either be pure representative or taking a political/ cultural nature, or gathering between both natures. The more the regional parliaments are of technical or political nature, the more they resemble other international and regional parliaments.

On applying this indicator on the cases under study, as regards the Pan-African Parliament, according to Articles 2 and 11, the protocol offers legislative authorities determined by the presidents and heads of governments of the African Union states. However, during its first period, the Parliament enjoys consultative authorities that allow it to:

- Discuss and express its opinion over any matter, either through an initiative or through a request from the Conferences or any other federal body participating in the Union’s policy making.
- Coordinate the laws of the member states and enhance the programmes and objectives of the Union in the constituencies of the member states.
- As regards the Arab Parliament, Articles 4-15 of the rules of procedures determines the powers set

forth in Article 5 of the Statute which restricts the competences of the Parliament to being a consultative body. Available methods for practicing the competences of the Parliament are as follows:

- Drafting resolutions and Arab collective agreements that shall be referred to the Parliament from the Arab League or from the specialized organizations thereof.
- Presenting proposals on unifying the laws presented from the members of the Arab Parliament or from any of its committees.
- Handing over written parliamentary inquiries to the heads of ministerial councils, to the Secretary General, and to the heads and chairmen of the Parliament’s specialized organizations.
- Conducting hearing sessions with the heads of the ministerial councils, with the Secretary General or with the heads and chairmen of the specialized Arab organizations.
- Considering the projects of the public budgets or of the final accounts of the Arab League Secretariat and the specialized organizations thereof.

**Indicator 6: To what Extent the Outputs are Binding**

- The more the resolutions are binding, the more the regional parliaments possess powers. Consequently, their evaluation and development are based on their out-

puts and outcomes and how far do these two points represent the public opinion.

Through reviewing the tasks of the Pan-African Parliament, it is clear that it just issues recommendations, which, consequently, are not binding. According to Article 11 of the Protocol, the Parliament:

- Presents the recommendations which it deems appropriate as regards respecting human rights, enhancing the institutions and the culture of democracy, entrenching the rational governance and consolidating the rule of law.
- Presents the recommendations that aim at achieving the AU objectives and draws attention to the challenges and to the strategies of fulfilling any other task that deems appropriate in order to realize the objectives mentioned in Article 3 of the Protocol.
- As regards the Arab Parliament, it just issues non-binding recommendations. It also presents its point of view to the ministerial council or to the Arab Summit with the recommendations included to be used as a basis during discussions and not as a resolution. Article 4 of the statute stipulates:
- The Arab Parliament should discuss the issues which the Arab League council, the ministerial councils, the Secretary General,

the heads or managers of specialized Arab organizations refers to.

- The approval of the Arab Parliament on the unified draft laws and on the Arab collective agreements before their endorsement from the League's Council is a must.
- Budgets and final accounts of the League's secretariat should be considered before their endorsement from authorized bodies. Final accounts of the specialized Arab organizations should also be revised.

**Indicator 7: Relation with National Parliaments:**

Definitely, policies and legislations of each state deeply affect one another, thus making it incumbent upon the parliaments to establish an inter-dialogue. They would also be keen that this dialogue would be conducted constantly and effectively; thus formulating a public opinion that would be effective in the international political will, which, in turn, would restore the contents of the normative conventions that would be reflected upon the national domestic legislation.

The Pan-African Parliament works in close cooperation with the regional economic communities and with the national parliaments of the member states. For realizing this objective, the Parliament may, in accordance with its statute, hold annual consultative sessions with these

parliaments, including the Pan-African Parliament in order to discuss matters of mutual interest. However, the recommendations of the Pan-African Parliament are still non-binding for the national parliaments.

As for the Arab Parliament, it doesn't play an effective or coordinative role with the national councils and parliaments due to the lack of a binding cooperation mechanism or protocol with the other parties, thus making it hard to establish constant relations with all other countries.

**Indicator 8: Openness to Public Opinion:**

Openness to Public Opinion and to national and regional civil society organizations is one of the most important phenomena of transparency and publicity. This also includes granting international organizations the capacity of an observer to follow-up the performance of the parliament, besides an up-to-date website that posts the sessions of the parliament and publishes its minutes.

As regards the Pan-African Parliament, the participation of the affiliated parliaments in the fields of continental integration and of decision making had been negatively affected due to a shortage in information and in understanding the parliament's initiatives, policies and programmes that address the African regional developmental issues. Consequently,

there is a necessity to enhance capabilities and potentials in order to reach and exchange the value-added information services which mainly targets the continental and regional initiatives. Such initiatives prefer a wide participation from national parliaments, citizens and civil society organizations.

As regards the Arab Parliament, all five sessions which are held at the Arab League's headquarters shall be broadcasted. Moreover, the Parliament's website is somehow interactive. However, further effort should be exerted in order to influence and be influenced by the public opinion and by the Arab street.

**Indicator 9: The Impact of Society and Public Opinion:**

Both the Pan-African Parliament and the Arab Parliament are in dire need to develop communication with the public opinion and the citizens, thus leading to a reciprocal influence for both sides.

**Indicator 10: The Programmatic Nature of the Objectives:**

The time-bound objectives of the regional parliament and the specific timing of the applied plan for the parliamentary organizations are all factors that affect the performance of the parliaments, as follows.

As regards the Pan-African Parliament, according to the founder protocol, its main tasks include the representation of and the supervision on



the Union's bodies. It is also responsible of coordinating the national legislations and of supervising the policies, measures, programmes and activities of the regional economic communities and of the parliamentary forums in Africa.

In this respect, a comprehensive and unified strategic plan had been applied for the Pan-African Parliament (2006-10) and thereafter. Such a plan should present a joint-action task and vision, in addition to strategic objectives for this new institution of the African Union.

As regards the Arab Parliament, Article 87 of its statute compels it to prepare an annual blueprint which should receive the consent of the Parliament's bureau. This blueprint is actually under preparation; however, the cooperation mechanism with the Arab League is not yet adopted – supposed to be adopted during the Arab Summit, March 2015. Thus, its plan is not yet seriously activated.

**Recommendations:**

- Paying due attention to the nature and idiosyncrasy when formulating the unified legislative policy as regards the cultural, ethnic and religious diversity and dealing with such matters as a national cultural wealth that should be represented and preserved.
- Studying the extent of integration among states (whether African or

Arab) and realizing the optimum benefit in a manner that would mobilize the potentials of the people and of the countries towards development. Furthermore, the trend towards proposing and presenting policies that would contribute to overcoming the developmental challenges and the dangers of marginalization should be backed.

- Consultation among the member states in order to reach a concordance over conceding part of its legislative powers in favor of the regional parliament should take place.
- National legislative conditions should be brought in line with the regional ones in order to avoid conflicts and to guarantee that the legislative powers bestowed upon the parliament are not just a formality, but are rather an added value to the integration process and to the active role of the parliament.
- Good governance inside the member states should be encouraged and the criteria of transparency and of accountability concerning the policies of such states should be investigated. Regional safety and the sovereignty of states should be respected as an integral part of the constitutional and legal structure of the member states.
- Communication among the Pan-

African Parliament, the Arab Parliament, and other continental and international organizations should be consolidated.

- Propagating regionally and internationally to change the historical image of the African continent; being a base for natural resources and a market for the influx of Western products; thus leading to misconceptions to the notion of development should take place.
- Practical mechanisms for studying and monitoring the situation in the hotbeds should be provided

and parliaments should be granted the authority of issuing compulsory resolutions, especially on the African part as regards the issues on borders, civil wars and refugees, water, violating human rights.

- The role of the Pan-African Parliament and of the Arab Parliament should be activated in the field of reviewing the agreements and conventions which the member states act as a party, in order to ensure the non-existence of any item that might contradict the original pacts and conventions.