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RESOLUTION

on Parliamentary oversight as a tool to strengthen democracy, accountability and effectiveness of state institutions in the Eastern Partner countries

Resolution by the Euronest Parliamentary Assembly on Parliamentary oversight as a tool to strengthen democracy, accountability and effectiveness of state institutions in the Eastern Partner countries

The Euronest Parliamentary Assembly,

- having regard to the Constituent Act of the EURONEST Parliamentary Assembly of 3 May 2011,
 - having regard to the Joint Declaration of the Eastern Partnership Summit of 24 November 2017, in Brussels, and its previous declarations,
 - having regard to the Global Strategy for the EU’s Foreign and Security Policy of June 2016, entitled ‘Shared Vision, Common Action: A Stronger Europe’, and its implementation reports of years 1 (2016) and 2 (2017),
 - having regard to the Commission and the European External Action Service Joint Staff Working Document of 9 June 2017 on “Eastern Partnership - 20 Deliverables for 2020: Focusing on key priorities and tangible results”,
 - having regard to the European Parliament resolution of 9 July 2015 on the review of the European Neighbourhood Policy,
 - having regard to the report of 18 May 2017 by the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the Commission on the Implementation of the European Neighbourhood Policy Review,
 - having regard to the European Parliament recommendation of 15 November 2017 to the Council, the Commission and the European External Action Service on the Eastern Partnership, in the run-up to the November 2017 Summit,
 - having regard to the Euronest Parliamentary Assembly resolution of 3 April 2012 on strengthening civil society in the Eastern Partnership Countries, including the question of cooperation between government and civil society, and the question of the reforms aimed at empowering civil society,
 - having regard to the Association Agreements between the EU on one side and Georgia, Moldova and Ukraine on the other side,
 - having regard to the Comprehensive and Enhanced Partnership Agreement between the EU and Armenia;
- A. whereas effective parliamentary oversight is a pillar of a well-functioning democracy, in line with the principles of rule of law, and plays an essential role in democratic governance by helping to improve the quality of executives’ policies, programmes and practices and imparting greater legitimacy to those policies;

- B. whereas strengthening Eastern Partner countries (EaP) Parliaments' capacity to conduct effective oversight is of crucial importance and should be supported by the European Commission;
- C. whereas in any political system really applying the principle of the separation of powers, the parliament, on top of holding the legislative and budgetary powers, also exerts the overall oversight and control of the executive;
- D. whereas parliamentary oversight powers cover all policies and political action of the government and its agencies and are not restricted to the executive's implementation of the laws and the budget (budgetary control);
- E. whereas the independence of the judiciary is another important pillar of a functioning democracy;
- F. whereas three political systems are commonly distinguished, namely the presidential type of political system, the parliamentary type of political system and the semi-presidential or semi-parliamentary types of political systems;
- G. whereas on top of the plenary sittings, parliamentary committees are established to prepare the overall work of the institution and to guarantee an efficient daily oversight on the government and its policies and actions;
- H. whereas an independent, not constrained and well-functioning parliament, which enjoys all its constitutional powers including freedom to exert true scrutiny over the government and its agencies, becomes a key institution to consolidate the rule of law, including an effective fight against corruption which puts an end to impunity;
- I. whereas civil society organisations, media and human rights institutions provide input in the Parliament's task of oversight through their evaluations, inquiries and observations over the state institutions and their actions;
- J. whereas a free independent media and a free, sufficiently funded and efficiently structured civil society in the country are therefore fundamental also for an efficient and healthy functioning of the democracy and are of assistance to the Parliaments in their oversight tasks;
- K. whereas the processes of democratic consolidation require that national political institutions are ready to adopt best practices and to implement lessons learnt from its own and others' experiences;
- L. whereas basic red lines for democratic states are set by the irrevocable application of separation of powers, strict respect for human rights and fundamental freedoms and the firm defence of the rule of law;
- M. whereas regular elections, in line with international recognised standards, notably on competitiveness and transparency, are certainly fundamental, but taken alone are not the final evidence of a democratic political system;

- N. whereas multiparty parliaments are often seen as much more representative bodies and the high number of ideologically oriented parties provides a closer approximation to representation of the various interests in society;
- O. whereas the European Parliament's Democracy Support and Election Coordination Group (DEG) provides particular democracy support to a list of priority countries which includes the three EaP countries with an Association Agreement with the EU - Georgia, Moldova, and Ukraine;
- P. whereas the European Union supports EaP countries through specific projects to assist their parliaments to strengthen their government oversight, such as the 2009-2019 'Strengthening Parliamentary Democracy in Georgia' or, along with the United Nations Development Programme, the 2016-2018 Ukrainian 'Rada for Europe' or European Parliament's Needs Assessment Mission to the Verkhovna Rada of Ukraine (2015-2016);

Tackling challenges to parliamentary oversight activities

1. Underlines that democracy implies the equal representation of women and men in decision-making positions and the promotion of women in decision-making positions are therefore important areas of action; calls the EU Member States and EaP countries to improve women's representation in parliament;
2. Stresses that oversight functions along with political impulse represent one of the main tasks of parliament today, which requires a process of constant communication between the government and the parliament and the government's acceptance to be accountable to the parliament; calls on the EaP countries to maintain and further develop political systems that favour such constant communication and accountability;
3. Calls on the European Commission for a dedicated program aiming at strengthening parliamentary oversight in Eastern Neighbourhood countries by: improving coordination and collaboration between state agencies, parliament and Civil Society Organizations, proposing a tailored training module for the staff of the parliaments, or by supporting administrative reforms;
4. Assesses that in all six EaP countries, though to significantly different degrees, strong traditions in the exercise of parliamentary oversight are missing, leaving room for gaps in effective response mechanisms; calls for reinforcing reporting mechanisms for systematic dialogue between the executive branch and parliament;
5. Believes that reform processes in the EaP parliamentary administrations requires continuity in order to provide for synchronisation between the functions of the entire parliamentary infrastructure and the daily needs and expectations of the members of parliament: underlines in this respect that the administration also has to serve as guarantor for the full and appropriate legislative, representative, oversight (inter alia on budgeting) and other functions;
6. Calls for further public administration reform in EaP countries, as such reforms, if properly addressed, will allow public administrations to be more citizen-oriented and

transparent, while providing faster and better services to citizens and businesses; states that an efficient, transparent, citizen-oriented public administration is a precondition for the proper functioning of public governance and socio-economic development in the EaP countries, and hence has an impact over the quality of the democracy by facilitating and increasing the quality of parliamentary oversight in the country;

7. Assesses that challenges for the extent and effectiveness of parliamentary oversight appear in countries with strong presidential systems, which can be observed in Azerbaijan and Belarus, where the presidents have very strong powers vis-a-vis the parliament and government; appreciates that the situation in Armenia and Georgia evolved during the last years through consecutive reforms of constitution, moving towards pure parliamentary political systems, followed by peaceful changes of governments through non-violent, Velvet revolution in Armenian case and via elections in Georgian case; still calls on all six EaP countries that further reforms are needed to strengthen parliamentary oversight;
8. Reiterates that Eastern Neighbourhood Parliaments, when adopting any new legislative act, should not over-rush and need to adjust procedures allowing extended debates with opposition and other stakeholders on the content and details of the reforms in order to strengthen the role of the main legislative body's oversight;
9. Observes that to different extents, economic or other non-political elites have a strong influence on parliamentarians in the EaP countries hindering an independent and transparent scrutiny of governmental policies and actions as well as an efficient effective administrative reforms; is concerned with cases of mobility between political groups of large number of parliamentarians during their mandates, as it happened in Moldova in the 2014-2019 legislature; calls on EaP national parliaments to introduce means of guaranteeing the independence of parliamentarians and to halt gerrymandering practices; calls on the EaP countries to drive forward reform of the electoral legislation that lead to the establishment of means for an effective governmental accountability; recalls the EaP countries that during the amending the electoral legislation they should create equal possibilities for the representation of all ethnic minorities;
10. Urges political parties to address electoral reforms through a cross-party dialogue to ensure broad political support;
11. Calls on the authorities to implement OSCE/ODHIR election observation recommendations well before future elections;
12. Notes with concern that corruption remains a phenomenon which endangers trust in democracy not only in EaP countries, but in Europe as a whole; expresses concerns over corruption within parliament and in other state institutions, which even being reduced in some of the EaP countries, still to various degrees affects effective parliamentary oversight and calls for transparent investigation of every known case; underlines the need for accountability and for an end to impunity;
13. Stresses that a special role in exercising parliamentary oversight falls onto the opposition, in order to actively maintain a rigorous and full-fledged governmental scrutiny; calls to

abstain from any attempt to restrict opposition in oversight control functions and provide legislatively guaranteed rights for non-coalition or non-majority members;

14. Reiterates that the implementation of agreements with the EU, namely the Association Agreements with Ukraine, Moldova and Georgia, the Comprehensive and Enhanced Partnership Agreement with Armenia and Partnership and the Cooperation Agreements with Azerbaijan and Belarus, presents an additional source of work for parliamentary oversight, which require particularly intensive scrutiny and control of the government as well as effective coordination between the government, the parliament and the judiciary to deepen the European integration process;
15. Voices concerns about a lack of capacities in state institutions on European affairs that severely impacts the effective, efficient and comprehensive implementation of the Association Agreements and leads to a slowing down of European integration efforts; calls on the associated countries to increase efforts in building up a highly motivated administration that can draw on a sufficient amount of resources in order to fully and promptly implement necessary reforms and relevant provisions;
16. Stresses that diversity is crucial to the functioning of a parliament that works for all its citizens; calls on the EP and EaP national parliaments to take further steps to ensure a fair representation of women and ethnic minorities among its members;

Fostering meaningful exchanges amongst the European Parliament and the parliaments of the EU Member States and of the EaP countries and sharing achievements

17. Welcomes the efforts to support the EaP countries in their efforts to develop sustainable democracy and rules of law; however stresses that in order to be sustainable ownership of these processes which is rooted in the societies is needed;
18. Emphasises the provisions in the Euronest Parliamentary Assembly's Rules of Procedure, as approved in 2011 and amended in 2012, 2013, 2015, 2017 and 2018, on overseeing the Eastern Partnership policy implementation, with special regard to articles 17, 21, 22, 25, 26 and 27, and Annex I to the Rules of Procedure, which cover the topics of resolutions, recommendations, written and oral questions, and the committees and working groups;
19. Welcomes efforts by the countries of the Eastern Partnership with Association Agreements with the EU - Ukraine, Moldova, and Georgia, as well as by Armenia in the framework of the Comprehensive and Enhanced Partnership Agreement with the EU signed in November 2017 - to increase oversight over the implementation of these agreements, which poses additional challenges and opportunities; welcomes the Inter-parliamentary Assembly set up on 5 October 2018 by these three countries, aiming to achieve a more effective parliamentary oversight in this respect and to give an impulse to their joint scrutiny of the implementation carried out by their respective governments on the association agreements and on the EaP policy as a whole;
20. Believes that, in regard to the adoption of best practices and the learning from own and others' shortcomings and experiences as part of the process of democratic consolidation, the parliaments of the EaP countries have the chance to learn from their own experiences

and also take on best practices from each other and learn from each other's solutions to constraints;

21. Believes also that the exchanges of best practices amongst the European Parliament, the Parliaments of the EU Member States and the Parliaments of the EaP countries should continue playing a positive role and should be supported; believes also that an increase number of additional formats and exchange programmes between parliamentarians and parliaments' secretariats on parliamentary administration reform is needed in order to strengthen the capacities and raise awareness among the main stakeholders; calls to reinforce contacts at working level to build strong networks within and between the above-mentioned parliaments for further regional cooperation;
22. Commends the efforts of the 15th Eastern Partnership Panel on Governance and Public Administration Reform held in Prague on 7-8 November 2018 in addressing the accountability and organization of public administration and service delivery through citizen-oriented procedures and accessibility of public services;
23. Recalls that the EaP countries must act in accordance with their international commitments and respect fundamental human and minority rights in their legislative processes;

Enhancing the freedom of thought and independence of the media landscape and the academic world as a key priority for better parliamentary oversight

24. Reiterates the importance of a true free media, the need for independent media and media pluralism to ensure the security of media workers and journalists, and calls on not to limit the opportunities of media sources in order to have equal access of citizens of all ethnics to information and a true academic freedom of expression and thought as key ingredients to any democracy; calls on all Euronest Members to guarantee these freedoms and made them effective, as the media and the academia offer important professional expertise and knowledge to the parliaments providing a key input into parliamentary oversight and objectivity thereof;
25. Is concerned that an insufficient freedom of media and academic thought in some EaP countries leaves the parliaments without a well-informed public and scientific opinion, which is a necessary complement to enrich the parliament's constant scrutiny function; calls on all EaP countries to improve the legal provisions for free and pluralistic media and academic landscapes and made them effective, as in many cases remain still influenced or biased by business and political interests;
26. Urges EaP countries to enhance the media environment and to make professional, independent journalism sustainable, since only a healthy media landscape leads to the achievement of the EU neighbourhood policy's fundamental goals, including democracy, good governance, resilience against external pressures and an effective communication of reform and of the advantages of engaging with the EU; calls upon the EU and the EaP countries to continue creating a media environment where journalists can work free from coercion and repression;

27. Stresses the role of civil society organisations in fostering parliamentary oversight, transparency and the democratic process as a whole; calls on the EaP national parliaments to support and engage openly with civil society in all aspects of their work for citizens in order to take account of diverse opinions;
28. Highlights the risks of disinformation campaigns, notably by social media, as well as attempts of dissemination of antidemocratic narratives and values, that envisage to discredit public institutions or influence election campaigns; calls for close collaboration and exchange of experiences between EU and EaP countries in this area, adopting a firm common stand without endangering the citizens' fundamental freedoms;

Oversight over the Security Sector as a field of particular attention of parliamentary scrutiny

29. Reminds of the resolution on “Security challenges in the Eastern Partnership countries and enhancing the role of the EU in addressing them” that was adopted by the Euronest Parliamentary Assembly during its June 2018 session, which stressed that “upholding good governance in law enforcement, security and defence institutions is key to protect the Eastern European Partners from attempts of destabilisation”, and urged the parliaments of the Partners “to fully exercise their democratic oversight over law enforcement agencies and military and security services”; underlines that parliamentary oversight should be increased over the security sector;
30. Stresses the need for strengthened parliamentary oversight over the different security services in the EaP countries and reiterates the value of parliamentary oversight of the Ministry of the Interior and the newly established Security Services;
31. Recalls, in this context, the Final Statement and Recommendations of the sixth meeting of the EU-Georgia Parliamentary Association Committee, held in Brussels on 26 April 2018, and in particular point 14 on the launch of an EU funded project on strengthening the parliamentary oversight over the security sector;

Increasing human, material and financial resources of the EaP countries' parliaments

32. Calls for an increase of resources in personnel, material and financing in order to strengthen the overall performance of parliaments of the EaP countries, among other, to ensure that they are fully capable of developing an effective and continuous oversight action over the government, its policies and actions which is characterised by independence and which is backed by a functioning and objective research service;
33. Regards cooperation between parliamentary secretariats of the EaP countries, the European Parliament and the parliaments of the EU Member States as a means to achieve more efficient and effective parliamentary oversight through experience and resource sharing; calls, in the area of parliamentary research, to establish such cooperation also in the cases where no research service is yet existent and its establishment requires a particular effort;

34. Evaluates a strong, efficient and good cooperation between the Court of Auditors and the Parliaments of the EaP countries, which is based on mutual trust, as a necessary mean to achieve better and greater parliamentary oversight over the budget and budgetary spending; encourages such cooperation to be mainstreamed between the EaP countries.
35. Instructs its Co-Presidents to forward this resolution to the European Parliament, the Council, the VP/HR, the Commissioner for Neighbourhood and Enlargement, the EEAS, the governments and parliaments of the EU Member States and of the Eastern Partnership countries.