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EDITORIAL

Much of the information included in this issue is based on the suggestions, input and reactions received from parliamentarians, practitioners and partner organizations upon the distribution of the first issue. It includes news involving Arab parliaments since the beginning of 2009, highlights from parliaments around the world, and a review of some major electoral events and legislation recently promulgated in the Arab countries.

This second issue of the Arab Parliamentary Bulletin covers an interesting period in the Arab region. During the second quarter of 2009, parliamentary elections were held both in Kuwait and Lebanon and went relatively well despite the fears and concerns resulting from the political crises in both countries. One of the articles is dedicated to reviewing these important events and their impact on the consolidation of democracy in the two countries.

A key contribution has been gracefully submitted by MP Bassam Haddadin from the Jordanian House of Representatives. His article focuses on political parties in Jordan and the impact of party laws and electoral laws on both the life of parties and the parliament in Jordan. This issue also devotes particular attention to nationality laws through a review of the legislation ensuring full citizenship rights for women in some Arab countries, and the challenges still faced in many others.

We sincerely wish to thank all those who have contributed to this issue for their invaluable suggestions, and we especially value the numerous encouraging messages received over the past few months. We also extend our thanks to the 10,000 users who visit our website (arabparliaments.org) every month to consult and download the resources available online. You certainly increase our motivation and strengthen our commitment to further support parliamentary development in the Arab region.

Arab Parliaments' News

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Algeria: The Algerian parliament celebrated the International Women's Day by organizing a one-day meeting on March 7th, 2009. Discussions focused largely on enhancing Algerian women's representation in political life.

Bahrain: The Bahraini Shura Council organized a forum on the financial crisis and its economic implications on January 22nd, 2009. Participants stressed the role of parliament in establishing the necessary legal mechanisms to avoid possible repercussions on the Kingdom of Bahrain.

Source: Websites of Arab parliaments, websites covering parliaments' news and the AIPU

Egypt: The Egyptian People's Assembly signed a cooperation agreement with its Bahraini counterpart on April 1st, 2009. The agreement entails conducting regular visits, organization of workshops and exchange of experience with the aim of strengthening parliamentary work in both countries.

Parliamentarians Financial Oversight Toolkit

The "Arab Region Parliamentarians Against Corruption" in cooperation with GOPAC, and the Coalition for Accountability and Integrity – AMAN – Palestine, recently launched the Arabic version of this toolkit originally prepared by GOPAC and the World Bank. In addition to translating it, a regional perspective was added through providing several examples from the Arab region. The toolkit aims at strengthening Arab parliamentarians' capacities to practice a more effective role in overseeing public finance.

AIPU News

- *The 15th session of the AIPU Conference took place in Oman from March 7th-9th, 2009. The conference discussed general issues related to global peace and security, and concluded with relevant recommendations and resolutions. The issues discussed include Arab solidarity, terrorism, nuclear proliferation in the Middle East, human development, the international financial crisis and the AIPU's relations with other parliamentary associations.*

- *The 12th Afro-Arab parliamentary conference was held in Abuja, Nigeria from April 21st to 23rd, 2009 and was attended by more than 300 delegates from Africa and the Arab countries. Participants discussed the situation in the Middle East, the Arab region and Africa. The conference also focused on the impact of the international economic crisis and the protection of national economies in times of global recession.*

Arab Legislation

Bahrain: In May 2009, both the Council of Representatives and the Shura Council of the Bahraini Parliament approved the first section of the Familial Provision Law which applies to the Sunni sect. The law was then submitted to the King of Bahrain, who ratified it as Law No. 19 of 2009. However, discussions on the section of the law that applies to the Shiite sect have been postponed. The law received a general positive response as it grants women many of their rights, especially the right to divorce in case a husband violates the terms of the marriage contract. The law also provides women with the right to prevent their husbands from marrying more than one wife.

Egypt: A new quota allocating 64 seats in the Egyptian National Assembly to women was approved, following the amendment of the Assembly's Law on June 14th, 2009. According to the newly amended law, the number of seats in the People's Assembly will increase from 454 to 518 seats. 32 new constituencies will be created in which only women candidates will be allowed to run. The temporary amendment will take effect starting next year's elections and will continue to apply for at least two consecutive legislative elections.

Jordan: The Jordanian House of Representatives approved an Anti Human Trafficking Law (Law No. 9 of 2009) on January 25th, 2009. This law is the first of its kind in Jordan and is subsequent to Jordan's signature of the United Nations Convention Against Transnational Organized Crime in 2002, which was ratified on May 22nd, 2009 .[1]

Lebanon: The Lebanese parliament approved a bill on March 19th, 2009 lowering the voting age from 21 to 18. However, this measure will not take effect until the next Lebanese parliamentary elections to be held in 2012.

Sudan: The Sudanese National Assembly passed a new law on the National Commission for Human Rights. This law stipulates that the Commission, which met in April 2009, is autonomous and responsible for protecting and promoting human rights in Sudan and for overseeing the implementation of the provisions dealing with rights and freedoms, as stated in the constitution.

Syria: The Syrian People's Assembly issued 10 laws within the first 6 months of 2009. Among these laws is the law to ratify the International Labor Organization Convention No. 155 of 1981 relating to occupational health and safety, in addition to the 2002 protocol attributed to this agreement. Law No. 3 of 2009 was also issued and relates to achieving sustainable development by preserving electricity and diminishing the negative environmental consequences of using fuel.

Source: Information collected from Arab parliamentary websites, or through direct communications with parliaments, and thus does not include all adopted legislation and draft laws promulgated in the period covered by this publication.

1.http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&lang=en

In The Spotlight

TOWARDS ACHIEVING EQUAL CITIZENSHIP:
4 WOMEN'S RIGHT TO NATIONALITY

The efforts to grant women the right to pass their nationality to their children have been receiving increasing attention in the Arab world in recent years, leading to the mobilization of civil society organizations in several countries and triggering wide national debates.

The inability of a woman to extend her nationality to her children contributes to the subordination of women in society. This continuation of discriminatory attitudes and policies denies women their full citizenship rights as well as their children's basic rights as human beings.

Aware of the severe problems and inequalities resulting from such policies, many Arab parliamentarians took it upon themselves to rectify the situation. The increasing efforts by civil society, coupled with the establishment of a framework within international law[1] that guarantees equal treatment for women and protection for children's rights, laid the ground for a constructive debate within parliaments and among stakeholders.

In most Arab states, women married to foreigners cannot pass their nationality to their children or spouse. However, over the past years, several countries introduced amendments to their nationality codes in order to reduce legal discrimination:

Egypt amended its nationality law in July 2004 allowing Egyptian women married to foreigners to pass their nationality to their Children. The law however does not allow them to pass it to their spouses.

Algeria introduced changes to its nationality law in March 2005 allowing Algerian women to pass their nationality to their children. Algeria went even further by also allowing women to confer their nationality to their spouses.

The nationality code was amended in Morocco in January 2007 allowing Moroccan women married to foreigners to transfer their nationality to their children.

The Yemeni parliament also introduced amendments to the nationality code in April 2009 granting women the right to pass their nationality to their children.

Other countries have engaged in similar efforts. Most notably, in Lebanon a number of MPs have presented law proposals to amend the nationality law, although it would have been more productive to coordinate the efforts among the different parliamentary blocs. In Bahrain, limited changes to the nationality law are under discussion in Parliament. However, for the moment, these discussions are exclusively in relation to women married to Gulf citizens only.

Many Arab parliaments have embarked on reforming existing laws and many other countries have yet to do so. Lifting institutionalized discrimination is an essential step towards recognizing women's status as equal citizens and, in this regard, sharing law reform experiences may prove very helpful.

1. Major international human rights instruments dealing with the right to nationality include: Convention on the Elimination of All Forms of Discrimination against Women, 1979; International Covenant on Civil and Political Rights, 1966; International Covenant on Economic, Social, and Cultural Rights, 1966; Convention on the Rights of the Child, 1989; Convention on the Nationality of Married Women, 1957.

In Focus
LEBANON & KUWAIT ELECTIONS

During the first half of 2009, parliamentary elections took place in two Arab countries, Lebanon and Kuwait. These elections testified to Kuwait's and Lebanon's firm commitment to democracy, and stressed citizens' rights to make their voice heard and participate in decision-making through their elected representatives. Among the main highlights of these electoral events was Kuwaiti women's unprecedented access to the Kuwaiti National Assembly.

Photo credit: Ra'ed Qutena'as (www.flickr.com)

Prior to Elections: Countries in Crisis

Parliamentary elections in Kuwait and Lebanon were organized after long and severe political crises. In Kuwait, escalating tension between the legislative and the executive authorities led to dissolving the parliament and conducting elections three times in three consecutive years, whereby the 2008 parliament was dissolved within less than one year of it being formed. This phenomenon led many observers to question the parliament's ability to effectively carry out its functions. Lebanon, on the other hand, was on the brink of civil war after a prolonged and intense political struggle between government forces and the opposition. The Doha Conference diffused the tension as parties of the conflict agreed to a number of solutions, including

adopting the electoral law of 1960 based on electoral districts as a basis for voting. However, the Lebanese Parliament's role as a platform for dialogue among various parties retracted and was substituted by national dialogue sessions facilitated by the country's president.

Elections in Figures

On May 16th, 2009, Kuwaiti citizens cast their votes to elect their representatives to the National Assembly comprised of 50 seats. The new members were elected from amongst 210 candidates, compared to 274 candidates in 2008. Registered voters in Kuwait amounted to 384,790 voters (175,679 men, and 209,111 women), while voter turnout was 58%.

A few weeks later, on June 7th, 2009, Lebanon witnessed a long election day as 54.08% of the 3,120,707 registered voters headed to the polls. 587 candidates competed in decisive and heated elections to occupy one of the 128 parliamentary seats that comprise the Lebanese parliament.

Women in Elections: Surprises in Kuwait and Regression in Lebanon

Four years after Kuwaiti women obtained the right to vote and contend in elections, 4 women candidates out of 16 were able to access the National Assembly in 2009. While women's participation in 2006 had been weak, it significantly increased in 2008 (28 women candidates out of 274 candidates), as women candidates' effectiveness in conducting election campaigns was noticeable, as was their ability to attract a large number of votes in competitive constituencies. Similarly, these elections proved the ability of Kuwaiti women to actively participate in the political sphere even in predominantly Islamic or tribal regions. On the other hand, although Lebanon was the first country in the Arab region to grant women the right to candidacy
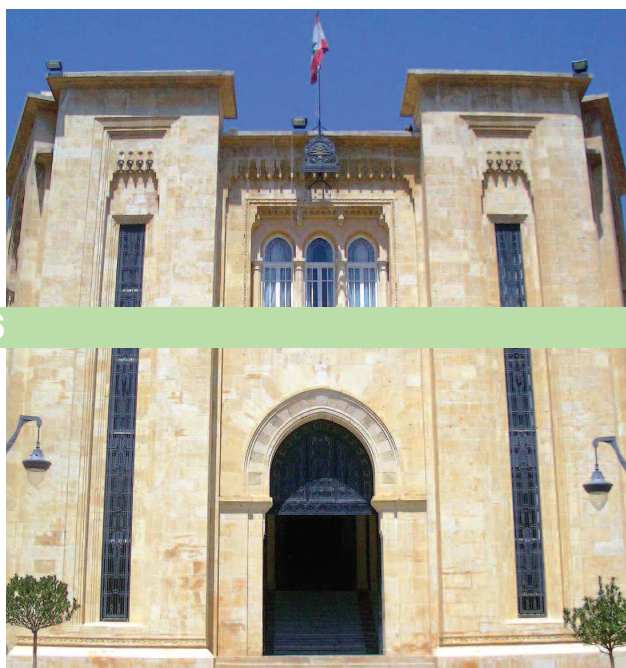
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(1952), the seats occupied by women declined from 6 in 2005 (7.7%) to 4 in the newly-elected parliament (5.1%). Women were in fact completely absent from the electoral lists of some political parties.

Media and Money:
Active Players in the Elections

In both Kuwait and Lebanon, media played a crucial role in the electoral campaigns. The Kuwaiti electoral law applied in the 2007 and 2009 elections reduced the number of electoral constituencies from 25 to 5. Consequently, candidates resorted to media as a means to address the large numbers of voters as the size of electoral constituencies expanded ; however, the electoral law did not include articles regulating electoral media messages and publicity .

In Lebanon, the intensity of the electoral battle was reflected in media campaigns of candidates and political party lists that attracted the attention of Lebanese, Arab and international audiences. In this regard, the electoral law of 2009 regulated mechanisms of both official and private media institutions involved in electoral advertising and information. This comes in contrast to the electoral law of 2000 that prohibited media outlets from broadcasting or publishing any elections-related material during the electoral campaign. The law also stipulated conducting the elections in one single day, while previously elections had occurred over a four-week period including four phases, whereby voters headed to polls once every week. This new arrangement added further pressure on electoral

machines and encouraged them to address voters on a wide scale and in an intensified manner.

In both countries, electoral money was omnipresent and contributed to tipping the balance in favor of one party or another in a number of polling stations and constituencies, as many observers, candidates and media institutions indicated in both Lebanon and Kuwait. While the Kuwaiti law did not provide for any article regulating electoral spending, the Lebanese law set a ceiling for spending and organized mechanisms for monitoring expenditures. Post-Elections: Challenges and Tasks Ahead

The newly-elected Kuwaiti and Lebanese parliaments both face several challenges. Caught up between tensions with the executive authority and trying to avoid the affects and repercussions of the global economic crisis, the Kuwaiti parliament is struggling to play its oversight and legislative role. In Lebanon, the question that presents itself is mainly related to the parliament's ability to regain its vital role and contribute to resolving impending issues, including the defense strategy and the resistance weapons.

The political empowerment of women constitutes an obvious deficit and remains a necessity in most Arab countries, including Kuwait and Lebanon. A recent study reveals that women candidates in the 2008 Kuwaiti elections only obtained 3% of women's votes, who account for more than 50% of the voters . In Lebanon on the other hand, despite continuous civil society campaigns to introduce a quota system to support women's access to politics, the observed electoral law declined this proposal. As such the Lebanese parliament should, in cooperation with civil society organizations, work towards strengthening the political participation of women to ensure fair representation of the Lebanese people in the next elections.

1. AL NAJJAR Ghanem, Kuwaiti Elections: Indicators, Al-Jazeera, 25th of May 2009.
2. Article 31 of the electoral law stipulated: "A candidate shall not be allowed to establish kiosks or tents or to use all means of transport for the purpose of election publicity in front of the balloting committees or others. With the exception of the election premises of the candidate, candidates shall not be allowed to install any posters, advertisement placards, or pictures or announce the holding of any meeting for consultations on the elections or voicing thanks and congratulations to the candidates, even after the end of the electoral process in public roads, installations or public and private buildings which could be used for publicity purposes."
3.http://content.undp.org/go/newsroom/2009/may/four-elected-women -sworn-in-for-first-time-in-kuwaiti-parliamentary-history.en?categoryID =349424&lang=en

Parliaments & Political Parties

**By MP Bassam Hadaddin
Member of the Jordanian House
of Representatives**

"Tell me what kind of parliament you want, and I can tell you which electoral law you need." This expression perfectly reflects the decisive role of the electoral law in determining the results of the electoral process, the form and composition of parliament, and the extent to which parliament represents various sectors of society at all levels and in all aspects.

The need for the representation of various political forces, schools of thought, and social groups establishes the parliament as the main field for national dialogue and for the formulation of the necessary legal policies and legislation that guarantee stability, social co-existence, and open up new horizons for societal progress and development. The experiences of nations have reflected that political parties constitute an accurate expression of the interests of various social sectors and strata, and testify to the ability of political parties in representing these interests in the "parliamentary symposium".

With regards to the Jordanian experience, the electoral law does not recognize political parties despite their legal presence. Elections in Jordan are conducted on an individual basis. This marginalization has weakened political parties and diminished their potential of outreach to the general public, with probably the only exception in this respect being the Islamic Brotherhood party.

Due to several factors other than the electoral law, such as the authority's frequent intervention and the role of money in politics, the Jordanian Parliament has been transformed from a council of representatives to a council of individuals. It also generally lacks any partisan presence, again with the exception of the Islamic Brotherhood bloc.

The ruling political elite's need to organize its relationships with the parliament leads it to "assemble" parliament members in parliamentary blocs that are structured around parliamentary leaderships with close ties to the decision-making spheres. These parliamentary blocs "democratically" compete to administer the parliament's affairs and direct parliamentary activities. This process has facilitated the governments' ability to pass policies and legislations with ease and with minimal affect on or modification to their essence. Consequently, the parliament has gradually lost its popularity among the people, and its position as the political and moral authority has become weaker.

The presence of parliamentary blocs does not necessarily imply the representation of political currents, schools of thought, and social groups that constitute society at large. The form of these parliamentary blocs, the background of individual parliament members and the settings behind these entities, deprive them of an independent representational capacity, even when it is related to representing their own environments and spheres.

Parliamentary practice is incomplete without the existence of political parties. Likewise, the struggle for parliament to occupy its constitutional position remains incomplete and can not be achieved without the presence of a balanced representation of political parties in parliament based on democratic principles. The presence of political parties and their

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legal licensing is not sufficient for their access to parliament. Political parties require a healthy environment to operate and carry out their activities, which would enable organizing and establishing relations with and winning the support of the public.

Seen from this perspective, it becomes one of the main duties of parliamentary activists aspiring to develop parliamentary practice and push it forward to work towards developing party laws and regulatory laws of democratic freedoms. They should also work towards securing a healthy environment for the growth and development of partisan and political practice for it to be effective in the electoral process. Efforts must also be directed to developing an electoral law, while legislating for competition among various parties and currents whereby competition is shifted, even if gradually, from an individual, tribal, and sectarian basis to competition based on political programmes.

In a situation where the parliament does not represent the composition of society, the outcome is the weakening of its role and a reduction of its popularity, a phenomenon that will be reflected in voters' attitudes. Within every society, there are forces persistently working to negatively influence the citizens' perception of parliaments by distorting the parliamentary and the democratic experience in general as a means to maintain their interests, privileges, and influence at the expense of the state and society as a whole.

The struggle for a representative parliament reflecting reality is the main entry point for eliminating the existing monopoly and hegemony as that would also pave the way for rising societal forces that will increase society's prospects for progress, development, and the renovation of ruling techniques and leadership styles towards that of good governance. Everyone's hopes are for a decent living and participation in building the present and the future.

Knowledge Building

As part of PDIAR's mission to address the increasing demand for parliamentary development resources in Arabic, and in an effort to build the capacities of members of Arab parliaments, the initiative has published two handbooks prepared by the Mauritanian parliament in cooperation with UNDP, available in both Arabic and French.

The Handbook for Parliamentarians on Public Finance explains the process of preparing the national budget. It defines the national budget cycle and sheds light on the legislative framework governing and regulating it. It clarifies the steps involved in preparing, adopting and overseeing the budget implementation. This publication also includes general guidelines and a glossary of related terminologies.

As for the Handbook for Mauritanian Senators it provides a practical manual for Mauritanian senators. It sheds light on the Mauritanian institutional structure, and discusses the Senate's organization and the various stages of the legislative process. The handbook also discusses the oversight role of the Senate.

Parliament of the World

Burkina Faso
Adopting a Law Imposing a 30% Women Quota on Electoral Lists

In recognition of the increasingly important role of political parties in strengthening women's political participation and representation, the National Assembly of Burkina Faso adopted, on April 16th, 2009, a law imposing a 30% women quota on political party electoral lists. The law stipulates that parties that adopt the quota will be provided with financial assistance, whereas parties that fail to meet this requirement will experience a cut-back in funding.

Indian Miracle Elections 2009

The world's largest democracy exhibited once again its commitment to democracy, described by many observers as the "Indian Miracle", in a month-long election involving five phases that were by and large peacefully conducted. Over 400 million people, of the estimated 714 million eligible to vote, cast their ballots from 16 April to 16 May 2009 to elect 543 candidates to the Lok Sabha (lower house). The United Progressive Alliance (UPA), led by Sonia Gandhi's Congress Party won 250 seats, while the opposition led by Bharatiya Janata Party (BJP) won 160 seats.

The UPA did not secure the 272 seats required for a majority in the 543-member parliament; nonetheless, it faced no difficulties in forming a coalition with regional allies.

Parliamentary Conference on the Global Economic Crisis

The Parliamentary Conference on the Global Economic Crisis was organized by the IPU and held in Geneva on 7 and 8 May 2009. MPs from 11 Arab countries as well as representative of the Arab Inter Parliamentary Union and the League of Arab States participated in this global conference. The conference focused on the unfolding global economic and financial crisis offering participating MPs the opportunity to conduct hearings, roundtables, and debates with leaders of major economic and financial institutions, senior representatives of the UN, the Bretton Woods Institutions, and the G20.

Selected Publications
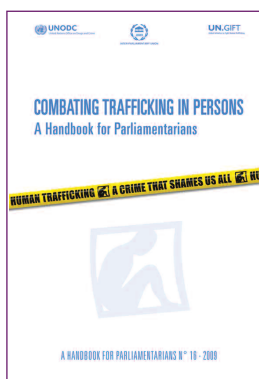
The Handbook on Combating Trafficking in Persons intended for parliamentarians was jointly produced by the IPU and UNODC and launched on 7 April 2009 at the 120th IPU Assembly in Addis Ababa. It offers guidance on the means to align national legislation with international standards in terms of defining and criminalizing human trafficking in all its forms, and prosecuting offenders and protecting victims. It also offers advice on how to report such crimes.

The Guidelines for Parliamentary Websites, published by the IPU in March 2009, serves to strengthen the communication process between MPs and citizens and enhance citizens' understanding of the work, role and responsibilities of legislatures, as it provides recommendations on the planning and management of parliamentary websites and enables parliaments to provide concrete guidelines to their website designers, developers and managers.

The Initiative

The Parliamentary Development Initiative in the Arab Region(PDIAR) is a joint project launched by UNDP's Global Programme on Parliamentary Strengthening (GPPS) and the Programme on Governance in the Arab Region (POGAR), with the support of the Belgian government to address the increasing demand for parliamentary assistance in the Arab Region. It builds on recent activities, findings, and lessons learned, and aims at promoting democratic governance through enhancing the role, capacity and image of the legislative institutions in the Arab countries and supporting the work of their members and administrations.

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