

برلمانيون عرب  
ضد الفساد  
arab region parliamentarians  
Against Corruption

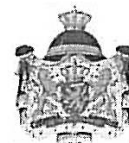


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## Code of Conduct for Members of Parliament and Conflict of Interest

### Yemeni Conference

Mövenpick Hotel, Sana'a – May 9-10, 2007



## **Program**

### **Day I: Wednesday May 9, 2007**

9:00 – 9:30 Registration

9:30 – 9:35 Holy Koran

9:35 – 10:30 Opening Session: Welcoming Address

- Mr. Sakhr Al Wagieh, President “Yemeni Parliamentarians Against Corruption”.
- A word from the [Yemeni] Assembly of Representatives, Deputy Speaker
- A word from Dr. Naser Al Sane, President of Arab Region Parliamentarians Against Corruption, MP, National Assembly of Kuwait. (Honouring Yemeni chapter of Arab Region Parliamentarians Against Corruption).

**10:30 – 10:45 Break**

**10:45 – 12:30 First Session: State of Corruption in Yemen**

**Chairperson:** Dr. Mamdouh Al Abadi, Member of the Jordanian Parliament and Member of Board of Directors of Arab Region Parliamentarians Against Corruption

- Scale and impact of corruption in Yemen: Dr. Mohammed Al Afandi, Member of Yemeni Shoura Council, Professor of Economics, Sana’a University
- The Role of the Yemeni Government in Fighting Corruption: Deputy Minister, Minister of Planning and International Cooperation.
- The Role of the Yemeni Legislative Assembly in fighting corruption: Mr. Abd Al Razag Al Hajry, Member of the [Yemeni] Assembly of Representatives and member of Yemeni Parliamentarians Against Corruption.
- Discussion

**12:30 – 12:45 Break**

**12:45 – 14:00 Second Session: Non-Governmental Initiatives in Fighting Corruption**

**Chairperson:** Mrs. Fatima Belmouden, Vice President of Arab Region Parliamentarians Against Corruption and Member of Assembly of Representatives, Morocco.

- Role of the Yemeni Civil Society: Professor Belquis Al Lahby of the Yemeni Coalition of Civil Society.
- Presentation of Arab and International Experiences: Dr. Azmi Al Shoeby, Member of the Board of Directors of Arab Region Parliamentarians Against Corruption, General Coordinator of Aman - Palestine
- Discussion:

**14:00 – 15:30 Lunch Break**

**19:30 – 22:00 Dinner Party for members of the Arab Region Parliamentarians Against Corruption Organization and the Yemeni chapter of the organization hosted by Deputy Speaker of the [Yemeni] Assembly of Representatives.**

**Thursday May 10, 2007:**

**9:30 – 11:00 First Session**

**Chairperson:** Mr. Ghassan Mokhaiber, member of the Board of Directors of Arab

Region Parliamentarians Against Corruption Organization

- Presentation of the operational framework of the working group on political code of conduct and conflict of interest
- Presentation and discussion of the first paper regarding international examples of the code of conduct for Members of Parliament and conflict of interest: Elda Barry, Westminster Foundation for Democracy
- Presentation and discussion of Arab legislation: Khalil Jabara, Arab Region Parliamentarians Against Corruption Organization

**11:00 – 11:30 Break**

**11:30 – 12:30 Second Session**

**Chairperson:** Mr. Ghassan Mokhaiber, member of Board of Directors, Arab Region Parliamentarians Against Corruption

- Discussion of the outlines of the working group on political ethics and conflict of interest

**12:30 – 16:00** Lunch hosted by Sheik Abd Allah Ben Hussein Al Ahmar

**16:00 – 18:00** Arab Region Parliamentarians Against Corruption's Board of Directors meeting.

**20:00 – 22:00** Dinner hosted by National Democratic Cradle (Al Mahd)

## **General Introduction**

On May 9-10, 2007, at Mövenpick Hotel, Sana'a, the Arab Region Parliamentarians Against Corruption, with the cooperation of the Yemeni chapter (Yemeni Parliamentarians Against Corruption), organized a conference entitled "Code of Conduct for Members of Parliament and Conflict of Interest", in collaboration with the Dutch Embassy in Sana'a and the Westminster Foundation for Democracy and with the support of USAID.

The conference agenda was divided into two days. The first day of the conference focused on examining corruption in Yemen and how to fight it (the role of the government, Assembly of Representatives and civil society). The second day was dedicated to international examples of codes of conducts for members of parliament and conflict of interest and related legislation in the Arab region. The participants also discussed the mechanisms of codes of conducts for members of parliament and conflict of interest and the guidelines for members of parliament, as a step in implementing the project of parliament's code of conducts and conflict of interest, which the Global Organization of Parliamentarians against Corruption requested that it be run by the Arab Region Parliamentarians Against Corruption.

### First Day

On the first day, the meeting was attended by representatives from the government and Yemen's Assembly of Representatives, parliamentarians from different Arab countries, members of the diplomatic corps in Yemen, a number of Yemen's media outlets members, as well as representatives from non-governmental organizations and civil society.

The first day of the conference was initiated by words of welcome from Mr. Sakher Al Wagieh, President of Yemeni Parliamentarians Against Corruption Organization. After welcoming the attendants, he gave a speech focusing on how crucial it is to have the political and social will to support the fight against corruption. Then Al Wagieh mentioned the steps that have been taken by Yemen towards fighting corruption, since Yemen has signed the United Nations Convention Against Corruption, and passed the *Financial Accountability Act* and *The Anti-Corruption Act* in addition to attempts to create an anti-corruption agency. Mr. Al Wagieh called for the necessity of coordinating anti-corruption efforts with civil society organizations.

In his welcoming address, Dr. Naser Gasem Al Sane, President of Arab Region Parliamentarians Against Corruption, said that the organization was seeking to create a consensus between governments, political parties, various civil society organizations and the media to fight corruption. He then criticized some politicians' anti-corruption rhetoric and their failure to develop a practical strategy to fight corruption. He warned them about the risk of corrupt people trying to sneak under the anti-corruption umbrella. Dr. Sane made a comparison between the commitment of Arab and European societies to fight corruption. The number of Arab countries that have signed the United Nations Convention Against Corruption almost equals the number of European countries that signed the Convention. He emphasized the necessity for every country to adopt an anti-corruption national strategy. Dr. Naser ended his speech by giving an appreciation award to the Yemeni chapter of the organization (Yemeni Parliamentarians Against Corruption) for their strenuous efforts to fight corruption.

In his address, Deputy Speaker Dr. Abd Al Wahab Mahmoud brought up the subject of the connection between the scale of corruption and the effectiveness of the laws and the entrenchment of the principles of transparency and democracy as an integrated system. He said that the Yemeni Parliament is fighting corruption through its constitutional and legal mandate as a legislative and oversight authority. He called upon all parliamentarians, intellectuals and civil society organizations to speak up against corruption and corrupt persons and reject all attempts to sideline or postpone financial, administrative and judicial reforms and the steps being taken to fight corruption.

Throughout the first day of the conference, a number of papers on corruption and anti-corruption measures were presented. The main focus was the governmental efforts to fight corruption. Dr. Mohammed Al Hawry, Deputy Minister of the Ministry of International Planning and Co-operation addressed that issue and pointed out that corruption was one of the stumbling blocks to any development. Mr. Al Hawry referred to a number of reforms taken by Yemen, which promoted human rights guarantees, activated signed agreements and promoted the role of the judicial system as the main protector of human rights. He also added that the government has established the necessary “infrastructure” to fight corruption by passing *the Financial Accountability Act* and *Anti-corruption Act* and amending the *Tender Act*, which is currently being tabled at Parliament. Al Hawry called upon all members of parliament to form an honest and capable body to fight corruption. He also called upon civil society organizations to change their role from simple monitors to actual participants in the endeavour to find successful solutions. He stressed that all parties should join forces to fight corruption.

The impact of corruption on development was the main topic addressed by Dr. Mohammed Al Afandi, Member of the Yemeni Shoora Council. He pointed out that corruption has become a general phenomenon that reflects the inadequate, underdeveloped and poor institutional structure of the economic, political and moral systems. It is not a matter of petty corruption or grand corruption anymore but rather a complex form of corruption that reflects deep flaws in the social and governmental structures at the economic, political and moral levels. Therefore, the theory of the

political economy of corruption focuses mainly on developing trends and determining the correlation and causality between corruption and development and between corruption and economic growth. Dr. Al Afandi stressed that the concept of productive efficiency, which ensures the best use and management of resources, is the main focus of the theory of the political economy of corruption. Economic maturity is a fundamental value on which the principle of productive efficiency relies. Today, good governance is the main guarantor of productive efficiency but corruption wreaks havoc on this principle and leads to a decrease in the productive efficiency of resource management, which, eventually, adversely affects economic growth and the prospects of socio-economic development.

He ended his speech by saying that stopping and preventing corruption is the most important step and that it would not happen without real political reforms that will strengthen the role of institutions and will help create a strong elected legislative in accordance with a sound electoral system and free and fair elections.

Dr. Abd Al Razag al Hagry, a member of the Yemeni parliament and a member of Yemeni Parliamentarians Against Corruption, spoke about the role of the Yemeni Assembly of Representatives in fighting corruption. He said that the Assembly has a major role to play in accordance with its constitutional and legal mandate that allows it to oversee the government and its activities. This parliamentary monitoring includes making the government accountable for its policies and decisions, guiding government's programs and services and auditing government's expenditures in addition to carrying out investigations and non-confidence votes.

The role of the Yemeni civil society in fighting corruption was dealt with by Professor Belquis Ali Al Lahby, a member and secretary of the Yemeni Civil Society Coalition. She said that civil society is the most valuable of the three pillars of fighting corruption as it presents the majority of those who are adversely affected by corruption. Prof. Al Lahby did not deny the large role that many groups have played in building society, such as political parties and religious people. But in her view, civil society has brought in an



innovative power that made it able to pay practical attention to global issues and move beyond the national scope, adding a new dimension to traditional policies. This in turn, has helped humanity offer new solutions to international problems. Prof. Al Lahby ended her paper by saying that although Yemen's civil society is new, it has achieved some accomplishments. For instance, it has managed to force the government to delete a provision in a program it has recently submitted to the legislative council. . The said provision clearly indicated the government's intention to control Yemen's civil society and making it an empty shell.

During the discussion of the presented papers, Zeid Al Shamy, a member of the Yemeni Assembly of Representatives, assured that fighting corruption is a common interest for both the government and society. He called for transparency and free access to information as an important step in the fight against corruption. Al Shamy said expressions such as "top secret" and "classified" should be reviewed.

Abd Al Salam Al Athoury, a Yemeni businessman, said that corruption is now openly practiced, not because of lack of laws but due to poor implementation and anti-corruption mechanisms. He criticized some parliamentary practices that made some parliamentarians vote in favour of some decisions that supported corruption, in addition to some judicial practices that bolster corruption.

One of the MP's attending the conference said that the root cause is political corruption, which has spread to many areas. He added that, in Arab countries, all powers rest with one person and that the political will is key to fighting corruption because those who have wide powers can use them to fight corruption.

Mr. Mohamed Al Sabry, Chairman of the Executive Committee of the coalition of opposition parties, said that the ruling party - the General People's Congress- does not seem to follow a general policy line that is serious about fighting corruption. He criticized the way the Anti-Corruption High Commission had been approved by the

General People's Congress before even it was introduced to the Yemeni Assembly of Representatives.

## **The Second Day**

The second day was dedicated to the presentation of related legislation in Arab countries and some European countries. Mr. Ghassan Mokhaiber, the treasurer of the Arab Region Parliamentarians Against Corruption and Chairman of the Working Group on Political Code of Conduct and Conflict of Interest, gave a presentation on the framework of the Working Group. He explained the mechanisms of the Working Group and announced that some studies were underway. He also presented a summary of the guidelines project and presented its three chapters: Rules, Processors & Effectiveness and Implementation. He pointed out that the Working Group would not only focus on theories but also on practical solutions. He promised to present a special guide to parliamentarians.

International examples of Parliament's codes of conduct and conflict of interest were presented by Mrs. Elda Barry of the Westminster Foundation for Democracy. She presented the code of ethics and conduct applied in developed countries, especially Britain and the USA. She explained the importance of having a political culture based on the foundation of a political system that consists of a government and the opposition and the existence of established parties to represent different classes and cultures in the country. Barry also talked about the importance of parliamentarians getting their full remunerations so that they do not have to accept bribes. She suggested that there should be laws to ensure that parliamentarians put the interests of the public ahead of their personal interest.

Dr. Khalil Gabara, the Executive Director of Arab Region Parliamentarians Against Corruption, presented a paper on legislation in Arab countries. He pointed out that the goal of the paper was to explain the general reality that Arab countries are facing in regards to the ways Arab parliamentarians behave and act by examining constitutions and parliamentary regulations. He added that constitutions are "a group of written measures and customs that outline the rights and obligations of citizens. Regulations are meant to set or explain the rules governing parliamentary work". Dr. Gabara explained that the importance of this study lies in putting a guideline for each Member of Parliament to

follow. It means providing “constitutional guarantees that would allow a member of parliament to do his/her job freely, without the influence of the government and the influence of the Executive”. They would allow an MP to be part of the Cabinet but not a public servant. They would also allow an MP to own his/her private business and practice his/her own profession. They would allow an MP to resign and allow Parliament to relieve him of his duties. Finally, an MP should be granted his parliamentary entitlements.

The daily agenda of the second day was concluded by discussions with the audience. Members of Parliament asked for details about the political code of conduct project and conflict of interest at the same time they talked about the experiences of their parliaments. At the end of the meeting, Dr. Naser Al Sane, President of Arab Region Parliamentarians Against Corruption thanked all the participants for their participation in this conference. As well, he thanked Yemen for the generous hospitality accorded to the conference. He announced that the next conference for the organization would be held in September 2007 in Bahrain.