

Workshop: Parliamentary Ethics and Conduct

Context

In recent years, an increasing number of parliamentary institutions have introduced codes of conduct in response to specific cases of unethical behaviour by members of parliament or by a broader desire to address low levels of public trust and concern about the honesty and integrity of its elected representatives. GOPAC members at its 2nd global conference in Arusha, Tanzania in 2006 resolved to respond to the ethical issues regarding their conduct, but also to address the broader concern of trust which was seen as the need to ensure parliamentarians were visibly and effectively carrying out their democratic roles of representation, legislation and oversight of government.

In an attempt to secure public trust and the legitimacy of public institutions, the idea of a code of conduct or ethics has been imported from the private to the public sector in several established democracies. Instances of political scandals involving conflicts of interests and the misuse of power have led the effort to try to address the overall corrosion of public trust and conviction in the government, to combat corruption and improve parliamentary standards as well as reinforce government accountability in the public's eyes.

Especially within the scope of emerging democracies, the superseding principle is that of transparency. The application of a parliamentary code of conduct will help promote good governance and greater openness; thereby obliging MPs to publicly declare any outside interests that might prejudice their role as legislators, improving their understanding of their duties as elected representatives, and reinforcing parliamentary procedural etiquette. The development of a code of conduct includes: a) establishing the structure and defining principles for a code of conduct; b) developing the content and rules of the code which include political representation and conflict of interest, transparency and disclosure rules, parliamentary immunity; and finally c) creating mechanisms for regulation and enforcement. The code of conduct is not however a standardized guide that can be applied universally to all parliaments. The "institutionalization" of such a code must take into consideration the political context as well as the norms, values and traditions of the country in which it will be enforced. Therefore, although based on a global standard, each parliament must identify the contents, scope and the way in which the code will be adapted in its respective country for the code to be relevant and successful.

Position Statement

Parliamentarians should:

- actively and visibly carry out their democratic roles (representation, legislation and oversight) in the public interest and do so in a manner that meets societal expectations of ethical behaviour – essential to establishing public trust; and
- in countries that have ratified the UNCAC, also ensure that parliamentary standards for behaviour also reflect international standards as well as domestic customs and ethical values.

Resolution

Aware of the context and in view of the position statement, GOPAC should:

- encourage all its members and chapters to adapt the Handbook on Parliamentarian Code of Conduct to their own respective parliaments and provide parliamentarians with the tools and means necessary to develop and sustain ethics regimes.
- maintain its Global Task force on Ethics and Conduct to:
 - support the efforts of chapters and individual members in pursuing action consistent with its position statement;
 - develop advocacy programs aimed at building public awareness and hence increased trust in the government by minimizing conflict of interest and maximizing transparency;
 - raise awareness on this issue among all relevant stakeholders, including: GOPAC members, media and civil society actors; and
 - engage parliamentarians in the application of the handbook via training sessions and seminars.