



# CPA

COMMONWEALTH  
PARLIAMENTARY  
ASSOCIATION



## FIELD GUIDE

CPA Recommended Benchmarks for Democratic Legislatures

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In partnership with the Commonwealth Partnership for Democracy #CP4D

## ACKNOWLEDGMENTS



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The Benchmarks were revised and updated in June 2018 by a second Study Group of CPA Parliamentarians representing different Commonwealth regions, which met at Wilton Park, West Sussex, United Kingdom. The 2018 Study Group was organised by the **Commonwealth Parliamentary Association (CPA) Headquarters Secretariat** together with the **Westminster Foundation for Democracy (WFD)**.

To access the updated CPA Recommended Benchmarks for Democratic Legislatures please visit [www.cpahq.org/cpahq/benchmarks](http://www.cpahq.org/cpahq/benchmarks).



**Commonwealth Partnership for Democracy (#CP4D):** The CP4D programme is aimed at strengthening democratic institutions and promoting good governance across Commonwealth countries. Launched during the **2018 Commonwealth Heads of Government Meeting (CHOGM)** in London, UK, the CP4D programme is helping to raise standards and build political commitment to democratic values through advancing inclusive and accountable democracy.

Between 2018-2020 as part of the #CP4D programme, the CPA will be offering assessment exercises to national Parliaments across four of the CPA Regions: Africa, Asia, India and South-East Asia. The #CP4D programme will help Parliaments adopt and implement the updated CPA Benchmarks that call for inclusive and accountable governance.

The CPA will be working together with CP4D programme partners, **Westminster Foundation for Democracy (WFD)**, the **CPA UK Branch** and the **Commonwealth Local Government Forum (CLGF)**. The CP4D programme has been funded by the UK Government. Visit [www.cpahq.org/cpahq/CP4D](http://www.cpahq.org/cpahq/CP4D).

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## **CONTEXT**

The CPA is now seeking to use the new CPA Recommended Benchmarks for Democratic Legislatures to provide a process by which member Parliaments and CPA Regions and Branches can use the Benchmarks to conduct a self-assessment of their own institutions.

The goal for the self-assessment may vary, but the overall objective will be to observe the progress of their Parliament(s) in achieving democratic and good governance standards.



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## Field Guide: CPA Recommended Benchmarks for Democratic Legislatures



### BACKGROUND

#### CPA Recommended Benchmarks for Democratic Legislatures

In 2003, the Commonwealth of Nations adopted the Commonwealth (Latimer House) Principles<sup>1</sup>, which provide for the separation of powers between the Executive, Parliamentary and Judicial branches of government. It provides for specific guidelines for the role of Parliament in each country's law-making and oversight systems. The process of encouraging all Commonwealth member states to eventually achieve democratic status has continued with the adoption of the Commonwealth Charter in 2013.<sup>2</sup>

Based on these principles, the Commonwealth Parliamentary Association (CPA) endeavoured to develop a set of Benchmarks that would define a democratic Parliament in further detail. In 2006, the first iteration of the *Benchmarks for a Democratic Legislature* was adopted by the CPA.<sup>3</sup> These included 87 indicators by which a member Parliament (both national and sub-national Legislatures) could measure its rules, procedures, laws and practices by which it operates, and how the general political system is organised.

Between 2009 and 2011 a number of CPA Regional Branches adapted the CPA Benchmarks to their specific regional context. This included the CPA Pacific Region (2009), the CPA Asia, India and South-East Asia Regions (2010) and the Caribbean, Americas and Atlantic Region (2011) adaptations. The CPA Benchmarks also formed the basis of adaptations by non-Commonwealth groups, including the Assemblée Parlementaire de la Francophonie (APF) and the Parliamentary Confederation of the Americas (COPA) in 2010 and 2011 respectively.

In 2015 the CPA endeavoured to once again engage CPA Branches in the Benchmarks. During this review process it was determined that the Benchmarks required an update. Feedback provided suggested that:

- The indicators needed to be more conducive to measurement and more easily applied to the work of the Parliaments;
- Given the fact the CPA Benchmarks were originally adopted in 2006, it was recognised that there was a need for a review to update the indicators to reflect current thinking regarding parliamentary development;
- With the adoption of the Sustainable Development Goals (SDGs) in 2015, there was a need to ensure the CPA Benchmarks reflected the new global development goals; and
- There was a need for the CPA Benchmarks to reflect the new Commonwealth Charter, signed in 2013.

In 2016, the Commonwealth Parliamentary Association (CPA) conducted a consultation and review process to recommend updating the CPA Benchmarks in line with the SDGs and the Commonwealth Charter. This recommendation was endorsed in principle at the 63<sup>rd</sup> Commonwealth Parliamentary Conference (CPA Annual Conference) held in Dhaka, Bangladesh in 2017.<sup>4</sup> A study group was convened in 2018 that completed a process to update the *CPA Recommended Benchmarks for Democratic Legislatures* and this was officially launched by the CPA Headquarters Secretariat in November 2018.<sup>5</sup>

<sup>1</sup> <http://thecommonwealth.org/history-of-the-commonwealth/latimer-principles>

<sup>2</sup> <http://thecommonwealth.org/our-charter>

<sup>3</sup> The first version of the CPA Benchmarks can be found here: [https://agora-parl.org/sites/default/files/cpa\\_-\\_Benchmarks\\_for\\_democratic\\_legislatures\\_a\\_study\\_group\\_report\\_-\\_20.12.2006\\_-\\_en\\_-\\_standards.pdf](https://agora-parl.org/sites/default/files/cpa_-_Benchmarks_for_democratic_legislatures_a_study_group_report_-_20.12.2006_-_en_-_standards.pdf)

<sup>4</sup> <https://www.wfd.org/2017/11/29/new-parliamentary-benchmarks-endorsed-commonwealth-conference/>

<sup>5</sup> [http://www.cpahq.org/cpahq/Main/News/News\\_Items/CPA\\_Benchmarks\\_updated\\_launch\\_event\\_Nov\\_2018.aspx](http://www.cpahq.org/cpahq/Main/News/News_Items/CPA_Benchmarks_updated_launch_event_Nov_2018.aspx)



## WHY A SELF-ASSESSMENT?

Parliaments are active and dynamic institutions that are constantly responding to short-term political circumstances. Bills are debated, Committees are holding inquiries based on recent issues and the public demands MPs and Parliament to respond to their current needs.

Consequently, Parliaments do not always have the time to take the long-term view of their work and how they operate. Every effective institution must have time set aside for self-reflection to enable it to identify where it is working well, where it can do better and where other similar institutions have provided a good example of what can be done within their own institution.

Every Parliament, no matter its level of maturity or current rules, can benefit from a consideration of what it does and how it functions.

Therefore, the revised CPA Benchmarks for Democratic Legislatures should be a tool by which member Parliaments can compare their practices to the standards that have been developed by the CPA and adopted by member Parliaments.

While completing the benchmarking exercise is a significant accomplishment, self-assessments also provide an opportunity for Parliamentarians from opposing parties or with diverging views to come together to discuss and debate the present strength and future of their institution. In other words, the journey is just as important as the destination. It is highly advisable that any self-assessment include external facilitation. A facilitator is a neutral third party who does not have a direct interest in the process.

Recent examples of Parliaments applying self-assessment tools has shown that there is a tendency to err on the side of positive self-reflection, as compared to a more evidence-based consideration of the functioning of the institution. With the assistance of an experienced, external facilitator, each member Parliament that undertakes a self-assessment based on the CPA Benchmarks for Democratic Legislatures should produce a report that reflects a realistic perspective on its work.

It should be stressed that this is not an external assessment nor is it a ranking exercise. The overall objective is for local stakeholders (i.e. MPs and parliamentary staff) to measure the progress of their Parliament in achieving democratic and good governance standards by comparing their practices to the CPA Benchmarks that have been developed and adopted by the CPA.

The CPA Headquarters Secretariat can assist by providing or recommending experienced facilitators who will provide contextual information and work with a member Parliament to support the assessment and ensure that it is evidence-based. The job of the facilitators is to assist your Legislature undertake the exercise and produce a report that reflects a realistic perspective on its work. All outputs will be agreed with and owned by a member Parliament.



## KEY STAKEHOLDERS FOR THE SELF-ASSESSMENT

Within each Parliament, there are two key groups. First, the **Members of the Parliament** need to be engaged in the assessment process to ensure their viewpoints and experience are part of the review. This must include robust representation from government, opposition and independent Members.

In addition, the **staff of the Parliament** need to be engaged. This will include not only senior staff, but can also include more junior, technical staff. As the institutional memory of a parliament, their perspective is also critical to a self-assessment of the institution.

Beyond the groups of people to be engaged, it is critical to consider other factors in ensuring those engaged can provide the inputs for an effective assessment. These include:

- **Diversity:** As much as possible, the group engaged in the self-assessment should reflect the society-at-large. This means ensuring appropriate gender and ethnic balance. Ideally, women should make up 50% of the participants.<sup>6</sup> Ethnic, religious and racial minorities should be well-reflected in the assessment groups. Other marginalised groups should also have a voice during the process.
- **Leadership:** The Parliamentarians and staff engaged in the review should be well-respected by their colleagues and have the capacity and weight to ensure that they reflect the views of a broader group and not just their own opinion. It is important that these individuals can move beyond the natural partisanship that occurs in any Parliament, to take a longer view of their institutional and democratic development.
- **Experience:** Each person engaged in the self-assessment will come with different types of experiences. For example, it should not be only those MPs or parliamentary staff with over ten-years experience who are engaged. The perspective of new staff and MPs, of women and other marginalised groups will provide different and important perspectives that need to be included in the process.

<sup>6</sup> If 50% women participants are not achievable, then efforts should be made to ensure as high a percentage of women participants as possible.



## WHEN SHOULD THE SELF-ASSESSMENT OCCUR?

The self-assessment can be conducted whenever the Parliament believes it is an opportune time for self-reflection. But some critical points for self-reflection may include:

- **When contributing to strategic planning/annual performance reporting:** Some Parliaments prepare an annual performance report that outlines strategic goals for the Parliament and reports progress achieved against those goals on an annual basis. The self-assessment process can be used to set goals for strengthening parliamentary processes, while the Benchmarks can be developed as key performance indicators. For example, with respect to *CPA Benchmark 10.1.7*, the objective may be to move from a website that does not maintain updated information in a timely manner to a website that is updated in a timely manner;
- **When reacting to effectiveness issues:** There are times in the life of a Parliament when issues arise that challenge the *status quo* of how a Parliament operates. Perhaps a Committee is demanding more authority to conduct a proper inquiry. Perhaps a Bill is being passed with limited public input and this process is being criticised. No matter the reason that has created the circumstances for questioning the effectiveness of the institution, this can be an opportunity for a self-assessment to start a process of self-reflection and the impetus for parliamentary reform;
- **As part of an Induction Programme/at the beginning of the Parliamentary Term:** Induction training is generally provided to new Parliamentarians following a general election. The purpose is to provide them with the initial knowledge required to get up to speed on parliamentary operations and processes. The CPA Benchmarks can be used to identify best practices and prompt a discussion as to how those best practices can be achieved. At the beginning of a new Parliament there may be a review of the Standing Orders and otherwise an atmosphere in which Members and parliamentary staff are open to reflecting on the rules and processes in their Parliament and beyond. This may or may not be linked to a new government being elected. Establishing benchmarks at the beginning of the parliamentary term can also provide an opportunity to discuss any progress made closer to the end of the life of the Parliament. Parliamentary staff can then write a 'legacy report' - which reflects on the progress made over the life of the Parliament and the challenges that remain;





- **When reporting to international bodies:** At the national level, there are numerous international conventions that require national governments to report on their progress (e.g. Sustainable Development Goals (SDGs); UN Convention against Corruption (UNCAC); Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)). Many of these conventions and obligations have an element that includes the role of the Parliament in bringing about accountability and inclusiveness. For example, for the SDGs each country will have to provide updates from time to time at the annual High Level Political Forum. Among the reporting by governments will be the need to report on progress on SDG 16. Indeed, Parliaments (national and sub-national) will be expected to add their report to that of the national government on their progress in achieving relevant SDG 16 targets. In the lead up to such reporting, it may be useful for a Parliament to engage in a self-assessment to provide a recent, evidence-based assessment of where the institution is currently;
- **For Parliamentary Monitoring Groups:** In many countries, civil society organisations monitor and report publicly on the performance of Parliament and Parliamentarians against a set of stated objectives. The CPA Benchmarks can help civil society organisations to identify both objectives and indicators to measure progress. An assessment of public access to and participation in parliamentary processes can also be undertaken by Parliament with a parallel process being undertaken by civil society organisations;
- **For Federal/Provincial or Regional Comparisons:** Federal systems may choose to assemble senior staff and Parliamentarians from the federal and provincial Legislatures as this offers a rich opportunity to compare experience within a similar political environment. Similarly, neighbouring countries or countries that are members of the CPA Region may choose to gather their senior staff and Parliamentarians. The purpose is not to rank jurisdictions but rather to offer the opportunity to exchange experience and examine best practices based on the CPA Benchmarks; and
- **When seeking external assistance:** In countries where development assistance is provided, Parliaments are often the beneficiary of such assistance from groups such as UNDP, NDI, WFD, USAID and the EU. Conducting a self-assessment can allow for a Parliament to establish the baseline of its practices that can form part of a parliamentary development project document. It can result in the provision of evidence of the need for such assistance and where it should be focused.



## HOW SHOULD THE SELF-ASSESSMENT BE USED?

A Benchmarks self-assessment is purely intended for a Parliament to track its progress against an accepted parliamentary standard or perhaps to support a request for external assistance. Given the number and breadth of the Benchmarks, it is important for Parliaments to decide on how they wish to utilise the Benchmarks.

### **Key factors include:**

#### ***Extent of Parliamentarian involvement***

Parliamentarians usually have limited time available to devote to the self-assessment process and therefore it is important to decide how Parliamentarians will be involved.

Some Parliaments may wish to have the self-assessment process completed by the Clerk and senior staff alone. However, the answers to many questions will vary by political party and the Member of Parliament's experience and, therefore, a wider perspective is encouraged. Should it be possible to involve Parliamentarians, ***the following 'three-group approach' should be helpful:***

#### ***Group 1: Parliamentary staff take the lead***

There are binary questions that require a simple 'Yes' or 'No' regarding the achievement of certain goals. These questions can be mapped out by the Clerk (or a designate) in the matrix found in *Annex 1*. There is no need for a more qualitative analysis or politically-nuanced consideration of the questions. For example:

- **Benchmark 2.5.1:** The Legislature shall establish and follow clear procedures for structuring debate and determining the order of precedence of motions tabled by Members.
- **Benchmark 6.1.1:** The approval of the Legislature is required for the passage of all legislation, including budgets.

Numerous questions also pertain to the administration of Parliament rather than the functioning of Parliament directly. For example, questions in category 5 (Parliamentary Staff, 12 Benchmarks) do not address parliamentary operations or performance directly. While it may be appropriate to involve the parliamentary leadership (Group 2) in some of the category 5 questions, generally it is not necessary to involve Group 3.



### ***Group 2: Involving the Parliamentary Leadership***

Other questions lend themselves to being discussed by the parliamentary leadership, which includes the Speaker, Chief Whips/House Leaders/Business Managers for each parliamentary party group, who normally have extensive experience working in the system and can be drawn upon to gain from their experience. This will include questions that may involve overarching policies and procedures that the party leadership will address rather than rank and file Members.

This discussion can take place in a formal meeting such as a parliamentary management board (i.e. Business Committee or Committee on Internal Economy). Such questions include:

- **Benchmark 7.2.2:** The Legislature shall have a reasonable period of time in which to adequately scrutinise and debate the proposed national budget.
- **Benchmark 11.1.2:** The Legislature shall approve and enforce codes of conduct, including rules on conflicts of interest and the acceptance of gifts.

### ***Group 3: Consulting widely***

Finally, there are questions that are better suited for an even wider cross-section of government and opposition Members of Parliament (this may include Committee Chairs and opposition ranking Members) in addition to the political leadership. Opinion on these types of questions can vary within each political party and different vantage points (i.e. from the perspective of different Members of Parliament) are likely to be required. This will allow for a broader perspective that will include Members and parliamentary staff who reflect the diversity of the jurisdiction and, especially, the perspective of women. Such questions include:

- **Benchmark 3.2.1:** Committees shall have the power to summon persons, papers and records, and this power shall extend to witnesses and evidence from the Executive branch, including officials.
- **Benchmark 6.1.4:** The Legislature shall provide adequate resources for legislators to draft legislation or amendments to any legislation.



### **Breadth of Questioning**

In addition to targeting the type of question to either the parliamentary staff, the parliamentary leadership or consulting more broadly, Parliaments can also decide on the scope or breadth of the Benchmarks to be examined by Parliamentarians. Here are some issues to take into consideration:

### **Scoping out: Underpinnings of democracy**

Some of the Benchmarks pertain to the democratic system that underpins Parliament’s work, while others pertain to the operations or the performance of Parliament directly. For example, the following categories of Benchmarks do not address parliamentary performance directly:

- 1.1 Elections (5 Benchmarks);
- 1.2 Candidate Eligibility (2 Benchmarks); and
- 4.1 Political Parties (2 Benchmarks)

### **Thematic Focus:**

Given the limited time that Parliamentarians have at their disposal, it may be decided that the focus of Parliamentarian involvement will be narrowed to explore certain themes as outlined below:

**TABLE 1: SUGGESTIONS FOR THEMATIC FOCUS (PART 1)**

<b>Recommended Theme</b>	<b>Relevant CPA Benchmarks</b>
<ul style="list-style-type: none"> <li>▪ <b>Committee processes and the rules underpinning Committee processes</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ 1.81 and 1.83 (Principles of Natural Justice in Committee, 2 Benchmarks)</li> <li>▪ 3.1 Committee Organisation (5 Benchmarks)</li> <li>▪ 3.2 Committee Powers (9 Benchmarks)</li> <li>▪ 7.1 General Oversight Function (9 Benchmarks)</li> <li>▪ 7.2 Financial and Budget Oversight (9 Benchmarks)</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>The oversight function of Parliament</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ 7.1 General Oversight Function (9 Benchmarks)</li> <li>▪ 7.2 Financial and Budget Oversight (9 Benchmarks)</li> <li>▪ 7.3 No confidence and impeachment (3 Benchmarks)</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Public access and participation in Parliament</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ See <i>Table 4</i> on page 20 for suggested Benchmarks to be covered</li> </ul>
<ul style="list-style-type: none"> <li>▪ <b>Parliament and the implementation of SDG Goal 16</b></li> </ul>	<p>SDG Goal 16 (Promoting peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels)</p> <p>See <i>Annex 1</i>. For more details on the SDGs, see <i>Linking the Benchmarks to the Sustainable Development Goals</i> on page 16-18.</p>



## SELF-ASSESSMENT PROCESS FOR BICAMERAL PARLIAMENTS

Where possible, both chambers in bicameral Parliaments are encouraged to participate in a combined self-assessment process.

The table below outlines a possible decision process for Presiding Officers and/or Clerks in bicameral Parliaments. This process should help both chambers to establish their approach for the self-assessment and to examine whether consensus can be reached to hold a joint assessment workshop.

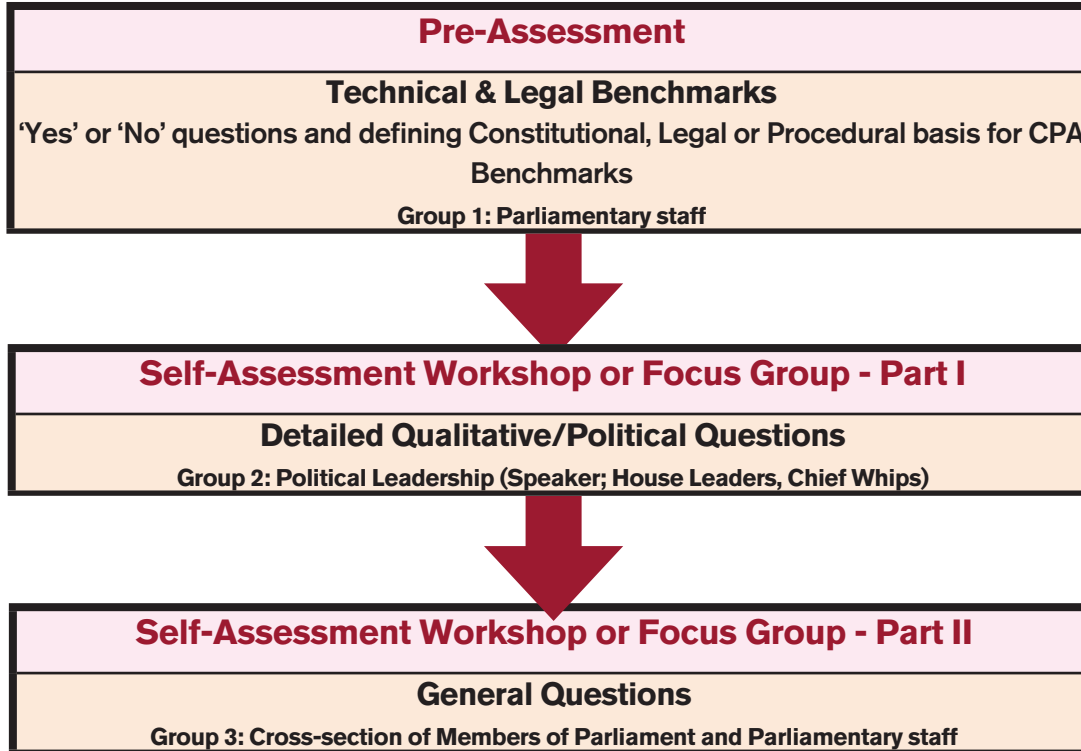
Should it be possible to hold a joint workshop, it is important that both chambers are well represented and that responses are captured separately for both chambers. It is also important to bear in mind that depending on the powers assigned to each chamber, not all Benchmarks will apply to both chambers.

**TABLE 2: DECISION STEPS FOR BICAMERAL PARLIAMENTS**

Decision Steps for Parliaments		Additional Decision Steps for Bicameral Parliaments	
Step	Reference	If Bicameral Parliament...	If Bicameral Parliament Decision...
1. Decide on timing of self-assessment	See page 6: <i>When should the self-assessment occur?</i>	Presiding Officers and/or Clerks should confer to seek consensus on timing.	If consensus, proceed to next step.
2. Decide on extent of Parliamentarian involvement	See page 8: <i>Extent of Parliamentarian involvement.</i> Confirm 'three group' approach to completing self-assessment (pages 8-9)	Presiding Officers and/or Clerks should each confirm 'three group' approach to self-assessment.	If consensus, proceed to next step.  If no consensus, conduct assessment separately.
3. Decide on breadth of questioning - how many Benchmarks will be selected?	See page 10: <i>Breadth of Questioning</i>	Presiding Officers and/or Clerks should seek consensus on breadth of questioning.	If consensus, proceed to hold joint or separate workshops.  If partial consensus on breadth of questioning, explore possible joint workshop on Benchmarks of mutual agreement and hold separate workshops on other Benchmarks where no consensus achieved.  If no consensus, hold individual workshops.



## SELF-ASSESSMENT PROCESS: SUGGESTED 3-GROUP APPROACH<sup>7</sup>



### **Pre-Assessment**

The Clerk (or a designate) leads this phase by pre-identifying the constitutional, legal and/or procedural basis for each Benchmark. This will require a review of all the Benchmarks as a preliminary consideration. In many cases, this will be a binary (yes-no) response that will not require any further discussion by Group 2 or Group 3. For example, with respect to Benchmark 1.3.1, the question is binary in nature and there is little room for a subjective opinion.

In total, there are approximately 50 such binary questions that can be responded to by the Clerk without participation by Group 2 or Group 3.

### **Self-Assessment Workshop**

Throughout the self-assessment workshop, there may be an external facilitator provided by the Commonwealth Parliamentary Association (CPA Headquarters Secretariat) who will act as an independent observer and work with each group to provide context and answer any questions about the Benchmarks.

The facilitator will also have the capacity and knowledge to ask questions about how the Parliament currently meets each Benchmark and will encourage, where necessary, a more evidence-based answer to a question.

<sup>7</sup> A workbook is available from the CPA Headquarters Secretariat [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org) to assist with the pre-assessment and subsequent self-assessment workshops.



### CPA Benchmarks rating scale

- 1. Non-existent practice:** *Practice does not exist and there is an absence of policies or procedures*
- 2. Informal practice:** *There are policies or procedures in place; but they are applied inconsistently; or there are no policies or procedures in place, but practices are nonetheless applied on an ad hoc basis;*
- 3. Formal practice:** *There are policies or procedures in place and they are often (but not consistently) applied; or*
- 4. Institutionalised practice:** *There are policies or procedures in place and they are consistently (always or almost always applied)*

As outlined in *Annex 1*, selected Benchmarks are recommended for discussion by the political leadership (Group 2) while selected Benchmarks are recommended for discussion by a wider group of Parliamentarians (Groups 2 and 3). Should time not suffice for all these Benchmarks to be measured, it is recommended that either:

- The Clerk or designate provide a suggested rating and that the participants confirm or change the rating; and/or
- Benchmarks be selected based on a thematic focus, such as Committee effectiveness or public access and participation. See table on page 10 for suggested themes.

The self-assessment workshop is divided into two phases. Phase I includes participants from group 2, while Phase 3 includes participants from group 3.

### **Phase I: Self-Assessment Workshop or Interviews for Group 2**

The background information and preliminary answers will be provided by the Clerk on each Benchmark and then provided to the facilitator and workshop participants so that they have accurate information regarding the constitutional, legal or procedural basis for each Benchmark. An alternative approach is to conduct a series of group or individual interviews instead of a workshop.

The participants - in this case the Speaker, Chief Whips/House Leaders/Business Managers for each parliamentary party group - can discuss the extent to which the Benchmark is implemented in practice and rate each Benchmark according to the scale shown on the right.

As part of Phase I, the Clerk can note where there is no policy or procedure in place. Then, as part of the self-assessment workshop, Group 2 can deliberate as to whether the practice is sufficiently applied on an ad hoc basis to constitute an informal practice or confirm that the practice is non-existent.

### **Phase II: Self-Assessment Workshop for Group 3**

The background information provided by the Clerk on each Benchmark is again provided to the facilitator and workshop participants so that they have accurate information regarding the constitutional, legal or procedural basis for each Benchmark. Similar to Phase II, a Parliament may choose to arrange a number of group or individual interviews with the external facilitator.

The participants - in this case a wider cross-section of government and opposition, in addition to the political leadership - can discuss the extent to which a Benchmark is implemented in practice and rate each Benchmark according to the scale denoted in Phase II.

Similarly, as part of Phase I, the Clerk or designate can note where there is no policy or procedure in place. Then, as part of the self-assessment workshop, Group 3 can deliberate as to whether the practice is sufficiently applied on an *ad hoc* basis to constitute an informal practice or confirm that the practice is non-existent.

## ENGAGING CIVIL SOCIETY IN THE SELF-ASSESSMENT PROCESS

Between elections, the electorate often plays an important role in the democratic process, mainly through participation in civil society organisations (CSOs). In some countries or jurisdictions, a small group of CSOs monitor the parliamentary process. More broadly, CSOs and private sector organisations appear before Parliamentary Committees or provide submissions concerning legislative business before Parliament.

Several of the CPA Benchmarks address:

1. The importance of public access to Parliament and parliamentary information;

AND

2. Public involvement in the legislative process.

The relevant CPA Benchmarks, which have been converted into questions, are shown on *Table 4* on page 20. Public access allows CSOs to view Parliament or Parliamentary Committees in session and review Hansard, while rules and practices governing public participation allows CSOs to appear before Committees and provide input into legislation under consideration, including the annual budget.

While it is helpful for parliamentary staff and Parliamentarians to assess public access to Parliament and involvement in the parliamentary process, it can be helpful for Parliaments to obtain feedback from civil society as well on the questions identified in this field guide.

When conducting this self-assessment process, it is important for Parliaments to decide on if and how they would like to involve civil society. If the views of civil society are sought, Parliament will need to clear about the goals and objectives of the benchmark exercise, including possible outputs.





Options for consultation include:

- Invite CSO representatives that interact with or monitor the Parliament (e.g. media monitoring or parliamentary monitoring groups) to participate in the self-assessment process directly. Having CSOs in the room when the CPA Benchmarks are considered may allow for a broader discussion of how the Parliament is functioning and where it is achieving (or not achieving) the CPA Benchmarks.

- Convene a separate focus group of CSOs that interact with Parliament using a facilitator or other independent organisation.<sup>8</sup> In addition to capturing qualitative feedback which may be helpful in a subsequent parliamentary self-assessment workshop, it is recommended that CSOs be asked to rate progress against select Benchmarks using the same scale outlined in this field guide (see Table 4 on page 20 for suggested CPA Benchmarks to be used in CSO consultation).

CSOs may also be interested in commenting on CPA Benchmarks related to Committee performance (category 3), the oversight function of Parliament (category 7) and ethical governance (category 11).

- Rather than seeking a consensus on a particular rating, each participant could be asked to respond using an online survey platform such as Survey Monkey or other electronic voting equipment. An average 'CSO rating' can then be calculated to obtain a rating against each CPA Benchmark. Quantitative CSO responses can then be compared to the perceptions of Parliamentarians.

As Parliament reflects on questions of public access and involvement in the legislative process, the quantitative and qualitative views of CSOs can be shared for comparative purposes.

This can change the terms of the discourse from 'Are we providing sufficient public access and sufficient opportunities for public involvement?' to 'Does the public and media feel that our Parliament is providing sufficient public access and sufficient opportunities for public involvement?'. Comparing the responses can help to foster discussion about whether there are opportunities for improvement.

<sup>8</sup> It was suggested that CSO focus groups may require an orientation regarding parliamentary best practices prior to seeking their input on the CPA Benchmarks.

## SUSTAINABLE DEVELOPMENT GOALS



### ***A Global Work Plan***

In addition to the CPA Benchmarks, Parliaments are bound by a set of objectives to guide them in operating effectively. In September 2015, at the UN General Assembly, all member states of the UN endorsed the Sustainable Development Goals (SDGs). Building on the results achieved through the Millennium Development Goals (MDGs) that were implemented from 2000-15, the SDGs looked to provide a road map for building a sustainable approach to development.

Each of the goals outlined in the 17 SDGs has a set of targets, accompanied by a series of indicators for each target. Specific support will be provided to increase capacity to collect data and statistics to provide a baseline for each Goal in each country. All countries, including high income countries, will be measured on their success in achieving the goals. The SDG timeframe is 2015-2030.

Based on lessons learned from the MDGs, a key objective of the SDGs is to ensure that their implementation goes deeper than the national level and that the goals are 'localised'.<sup>9</sup>

### ***SDG 16: Government's SDG***

One of the significant differences between the MDGs and the SDGs is the provision of a specific SDG Goal related to governance and the delivery of government services. As noted above, a lesson learned with respect to the MDGs was that shortcomings in achieving goals were often attributed to the failure of systems of governance.

***SDG 16 provides a defined goal for all levels of government – national, sub-national and local – to measure the delivery of public services. Parliaments<sup>10</sup> are expected to deliver specifically on a number of the targets and indicators for SDG 16.***

Therefore, Parliaments need not only to ensure that the government is achieving the SDGs it committed to 2015, but also Parliament itself is achieving certain operational objectives. Where a Parliament can meet the objectives of SDG 16 it will be a functional and effective component of the governance system and, in turn, contribute to economic and social development.

<sup>9</sup> Localised means that the SDGs are adapted at the sub-national (i.e. – province, state) and the local (i.e. – municipal) levels. This is based on the theory that if the SDGs are to be achieved their needs to be ownership and commitment at the local level, as it is often at these levels that the delivery of public services occurs.

<sup>10</sup> In the Commonwealth Parliamentary Association's membership, this includes state and provincial assemblies and all Branches of the CPA.



**TABLE 3: OVERVIEW OF RELEVANT TARGETS OF SDG 16**

<b>SUSTAINABLE DEVELOPMENT GOAL 16</b>	<b>Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels</b>
Target 16.5	<b>Substantially reduce corruption and bribery in all their forms</b>
	<b>Indicator 16.5.1:</b> Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months
	<b>Indicator 16.5.2:</b> Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months
Target 16.6	<b>Develop effective, accountable and transparent institutions at all levels</b>
	<b>Indicator 16.6.1:</b> Primary government expenditures as a proportion of original approved budget, by sector (or by budget codes or similar)
	<b>Indicator 16.6.2:</b> Percentage of the population satisfied with their last experience of public services
Target 16.7	<b>Ensure responsive, inclusive, participatory and representative decision-making at all levels</b>
	<b>Indicator 16.7.1:</b> Proportions of positions (by sex, age, persons with disabilities and population groups) in public institutions (national and local legislatures, public service, and judiciary) compared to national distributions
	<b>Indicator 16.7.2:</b> Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group

## LINKING THE CPA BENCHMARKS TO THE SUSTAINABLE DEVELOPMENT GOALS

As noted on the previous pages, there are currently two sets of standards that have been developed with regard to measuring CPA member Parliaments' current work and to promote their adaptation to improve how effective they are as public bodies – the CPA Benchmarks and the SDGs.

Parliaments are expected to achieve the targets listed in *Table 3* above under SDG 16 by 2030. This will mean that each CPA member Parliament will need to build a baseline set of data to show where it is now with regard to these targets and then to measure their progress going forward.

In particular, each CPA member Parliament must consider how it is achieving key targets in the following areas:



- **Inclusivity:** Ensuring that all citizens have the opportunity to engage in the work of the Parliament and the broader political process. Certain voices and groups are more likely to be heard and special effort must be made to ensure those more marginalized citizens and groups (e.g. women; people with disabilities; youth; ethnic, racial, religious, linguistic and other minorities) are able to engage and have their voices heard as Parliament works;
- **Accountability:** Parliaments are institutions that hold the government accountable for their actions. However, they are also accountable themselves to the citizens who they represent. This should include ensuring that there are systems in place to prevent corruption within a Parliament, including asset and income declarations, accounting and auditing for funds provided to Members of Parliament and party groups, and measures to prevent abuse of power;
- **Transparency:** Linked to accountability is the need for Parliaments to be open and transparent, so citizens, civil society and the media can observe and monitor their work. This should include such things as open Committee meetings, access to Members of Parliaments' declaration forms, annual reporting and auditing and publication in a timely manner of the work of the Parliament and its Committees; and
- **Effectiveness:** If a Parliament is inclusive, accountable and transparent, it will be going a long way to being an effective institution, but there is more that is included in this measure. Effectiveness is also about how the Parliament delivers on its core functions (i.e. – passing laws; oversight of government; representing citizens' interests) and its relationship with other actors in the political system, such as civil society, political parties, the Executive and Judicial branches of government.

Where a member Parliament of the CPA is to conduct a self-assessment, it is important that both the CPA Benchmarks and the SDGs be considered to ensure each Parliament is considering its work through the standards set by both. In many cases the two standards overlap, which will allow for the assessment of the SDGs by conducting a self-assessment based on the CPA Benchmarks.

To that end, certain of the CPA Benchmarks are relevant to the achievement of the SDGs. Those Benchmarks have been noted in the **Self-Assessment work book**<sup>11</sup> with an asterisk (\*) and the relevant SDG target is noted under each.

Parliaments should take note of their responses to these CPA Benchmarks and can use the responses to identify how the Parliament is meeting its obligations to achieve the SDGs and setting a baseline for its achievement of the relevant SDG targets.

<sup>11</sup> The Self-Assessment work book is available from the CPA Headquarters Secretariat [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org) to assist with the pre-assessment and subsequent self-assessment workshops.





**TABLE 4: SUGGESTIONS FOR THEMATIC FOCUS (PART 2)**

Category	Public accessibility	Public participation
Rules of procedure	2.1.6 Are the Legislature's rules, procedures and practices accessible to Members and to the public?	
Voting	2.6.1 Are plenary debates and votes in the Legislature public?	
Committees: Organisation	3.1.5 Are Committee votes, substantive decisions, and the Committee's reasons for the decisions made public in an accessible and timely manner?	
Committees: Powers	3.2.7 Do Committees hear evidence in public unless there is 'good reason' to hear particular submissions in closed session?	3.2.5 Do Committees seek and receive submissions from the public about the business before them and provide reasonable time for written submissions to be prepared?  3.2.8 Does your Legislature protect informants such as whistleblowers or public servants and witnesses presenting relevant information to Committees about corruption or unlawful activity?
The public and legislation	6.3.2 Is information provided to the public in a timely manner regarding matters under consideration by the Legislature?	6.3.1 Are opportunities given for public input into the legislative and Committee process, including the budget process?
Citizens and the press	10.1.1 Is the Legislature to be accessible and open to citizens and the media, subject only to demonstrable public safety and work requirements?  10.1.2. Is the Legislature accessible and open to persons with disabilities?  10.1.3 Does the Legislature ensure that the media are given appropriate access to the proceedings of the Legislature without compromising the proper functioning of the Legislature and its rules of procedure?  10.1.4 Does the Legislature have a non-partisan media relations facility?  10.1.5 Does the Legislature promote the public's understanding of the work of the Legislature?	
Transparency and integrity	11.1.3 Does the Legislature require legislators to periodically, fully and publicly disclose their financial and other relevant interests?	
Freedom of information (FOI)	11.2.1 Is there an effective FOI regime to give the public access to information held by public authorities?	



## ANNEX I: CPA BENCHMARK MAPPING

CATEGORY	SUBCATEGORY	CPA BENCHMARK	Clerks	Political Leadership	All MPs
I. GENERAL	1.1 Elections	1.1.1 Members of the popularly elected or only house shall be elected by direct universal and equal suffrage in a free and secret ballot.			
		1.1.2 Legislative elections shall meet international standards for genuine and transparent elections.			
		1.1.3 Term lengths for Members of the popular house shall reflect the need for accountability through regular and periodic legislative elections.			
		1.1.4 There shall be legislation to ensure campaign finance laws are in place to regulate the manner and extent to which political parties and candidates may receive monetary contributions from individuals and corporations.			
		1.1.5 An independent Electoral Commission or similar authority shall be established for the management of the conduct of elections and its tasks shall include monitoring the election expenses of parliamentary candidates and political parties.			
	1.2 Candidate Eligibility	1.2.1 Restrictions on candidate eligibility shall not be based on religion, gender, ethnicity, race or disability.			
		1.2.2 Measures to encourage the representative political participation of marginalized groups shall be drawn to accomplish precisely defined objectives.			
	1.3 Incompatibility of Office	1.3.1 No elected Member shall be required to take a religious oath against his or her conscience in order to take his or her seat in the Legislature.			
		1.3.2 In a bicameral Legislature, a legislator may not be a Member of both houses.			
		1.3.3 A legislator may not simultaneously serve in the judicial branch or as a civil servant of the Executive branch.			
	1.4 Freedom of Speech Immunity	1.4.1 The Legislature is protected by the freedom of speech immunity. The immunity shall protect persons from legal liability for words spoken and acts done while participating in or directly facilitating the Legislature's proceedings and shall restrict the judicial branch's use of such words and acts as evidence in judicial proceedings.			
		1.4.2 The freedom of speech immunity shall operate to enable the Legislature to carry out its constitutional functions effectively, free from interference or impediment. This includes the Legislature having access to all the information it needs to carry out its functions.			
		1.4.3 The Legislature shall have protection against potential misuse of the freedom of speech immunity. References to judicially suppressed or protected information, or to matters awaiting judicial decision, shall be made only in exceptional circumstances and with due regard to the separation of powers between the Legislature and the judiciary.			
		1.4.4 The Legislature shall have mechanisms for persons to respond to adverse references made to them in the course of the Legislature's proceedings.			
		1.4.5 The freedom of speech immunity shall continue to apply to former Legislators after they have left office, in respect of words spoken and acts done while holding office and participating in or directly facilitating the Legislature's proceedings.			



CATEGORY	SUBCATEGORY	CPA BENCHMARK	Clerks	Political Leadership	All MPs
I. GENERAL	1.5 Remuneration and Benefits	1.5.1 Fair remuneration and reimbursement of parliamentary expenses shall be provided to legislators for their service, to ensure that they give priority to parliamentary duties. All forms of compensation shall be allocated on a non-partisan basis.			
		1.5.2 An independent body or mechanism should determine the remuneration, benefits and other statutory entitlements of legislators.			
	1.6 Professional Development	1.6.1 The Legislature shall take measures to ensure that newly elected Members are assisted in understanding how the Legislature works and its rules of procedure.			
		1.6.2 The Legislature shall take measures to assist legislators to increase their knowledge and skills in the performance of their parliamentary duties.			
	1.7 Resignation	1.7.1 Legislators shall have the right to resign from Parliament in accordance with clearly defined procedures in the rules of procedure, the Constitution or any other related law.			
	1.8 Natural Justice	1.8.1 The Legislature shall incorporate principles of natural justice into its rules and procedures, and these shall be applied rigorously to all situations where serious allegations are made against named or identifiable persons during the course of proceedings, either in the Legislature or in its Committees.			
		1.8.2 Members, or others, who are subject to serious charges of contempt of, and offences against, the Legislature are accorded natural justice during the whole process of consideration, and the charges are decided on the basis of all properly admissible evidence.			
		1.8.3 Punishments imposed by the Legislature on Members or other people (for example, fines, or suspensions from attending or participating in further sittings of the Legislature and its Committees) are proportionate and fair.			
	1.9 Infrastructure	1.9.1 The Legislature shall have adequate physical infrastructure to enable Members and staff to fulfil their responsibilities.			
	II. ORGANISATION OF THE LEGISLATURE	2. PROCEDURE AND SESSIONS	2.1.1 The Legislature's rules of procedure reflect and support the actual practice and culture of the Legislature.		
2.1.2 Only the Legislature may adopt and amend its rules of procedure.					
2.1 Rules of Procedure		2.1.3 The Legislature's rules, procedures and practice shall be reviewed regularly to enhance parliamentary effectiveness and relevance.			
		2.1.4 Changes to the Legislature's rules of procedure shall be adopted with near unanimity.			
		2.1.5 The Legislature's rules of procedure shall allow Members to raise genuine and succinct points of order for the Presiding Officer to consider and decide.			
		2.1.6 The Legislature's rules, procedures and practice shall be accessible to Members and to the public.			
2.2 Presiding Officers		2.2.1 The Legislature shall select or elect Presiding Officers pursuant to criteria and procedures clearly defined in the Constitution and/or rules of procedure.			
		2.2.2 The Presiding Officer maintains order so that the Legislature carries out its functions effectively and Members have full opportunities to participate and be heard in accordance with the Legislature's rules, procedures and practice.			





CATEGORY	SUBCATEGORY	CPA BENCHMARK	Clerks	Political Leadership	All MPs	
II. ORGANISATION OF THE LEGISLATURE	2.2 Presiding Officers	2.2.3 The Presiding Officer decides all questions of procedure, and in doing so is guided by previous decisions and practice.				
		2.2.4 Punishments (such as orders to leave the chamber) are imposed on Members during proceedings only to the extent necessary to uphold the Presiding Officer's proper authority and ability to chair proceedings.				
	2.3 Convening Sessions	2.3.1 The Legislature shall meet regularly, at intervals sufficient to fulfil its responsibilities.				
		2.3.2 The Legislature shall have procedures for calling itself into regular session.				
		2.3.3 The Legislature shall have procedures for calling itself into extraordinary or special session.				
		2.3.4 Provisions and qualifying requirements for the Executive branch to convene a special session of the Legislature shall be clearly specified.				
	2.4 Agenda	2.4.1 Legislators shall have the right to vote to amend the proposed agenda for debate in accordance with the rules of procedure.				
		2.4.2 Legislators in the lower or only house shall have the right to initiate legislation and to offer amendments to proposed legislation.				
		2.4.3 A substantial proportion of the Legislature's time is set aside for it to consider business proposed by non-Government Members				
		2.4.4 There shall be an annual parliamentary calendar to promote transparency.				
	2.5 Debate	2.5.1 The Legislature shall establish and follow clear procedures for structuring debate and determining the order of precedence of motions tabled by Members.				
		2.5.2 The Legislature shall provide adequate opportunity for legislators to debate Bills prior to a vote.				
	2.6 Voting	2.6.1 Plenary debates and votes in the Legislature shall be public.				
		2.6.2 Members in a minority on a vote shall be able to demand a recorded vote.				
		2.6.3 Only legislators may vote on issues before the Legislature.				
	2.7 Petitions	2.7.1 The Legislature shall have procedures to allow for the meaningful consideration of petitions.				
	2.8 Records	2.8.1 The Legislature shall maintain and publish readily accessible records of its proceedings, in a standard and consistent format.				
	3. COMMITTEES	3.1 Organisation	3.1.1 The Legislature shall have the right and sufficient resources to form permanent and temporary Committees.			
			3.1.2 The Legislature's assignment of Committee Members on each Committee shall include both majority and minority party Members and reflect the political composition of the Legislature.			
			3.1.3 The Legislature shall establish and follow a transparent method for selecting or electing the Chairs of Committees.			
3.1.4 Once established, Committees shall meet regularly in a timely and effective manner.						
3.1.5 All Committee votes and substantive decisions, and the Committee's reasons for them, are made public in an accessible and timely manner.						



CATEGORY	SUBCATEGORY	CPA BENCHMARK	Clerks	Political Leadership	All MPs	
<b>II. ORGANISATION OF THE LEGISLATURE</b>	<b>3.2 Powers</b>	3.2.1 Committees shall have the power to summon persons, papers and records, and this power shall extend to witnesses and evidence from the Executive branch, including officials.				
		3.2.2 There shall be a presumption that the Legislature will refer legislation to a Committee, and any exceptions must be transparent, narrowly-defined, and extraordinary in nature.				
		3.2.3 Committees shall scrutinize legislation referred to them and have the power to recommend amendments or amend the legislation.				
		3.2.4 Committees shall have the right and sufficient resources to consult and/or employ experts.				
		3.2.5 Committees shall seek and receive submissions from the public about the business before them and provide reasonable time for written submissions to be prepared.				
		3.2.6 Committees hear evidence from people who wish to be heard, if practicable, or at least ensure that hearings cover the diverse perspectives of submitters.				
		3.2.7 Committees hear evidence in public unless there is good reason to hear particular submissions in closed session.				
		3.2.8 Legislatures shall protect informants such as whistleblowers or public servants and witnesses presenting relevant information to Committees about corruption or unlawful activity.				
		3.2.9 Only Legislators appointed to the Committee, or authorized substitutes, shall have the right to vote in Committee.				
		<b>4. POLITICAL PARTIES, PARTY GROUPS, CROSS PARTY GROUPS AND THE OPPOSITION</b>	<b>4.1 Political Parties</b>	4.1.1 Any restrictions on the legality of political parties shall be narrowly drawn in law and shall be consistent with the International Covenant on Civil and Political Rights.		
	4.1.2 The public and private funding of political parties and candidates shall be transparent and accountable.					
	<b>4.2 Party Groups</b>		4.2.1 Criteria for the formation of parliamentary party groups, and their rights and responsibilities in the Legislature, shall be clearly stated in the Rules.			
			4.2.2 The Legislature shall provide adequate resources and facilities for party groups pursuant to a clear and transparent formula that does not unduly advantage the majority party.			
	<b>4.3 Cross Party Groups</b>	4.3.1 Legislators shall have the right to form interest caucuses around issues of common concern.				
	<b>4.4 The Opposition</b>	4.4.1 The Legislature shall ensure adequate facilities and allocation of resources for the Opposition, including the leader.				
	<b>5. PARLIAMENTARY STAFF</b>	<b>5.1 General</b>	5.1.1 The Legislature shall have an adequate non-partisan professional staff to support its operations including the operations of its Committees.			
			5.1.2 The Legislature, rather than the Executive branch, shall control the parliamentary service and determine the terms of employment. There shall be adequate safeguards to ensure non-interference from the Executive.			



CATEGORY	SUBCATEGORY	CPA BENCHMARK	Clerks	Political Leadership	All MPs	
II. ORGANISATION OF THE LEGISLATURE	5.1. General	5.1.3 The Legislature shall draw and maintain a clear distinction between partisan and non-partisan staff.				
		5.1.4 Members and staff of the Legislature shall have access to sufficient research, library, and ICT facilities.				
		5.1.5 The Legislature shall take measures to ensure that women are represented at all levels of administration.				
	5.2 Recruitment	5.2.1 The Legislature shall have adequate resources to recruit staff sufficient to fulfil its responsibilities. The rates of pay shall be broadly comparable to those in the public service.				
		5.2.2 The Legislature shall have transparent and objective recruitment procedures that shall not discriminate in its recruitment of staff on the basis of race, ethnicity, religion, gender, disability, or, in the case of non-partisan staff, party affiliation.				
	5.3 Promotion	5.3.1 Recruitment and promotion of non-partisan staff shall be on the basis of merit and equal opportunity.				
	5.4 Organisation and Management	5.4.1 The head of the parliamentary service shall have a form of protected status defined in legislation or in the Constitution to prevent undue political pressure.				
		5.4.2 The remuneration of the head of the parliamentary service shall be set by an independent body or mechanism.				
		5.4.3 The Legislature should, either by legislation or resolution, establish a corporate body responsible for providing services and funding entitlements for parliamentary purposes and providing for governance of the parliamentary service.				
		5.4.4 All staff shall be subject to a code of conduct.				
	III. FUNCTIONS OF THE LEGISLATURE	6. LEGISLATIVE FUNCTION	6.1.1 The approval of the Legislature is required for the passage of all legislation, including budgets.			
		6.1 General	6.1.2 The Legislature shall have the power to enact resolutions or other non-binding expressions of its will.			
			6.1.3 The Legislature shall scrutinize secondary, delegated or subordinate legislation including its authority and scope.			
			6.1.4 The Legislature shall provide adequate resources for legislators to draft legislation or amendments to any legislation.			
6.1.5 The Legislature shall encourage the process of equality impact assessment with respect to the development of legislation, policies and budgets.						
6.2 Legislative Procedure			6.2.1 In a bicameral Legislature, there shall be clearly defined roles for each chamber in the passage of legislation.			
		6.2.2 The Legislature shall have the right to override an Executive veto.				
		6.2.3 The Executive shall transmit Bills and other documents for parliamentary action for timely distribution to Members.				
		6.2.4 The Legislature shall establish procedures for systematic monitoring of the effective implementation and consequences of legislation.				
		6.2.5 Only the Legislature shall be empowered to determine and approve the budget of the Legislature				



CATEGORY	SUBCATEGORY	CPA BENCHMARK	Clerks	Political Leadership	All MPs	
III. FUNCTIONS OF THE LEGISLATURE	6.3 The Public and Legislation	6.3.1 Opportunities shall be given for public input into the legislative and Committee process, including the budget process.				
		6.3.2 Information shall be provided to the public in a timely manner regarding matters under consideration by the Legislature.				
	7. OVERSIGHT FUNCTION 7.1 General	7.1.1 The Legislature shall have legislation, a constitutional provision or practice that ensures the size of the Cabinet is in proportion to the size of the Legislature.				
		7.1.2 The Legislature shall have mechanisms to obtain information from the Executive Branch sufficient to exercise its oversight function in a meaningful and timely manner. There shall be clear and effective procedures requiring the Executive to provide timely responses to oral and written questions and Parliamentary Committee reports and recommendations.				
		7.1.3 The oversight authority of the Legislature shall include effective oversight of the military, security and intelligence services.				
		7.1.4 The oversight authority of the Legislature shall include effective oversight of state-owned enterprises.				
		7.1.5 The oversight authority of the national Legislature shall include effective oversight of compliance with international treaties and obligations, including international human right instruments and the Sustainable Development Goals (SDGs).				
		7.1.6 The Legislature shall establish a position of independent ombudsman, or similar office.				
		7.1.7 The Legislature shall establish a Human Rights Commission, or similar office, with the mandate to protect against human rights violations.				
		7.1.8 The Legislature shall receive annual reports and scrutinize the activities of all independent constitutional bodies, such as human rights commissions, anti-corruption bodies and ombudsmen and, where feasible, follow-up on issues arising from their reports.				
		7.1.9 The Legislature shall ensure that independent constitutional bodies receive adequate resources and the work of such institutions are not subject to political pressure from the Executive.				
		7.2 Financial and Budget Oversight	7.2.1 Budget approval and scrutiny procedures shall be clearly specified in the rules of procedure, the Constitution or relevant legislation.			
			7.2.2 The Legislature shall have a reasonable period of time in which to adequately scrutinize and debate the proposed national budget.			
			7.2.3 Oversight Committees shall provide meaningful opportunities for minority or opposition parties and independent MPs to engage in effective oversight of government expenditures.			
			7.2.4 In addition to the draft annual budget, the Legislature shall receive and assess medium-term and annual budget strategies and be informed of the main assumptions that underlie the annual budget's revenue and expenditure projections.			



CATEGORY	SUBCATEGORY	CPA BENCHMARK	Clerks	Political Leadership	All MPs	
III. FUNCTIONS OF THE LEGISLATURE	7.2 Financial and Budget Oversight	7.2.5 The Legislature shall receive regular in-year budget reports and an audited annual financial statement from the government within 12 months after the end of the fiscal year.				
		7.2.6 The Legislature shall have access to sufficient financial scrutiny resources and/or independent budget and financial expertise to ensure that financial oversight is conducted effectively.				
		7.2.7 There shall be an independent, non-partisan Supreme or National Audit Office whose reports are tabled in the Legislature in a timely manner.				
		7.2.8 The Supreme or National Audit Office shall be provided with adequate resources and legal authority to conduct audits in a timely manner.				
		7.2.9 All reports of the Supreme or National Audit Office shall stand referred to the Public Accounts Committee, or a designated Committee, for further report.				
	7.3 No Confidence and Impeachment	7.3.1 In bicameral systems, only a popularly elected house shall have the power to bring down the government.				
		7.3.2 The Legislature shall have mechanisms to impeach or censure the Executive branch or express no-confidence in the government.				
		7.3.3 If the Legislature expresses no confidence in the government, the government is obliged to offer its resignation. If the head of state agrees that no other alternative government can be formed, a general election should be held in an appropriate time frame that is clearly specified in the Constitution or in any other related law.				
	8. REPRESENTATIONAL FUNCTION	8.1.1 The Legislature shall be organized in such a way as to enable the substantive representation of women in its work.				
		8.1.2 The Legislature shall provide all legislators with adequate and appropriate resources to enable them to fulfil their constituency responsibilities.				
	9. PARLIAMENTARY ASSISTANCE, NETWORKING AND DIPLOMACY	9.1.1 The Legislature shall have the right to seek and receive development assistance to strengthen the institution of Parliament.				
		9.1.2 The type of assistance, budget and the use of development assistance received by the Legislature shall be determined by the Legislature in a transparent and accountable manner.				
		9.1.3 Members and the staff of Parliament shall have the right to receive technical and advisory assistance, as well as to network and exchange experience with individuals from other Legislatures.				
	IV. VALUES OF THE LEGISLATURE	10. ACCESSIBILITY, OPENNESS AND ENGAGEMENT	10.1.1 The Legislature shall be accessible and open to citizens and the media, subject only to demonstrable public safety and work requirements.			
			10.1.2 The Legislature shall be accessible and open to persons with disabilities.			
10.1 Citizens and the Press		10.1.3 The Legislature should ensure that the media are given appropriate access to the proceedings of the Legislature without compromising the proper functioning of the Legislature and its rules of procedure.				
		10.1.4 The Legislature shall have a non-partisan media relations facility.				
		10.1.5 The Legislature shall promote the public's understanding of the work of the Legislature.				



CATEGORY	SUBCATEGORY	CPA BENCHMARK	Clerks	Political Leadership	All MPs	
IV. VALUES OF THE LEGISLATURE	10. ACCESSIBILITY, OPENNESS AND ENGAGEMENT	10.1.6 The Legislature shall identify demographic groups whose perspectives are not well represented in parliamentary decision-making and make efforts to increase their participation.				
		10.1.7 The Legislature shall have a regularly updated and accessible website to enhance and promote information sharing and interaction with citizens and the outside world.				
	10.1 Citizens and the Press					
	10.2 Languages	10.2.1 Where the Constitution or parliamentary rules provide for the use of multiple working languages, the Legislature shall make every reasonable effort to provide for simultaneous interpretation of debates and translation of records.				
	11. ETHICAL GOVERNANCE	11.1 Transparency and Integrity	11.1.1 Legislators should maintain high standards of accountability, transparency, responsibility and propriety in the conduct of all public and parliamentary matters including strict adherence to codes of conduct, and interest disclosure rules.			
			11.1.2 The Legislature shall approve and enforce codes of conduct, including rules on conflicts of interest and the acceptance of gifts.			
			11.1.3 Legislatures shall require legislators to periodically, fully and publicly disclose their financial and other relevant interests.			
			11.1.4 There shall be mechanisms to prevent, detect, and bring to justice legislators and staff engaged in corrupt practices.			
	11.2 Freedom of Information (FOI)	11.2.1 There shall be an effective FOI regime to give the public access to information held by public authorities.				



**CPA** COMMONWEALTH  
PARLIAMENTARY  
ASSOCIATION

# Field Guide: CPA Recommended Benchmarks for Democratic Legislatures



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## Commonwealth Parliamentary Association | CPA Publications and *The Parliamentarian*

The image displays a collage of various CPA publications and leaflets. Key titles visible include:

- The Parliamentarian**: Journal of the Parliaments of the Commonwealth.
- Separation of Powers**: The relationship between Parliament, the Judiciary and the Government.
- Recommendations on the Role of Small Island Developing States' Parliaments and Climate Change**: Published by the World Bank Institute.
- Handbook on Constituency Development Funds (CDFs): Principles and Tools for Parliamentarians**.
- Recommended Benchmarks for Codes of Conduct applying to Members of Parliament**.
- Recommended Benchmarks for Democratic Legislatures**: First published 2006, revised and updated 2018.
- CPA Small Branches Strategic Plan 2018-2020**.
- CPA Conference for Commonwealth Parliamentarians with Disabilities: Summary of the proceedings**.
- CPA Women Parliamentarians 80th anniversary year 1989-2019**.

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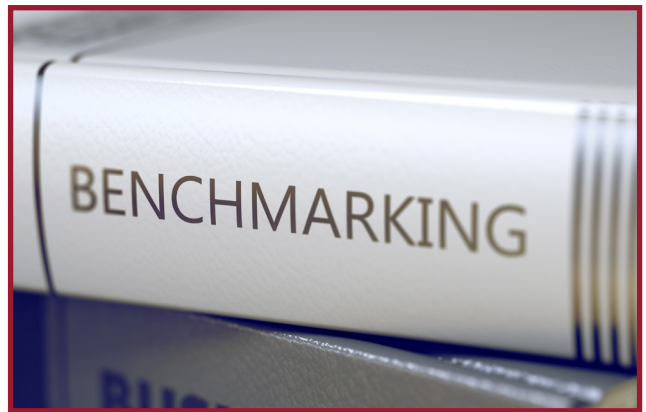


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