

ANFREL-Foundation initiative to create awareness about parliamentary democracy in Myanmar

In order to create awareness about the functioning of a parliament amongst the people of Burma/Myanmar an initiative titled, **Training and Parliament Education (TAPE)-Myanmar** has been started in the country since February 2013. The implementation of the project follows two years of research, assessments and resource mapping. Several activities have been undertaken since February 2013. The project has already successfully observed the sixth regular session of the Parliament (Amyotha Hluttaw, Pyithu Hluttaw and the Pyidaungsu Hluttaw) and is currently documenting the proceedings of the seventh regular session of parliament. A local team has been trained over a period of time to document parliamentary proceedings and initiate dialogues with Member of Parliaments (MPs) on various issues concerning the development of the country and its people, protection of the rights of citizens and the work undertaken to promote democratic values. Recently trainings were held with expertise from India and the Philippines to streamline the process of documentation and dissemination of information regarding parliamentary proceedings using standard formats.



Dr. M R Madhavan from Parliamentary Research Services, New Delhi India during a session on Parliamentary governance and functions in Yangon

TAPE-Myanmar Initiative Trainings in Yangon

A four-day training on parliament watch was organized as part of the Training and Parliamentary Education (TAPE) Myanmar initiative in Yangon, from July 8 to July 11, 2013. The Training was part of an ongoing effort to set up a parliament education using different approaches such as a 'Parliament Watch,' 'Voter's Education' and creating a 'Public Forum' for dialogue between Member of Parliaments (MPs) and their Constituents. The beneficiaries of the training were mostly local team members of the TAPE initiative, a few civil society groups and also a few students from various universities. The training featured ANFREL-Foundation Chairperson Damaso G Magbual who is also a Executive Council member of the National Citizens Movement for Free Elections (NAMFREL) in the Philippines as one of the lead trainers. Dr. M R Madhavan of the Parliamentary Research Services (PRS) was the other trainer. The lead facilitator was Mr. Bidhayak Das, Capacity Building Coordinator, ANFREL-Foundation.

Essentially, the training was aimed at strengthening the existing structures in the Parliament Watch/Reporting section of the TAPE-initiative. Various examples from the NAMFREL experience in the Philippines and also from the PRS initiatives on monitoring the Indian parliament were extremely beneficial to the participants. Both trainers through their experiences highlighted the need to develop very methodical information systems in order to develop comprehensive ways of watching parliament proceedings and recoding them in the database.

Day 1:

The training highlighted the fact that every program of the government is supposed to be in response to the needs of the people. In this context, the role a Member of Parliament was elaborately explained as one, which has to balance out between local and national needs. For example an MP has to support a party policy, which supports a Mining Act in the greater good of the Nation even if it meant going against the desires of the local residents who oppose the Act.

However, MPs are duty bound to mention to the people why they voted for the law giving examples such as, the project would bring in more revenue etc, notwithstanding that people have opposed the project owing to fears of emission and disposal of toxic materials leading to degradation of the environment etc. Even by supporting the National party policy MPs can be faithful to their constituency if the law provides necessary safeguards against disposal of toxic materials and prevent pollution of air, rivers and the sea. Examples such as the one mentioned above provided the participants an understanding of the how MPs can reconcile the greater need of the nation with the requirements of the constituents. This was cited as a classic example wherein "the MP represents you to protect your needs, your well being."

On questions of checks and balances between legislatures and executives, participants were told that in most parliamentary systems there is a mix of both and that constitution should provide such measures to enforce a clear guideline to clearly demarcate legislative and executive roles. For instance a president can be removed through a vote of no confidence if he or she fails to do her duty or

refuses to implement a policy. The case of the removal of the Australian Prime Minister recently by the party for allegedly not working in consonance with the party was highlighted to support the above example. The participants were told that a party head has to work in accordance with the policies and programs

Other systems where different courses of action are taken were discussed and an example of Switzerland was provided with a system of recall. In California when the incumbent governor was not working in the interest of the people, the citizens came out with a petition to remove their Governor.



Picture: ANFREL-Foundation Chairperson Mr. Damaso Magbual conducting a session during the Parliament Watch training in Yangon on July 8, 2013.

The message that was sent out from the trainers was that “a good and effective Parliament Watch” must not be passive and a Parliamentary Watch initiative is meant to furnish ideas through documentation of the proceedings and discussion on policy in the House.

The other important message that was delivered to the trainees was that there has to be consequent courses of action in a Parliament Watch activity and that it is not just mere observing the Parliament and the Member of Parliaments but much more than that. If those that are monitoring the Parliament feel that they are not happy with the Parliament proceedings, they should make proposals and submit it to the Speaker’s office.

Advocating the need a parliament system to have strong political parties, trainers pointed out that if political parties fail to perform it could be highlighted as a concern through proposals by those involved in monitoring the parliament.

The different systems of governance were also discussed and the relationship between the various branches.

MPs of the same party asking questions to their own members which is a prominent feature of the Parliament in Myanmar was described as something unusual and “not a parliamentary practice.” Usually, this happens when a party’s policy is not well defined.

Explaining the Congress Watch initiative, which was taken up by the NAMFREL in the Philippines, Mr. Magbual highlighted how with the support of the media the proceedings of parliament and parliamentary businesses were made known to the public. He also cited several other examples such as a "Candidate's Forum," where people ask questions to MPs and ministers regarding several issues, including expenditures, trips abroad, fulfilling campaign promises, etc, to how that government performance can be systematically monitored.

Ways to monitor the heads of provinces was also discussed wherein "Constituency Watch," was cited as a possible mechanism. Mr. Magbual talked about inviting provincial MPs to have dialogues, which he said was very common amongst British Parliamentarians. He said that democracy could be safeguarded only if citizens are involved.

Participants from the local TAPE team and its networks provided an understanding of the functioning of the Burmese/Myanmar Parliament, especially with regards to the powers vested on the Parliamentary Committees to prepare Bills. As of now there are four Parliament standing committees, which are working on Bills. The standing committees are mostly permanent, except where there are adhoc committees, which are set-up on a case-by-case basis. Besides this there is a Commission for Legal Affairs and Special Cases in the Lower House.

According to the participants Bills are discussed in the Commission and then it goes to the Bill committee following which MPs have a discussion on it both the Lower and the Upper House, which has bicameral committees representing both the Houses.

Based on the responses and questions from the participants, Mr. Magbual suggested that a systematic monitoring must look into the several aspects of preparing and processing of Bills. For example documentation would start with which MPs file Bills and the nature of these Bills. Questions like what resolution did MPs file and whether they were adopted were also highlighted as important aspects of the monitoring process. Mr. Magbual also suggested the need for a dossier for every Member of Parliament (Records of all the MPs), which would have in it, Bills and Resolutions filed, Bills passed, House expenditures (every member's expenses recorded) and other important features of parliament monitoring process.

The Differences between Bill and Resolution was also discussed wherein it was pointed out that often Bills are adopted and enacted into a law whereas Resolution is not a law (A law has a lasting and binding effect).

Day 2:

The second of the Training started with a review of the first day by a participant wherein essential features of a parliament watch were listed. The need for understanding the separation of powers between the different branches, that is the Legislative, Executive and the Judiciary was highlighted as a key lesson

learned, besides best practices from the Philippines example. Participants cited examples which were shared the previous day to demonstrate how one branch of governance should check and balance the other so that not one institute becomes all too powerful

The training on Day 2 began with a discussion of the various types of electoral systems to provide a broader understanding of how clean and credible elections play a key role in the process of setting up a government that would protect its people, look after their needs, uphold human rights and establish rule of law in the country. Different models of the electoral system were discussed and participants were provided a basic understanding of each system operates or has been functioning in different democracies around the world.

Later in the day that is from the post lunch session, Parliamentary Research Services (PRS) Director Dr. M R Madhavan began his presentations. He explained the basics of a parliamentary system of governance model and variations in the different systems. He also explained the layout of the sessions and explained the natures of questions, that are written and oral, which is usually taken up during the Question Hour. In this session the PRS trainer who explained the different ways of working of different parliament explained the working of a parliament and how sessions are conducted at length. As an example the difference between the functioning of British Parliament where the Prime Minister answers all questions and in Australia, where the Speaker points by turn to the Opposition and no questions are submitted in advance, were highlighted.



Picture: Dr. M R Madhavan of PRS India conducting a session during the Parliament Watch training in Yangon.

The difference between written and oral questions were also explained in that written questions have to be submitted 10 days in advance for the ministers to prepare and submit their written replies, whereas in the case of oral questions ministers have to answer on the floor of the House. Dr. Madhavan explained that this was one way of keeping the government under check and to ensure that the policy decisions are taken by the government with full knowledge of the facts.

Later trainees were exposed to the working of the Indian Parliament, which was explained by Dr. Madhavan in great detail starting with how a day's agenda is

planned out, to what each session in a day is meant to be and what is a 'Call Attention' motion, the process of law making and budget discussions.

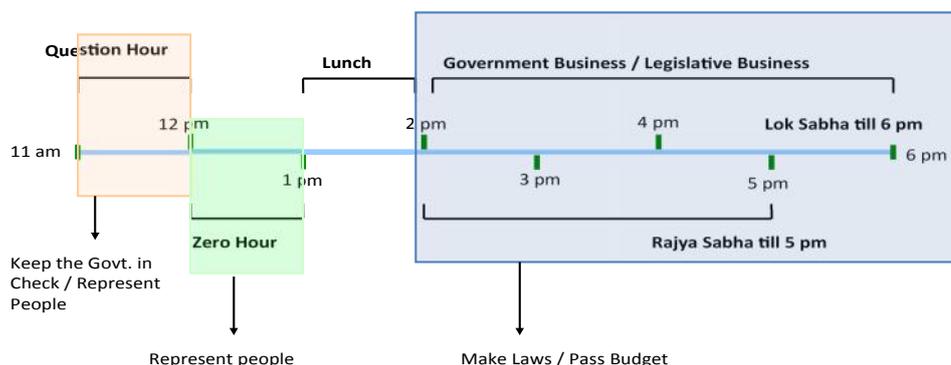
The participants were given a broad understanding of ways to "Track Parliament," covering all essential components such as:

- **Days worked**
- **Hours worked; Time lost to disruptions**
- **Tracking Bills through Parliament**
- **Bills passed**
- **Time taken on discussing Bills**
- **Question Hour statistics**
- **Issues Raised during Question Hour**
- **Budget related issues – Financial oversight**
- **Committee work**

Furthermore, methods used by the PRS in tracking MPs during the functioning of parliament were also highlighted. The different components that provides for tracking MPs include:

- **Attendance**
- **Participation in debates**
- **Question Hour participation**
- **Zero Hour participation**
- **Private Member business**
- **Committee work**
- **Constituency work**
- **Quantity versus Quality issues**

A day in Parliament



A slide from Dr. M R Madhavan's presentation during the TAPE-Myanmar training in Yangon on July 9, 2013

In a nutshell the different roles of Parliament that is Legislative, Oversight, Representative and budget was explained through the various presentations, in order to give an idea of what needs to be monitored in the parliament and the purpose of such documentation processes.

Day 3:

Most of Day 3 was focused on developing a user-friendly reporting template and checklists to build into what already exists. Dr. Madhavan shared his experiences on data collection and converting it into reports and publications. He advocated the need for data transcripts, designed in a way to be able to get raw information collected easily and fed into a reporting form.

He showed examples from PRS research and documentation techniques and underscored the need for testing formats before fixing any one format as the most suitable for the project owing to the newness of the parliament procedures in Myanmar.

Mr. Magbual in his session shared NAMFREL designs mentioning as many as 12 reporters were employed to cover the Congress and the Senate. He echoed Dr. Madhavan's stress on keeping a focus on observing parliament by listing what is relevant and important for the project. For instance he said it would be the prerogative of the project needs to define if the parliament would be observed as government body or only particular members would be monitored or monitor popular MPs who are either celebrities or sportspersons or track the work of the parliamentary committees. Showing examples of the NAMFREL experience He reiterated that information or a report is only so good if it is disseminated to the public. He also underscored the need for making the report of practical value and presentation of data, as it is to allow the public to appreciate it.

This session also spent ample time on understanding the need for a systematic process of documentation and verification of data and the utility of reporting using forms, templates and checklists. The need for maintaining proper contact information of MPs and posting the data on the website was highlighted as an important part of all Parliament Watch initiatives.

A role-play on the lines of "Mock Parliament" was also organized with participants from universities in Yangon. The idea behind this was give a sense of how a parliament functions and the roles that each member plays or is expected of them by the public.



Role Play during the TAPE-Myanmar Initiative training on July 10, 2013