



**NATIONAL**  
**DEMOCRATIC**  
**INSTITUTE**  
**FOR INTERNATIONAL AFFAIRS**

**Report on Study Missions to the  
Hungarian and Georgian Parliaments**

*Organized for Members of the  
Palestinian Legislative Council*

*June 14-21, 1997  
November 24-30, 1997*

# **Study Missions to Hungary and Georgia**

**National Democratic Institute for International Affairs Study Missions**

**Hungary, June, 1997- Georgia, November, 1997**

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## **I. INTRODUCTION**

The National Democratic Institute for International Affairs (NDI) has been working with the Palestinian Legislative Council (PLC, or Council) since its election in January 1996. NDI's current work with the Council is part of an eighteen-month legislative development project that is funded by the United States Agency for International Development. NDI's program is designed around a series of workshops led by international participants on different components of legislative development, including the role of committees, plenary procedures, legislative-executive relations and constituent relations. For these workshops, comparative materials are distributed in Arabic to Council members.

In addition to the workshop series, two study missions have been organized for select groups of PLC members to visit other transitional legislatures to see sessions first-hand, and to meet with fellow parliamentarians. To supplement activities, NDI disseminates legislative materials in Arabic, and provides on-going consultations with Council members, including responding to requests for information about legislative issues in comparative contexts.

NDI organized two study missions for PLC members; one to Hungary in June, 1997, and one to the Republic of Georgia in November, 1997. This document, written by PLC Project Director Myrna Phillips and Program Assistant Laura Abrahams, is a report of the objectives and results of the mission. It highlights the discussions held on the topics listed above of NDI's program with the Council.

## **II. EXECUTIVE SUMMARY**

The objective of the study missions to Hungary and the Republic of Georgia was to reinforce areas in which NDI has been working with the Council throughout the duration of the project. Namely:

- The Role of Legislative Committees
- Plenary Procedures
- Legislative Executive Relations
- Constituent Relations

Meetings were organized to cover specific topics; that is, whenever possible, the Hungarian and Georgian representatives with whom the delegation met were asked to address a specific topic (e.g. committee chairmen discussing the role of committees in reviewing legislation, conducting public hearings). This enabled the delegations to engage in more focused, substantive discussions of parliamentary development. In addition, PLC members observed committee and party caucus meetings, as well as plenary sessions, including question period. This was

supplemented by meetings with external actors, including NGO representatives, journalists, and academics.

Both Georgia and Hungary represent examples of parliaments with strong committee systems. The committee mandates include: legislative review, oversight of the executive, and encouraging public participation in the policy-making process. Specifically, committees engage in the detailed review of legislation, regularly oversee the work of the respective ministries, and hold legislative hearings which the public is encouraged to attend.

In the area of plenary proceedings, Georgia and Hungary illustrate successful transitions to organized, efficient parliamentary sessions. This has been achieved through strict adherence to the plenary agendas and Standing Orders, as well as through highly organized political party caucuses. Particularly in the Georgian case, the Speaker's commitment to democratic reform has played a primary role in ensuring efficient plenary proceedings. Moreover, both parliaments have a well-trained, organized staff who provide sound administrative support to members.

While both Hungary and Georgia represent cases in which there is a strong executive, the respective parliaments have developed relations with the executive characterized by a high degree of transparency. Specifically, the parliaments have established structural mechanisms to enhance legislative-executive relations, including question period, committee oversight of ministries, and the use of legislative and oversight hearings.

The Hungarian parliament to date has developed a more structured system of constituent relations than their Georgian counterpart, as evidenced by the development of a district office network led by highly trained staff. Moreover, in Hungary, specific days of the week are devoted solely to constituent work. On the other hand, Georgian MPs have not yet developed such a system, due primarily to a lack of resources, so constituent relations are conducted more on an informal basis.

### **III. METHODOLOGY -- WHY STUDY MISSIONS?**

Politicians come from all walks of life. They are shopkeepers, farmers, homemakers, teachers, lawyers, dentists, public servants and factory workers. Some have PhDs, others have barely completed high school. Their common bond is their determination to use the democratic process to implement their ideas of what government should provide by way of laws and programs or policies.

However, there are no manuals on "how to be a parliamentarian" on local library shelves, and universities do not offer practical "parliamentarian 101" courses in their political science faculties. Many newly elected members have no historical example to emulate as they try to take their countries through the transition from an authoritarian political regime to a democratic political institution. Also many members have no political experience from which to draw when confronted by constituents who legitimately demand that their problems be addressed. As one

new member of the Palestinian Legislative Council stated, "We can organize a demonstration in one afternoon but we don't know how to operate a parliament."

Members can develop the skills they require for this task in several ways: by trial and error; by discussing common concerns in consultations or workshops with seasoned parliamentarians; or by studying other parliaments and observing them in action.

Study missions are just one important tool in a package from which members can gather practical advice and ideas for adaptation to their particular legislature. This format gives members the opportunity to observe the formality of plenary and committee proceedings with all the professional administrative machinery in place to make the process work smoothly. Members find that many of their questions are answered in formal and informal meetings with their parliamentary peers and absorb much from the atmosphere of a "real" parliament.

Members in any parliament tend to become quite insular in thinking that their problems are unique. When members of a new or newly democratic legislature have the opportunity to see first hand that other parliamentarians have grappled with similar situations and have developed procedures to overcome these dilemmas, they return with a broader perspective, and a renewed commitment, to the work at hand.

#### **IV. HUNGARY: June 14-21, 1997**

##### **A. Introduction**

Six members of the Palestinian Legislative Council participated in the study mission to Hungary, June 14-21, 1997. Dr. Azmi Shu'aby, Dr. Kamal Sharafi, Mrs. Jamileh Saydum, Mr. Husam Khader, Mr. Jamal Hindi and Mr. Jamal Shobaki were accompanied by NDI staff, Myrna Phillips, Bassam Nassar and Chrissy Mataya. Over the course of the six-day program, the group had 22 meetings to discuss plenary procedures; the role and organization of committees; constituency relations, including communications between Members and NOGS; and the relationship between the executive and legislative branches of government.

##### **B. Political Context**

The study mission began with an overview of past and present political developments by three prominent, Hungarian politicians and political analysts. Tibor Vidos, a consultant and former executive director of the SZDSZ political faction, Endre Hann, a pollster with Median Communications and Dr. Peter Hack, a member of the Hungarian National Assembly. Each expert presented his analysis of the political climate through the past decade and responded to questions from the Palestinian members. The following is a summary of the information they presented.

The Hungarian population's vivid memories of the Soviet Union's suppression in their

country following the 1956 uprising had a strong and lasting impact. Even until 1988, when then-Soviet President Gorbachev announced that, under *perestroika*, the Soviet Union would no longer influence Eastern European affairs, Hungarians remained distrustful and fearful. Yet, despite the collective memory of the violent suppression in 1956, there were many citizens who realized that a single-party system would not survive the climate of change in Soviet-dominated countries. The Communist Party collapsed as a political organization in 1988. In fact, political dissidents began even before Gorbachev's announcement to take advantage of the diminishing communist control and formed their own political parties. There were neither violent demonstrations nor political executions -- the transition took place in a peaceful manner through peaceful measures. Though there had been major waves of emigration in the past [200,000 people fled after 1956], in 1988, people had no reason to flee the country.

Discussions were held in the summer of 1989 between the ruling Communists and opposition groups in what was termed a "Round Table." A new constitution was negotiated and adopted by the Socialist General Assembly, which was the only legislative body at that time. Many deals were constructed to pacify both the opposition and the governing parties and to ensure a balance of power among them. For example, in return for relinquishing some privileges and positions, the opposition parties have the power to nominate the president.

The first democratic, multi-party elections in 45 years were held in 1990, resulting in a six-party parliament, governed by a right-of-center coalition led by the Hungarian Democratic Forum (MDF). The first parliament grappled successfully and unsuccessfully with many controversial issues. Early attempts at trying to force through legislation by majority votes, rather than consensus, angered and frustrated the liberal opposition which was trying to find its role in the country's new democracy. Rising unemployment, inflation and crime, unreported during the Communist era, led to popular disillusionment with the MDF government.

Consequently, the Hungarian political landscape shifted dramatically in the May 1994 election, as the Hungarian Socialist Party (the reformed Communist Party) swept to power by portraying themselves as the party of competence, best able to solve the economic and social problems caused by the transition, without weakening Hungary's commitment to democratic and market reforms. Although the Socialists (MSZP) won enough seats to govern alone, party leaders chose to form a coalition government with the Alliance of Free Democrats (SZDSZ), giving them a healthy majority of 72 percent of the seats in parliament. The result of this coalition meant that the economic policy was more liberal than socialist, as several key ministerial portfolios were given to the SZDSZ.

### **C. The Hungarian Parliamentary Structure**

Messrs Vidos, Hann and Hack outlined the essential elements of the Hungarian electoral system. The explanation covered the selection of MPs and the methods utilized by members to represent their constituents. They noted that some of the 386 Members are elected directly from



individual constituencies representing regional interests (176 seats) while others are elected from regional or national party lists (152 and 58 seats respectively) by proportional representation reflecting party loyalties. To qualify for seats in Parliament, a party must win at least five percent of the vote in the elections (four percent before the 1994 election). The result of this is that following the past two elections (1990 and 1994), the number of parties represented in the parliament has dropped from 47 to seven.

Members later met with Dr. Muller, a specialist in legal and technical matters in the prime minister's office. He outlined the procedure followed by the president (elected by the National Assembly for a five-year term), to form a government after the election results are confirmed. General elections are held every four years. The president's authority is limited, but in some cases he can veto or reject a bill which then results in further legislative deliberation.

The president asks the leader of the party with the most seats to form a government, and recommends for Parliament's consideration the prime minister (not necessarily from the majority party). The prime minister then selects individuals for ministerial portfolios. The president confirms the ministers that the prime minister recommends, after approval by a parliamentary committee and the plenary.

The judiciary in Hungary reviews disputed issues and is a major player in the balance of power. Senior judges are elected by secret ballot by the parliament. So far, the court has shown its determination to oppose certain moves and laws that it deems unconstitutional. Currently, it is one of the most popular political institutions in Hungary -- notably since 1995 when the court ruled some economic austerity measures unconstitutional. The government cannot take an action that is against a law. If they do, an MP can turn to the constitutional court to ask for a review. In addition, the case can be referred to the office of the ombudsman.

The parliament in Hungary is supported by a non-partisan secretariat which serves all the members of parliament. This office is headed by a secretary general (chief of staff) who is not an elected member. The delegation met with the secretary general, Mr Istvan Soltesz, who described his role as one of assisting the speaker. The secretary general attends, but cannot address, the sessions. Moreover, he acts as a prompter for the speaker, advising him of the rules when needed, so debate proceeds according to the Standing Orders.

The secretary general's office is responsible for preparation of all the arrangements for the sessions and the timely distribution of the agenda to members. The staff includes twelve lawyers to assist committees, as well as a variety of experts to support committee work. The total parliamentary staff is 550 with an additional staff of 200 hired by, and responsible to, the seven caucus offices. Mr. Soltesz pointed out that opposition caucuses receive more than their fair proportion of the budget allocation as compared to the government party since the government has the entire public service machinery at its disposal.

#### **D. Plenary procedures**

## *Transparency*

Plenary sessions in the Hungarian parliament are open to the public and are broadcast on television. Leaders of the political parties are entitled to make speeches at the beginning of the day's session on issues of urgency or national concern. There is some concern that this process is used for political grandstanding due to the difficulty of reaching a consensus on the definition of "urgency."

Every speech given in parliament is recorded and the entire proceedings of all sessions are printed within one week and distributed to members. The public can subscribe to this service; in fact, it is mandated that each college and university receive a copy. The parliamentary library, open free of charge to the public, also stores each weekly publication along with copies of bills and recommendations for amendments.

Occasionally, secret ballot votes are taken when choosing individuals to fill high positions such as judgeships. With a two-thirds vote of attending members, the plenary can be closed to the public. This happened during the 1991 Persian Gulf War, when members vested the special session to hear about US Defense policy to decide whether to allow American bombers to refuel in Hungary. During that session, the entire parliament building was cleared, with no recording or handwriting allowed.

The principle behind transparent government was summed up by the secretary general. Mr. Soltesz, "Publicity is the major rule in parliamentary life; therefore, all documents must be available."

## *Role of the Speaker*

The speaker of the Hungarian National Assembly must "sit in his seat as the captain of the House." He has the right to stop discussion if "unparliamentary" language is used and to keep deputies to the time limits. He generally does not speak. It is forbidden for the Speaker to participate in debate from the chair, articulate an opinion or vote. In the past eight years, he has only once asked that parliament suspend his position as chairperson so he could respond to a personal insult. The Speaker does not even have a deciding voice in the event of a tie vote. There are two Government and two Opposition deputy speakers who rotate; thus, when a controversial issue is debated, a vote as to who will preside as speaker is taken. The outcome of a vote could be determined by who is in the chair (and therefore not able to vote) at that time. When not presiding, deputy speakers serve as ordinary members, and sit in their parliamentary seats.

## *Setting the agenda*

The agenda for the session is determined by the House Committee, which is comprised of the speaker and representatives of the seven political party caucuses. The basis for the agenda is a

list of bills submitted by the government every six months. The prime minister writes a letter to the speaker, outlining the issues in each bill, identifying any that are considered urgent, and asks parliament for dates on which it will consider these matters. When it comes to finalizing the list, many factors are taken into account, such as the number of bills the parliament can feasibly examine. While a guideline for legislative planning, in the end, the list is not rigidly adhered to. Items may be dropped, added, or altered as new priorities arise.

In the second half of the calendar year, parliament must give priority to budget and tax bills. Strict time limits for debate have been imposed on the work of the Budget Committee. In August, the Government begins the process by discussing the budget details with the Finance Ministry (which has canvassed the various ministries for their input). A draft budget bill is then submitted to parliament at the beginning of September. Committees and members have one month to prepare before debate begins in October and ends in November. A final plenary vote is taken at the beginning of January.

The House Committee meets on Thursdays to set four- to five-week agendas, which are presented by the speaker to plenary. The members also discuss the upcoming week's agenda in detail, in addition to approving a long term schedule. On Fridays, all MPs receive the agenda for the next week's session detailing plenary length, bills, motions, and speakers. The House Committee decides how much time will be spent debating each issue. As government parties have the greater voting power, more speaking time is allotted to the opposition parties.

### *Passing legislation*

The president of the republic, the government, or any committee, all have the right to submit a draft bill to parliament. Bills are automatically placed on the legislative agenda. An individual member also has the right to submit a draft bill, but in that case the draft is forwarded to the appropriate committee to determine its merit. The committee then either recommends it to the plenary or rejects it. If rejected, the MP still has one last opportunity to put his/her bill forward. S/he is given five minutes to defend the bill to the full House. Generally, if the committee does not accept the bill, neither will the parliament.

When a draft bill arrives from the government, the cover page has the following information:

DRAFT OF GOVERNMENT OF HUNGARY REGARDING [ISSUE X]. DRAFT # [N]

The speaker refers the bill to the relevant committee. The committee prepares a report stating whether it recommends the bill for general debate. The draft then goes before the plenary for general debate. At this stage, anything can be said about the draft. This first reading can take two to three weeks. At a minimum, the author of the bill explains the intent of the legislation and speaks in its favor. The committee then summarizes its position as detailed in the report. During the debate, the government speaks first, followed by the opposition. Any member can submit an

amendment at this stage. In summation (closing debate), the government is given time for additional remarks followed by a rebuttal from the opposition.

The draft returns to the appropriate committee to review the amendments. The role of parliamentary staff is very important at this juncture because they arrange all the amendments in the correct sequence and in a standardized coding system. This way it is clear to members which sections are to be considered for addition or deletion. If amendments do not receive the support of at least one third of the committee members, they do not proceed. Amendments receiving at least one-third of the vote are presented back to the plenary, with recommendations from the committee on whether to accept or reject the amendment, for specific debate on second reading. Usually, the plenary accepts the committee's recommendations.

The proposal returns to the committee for additional comments in light of the debate and then returns to plenary for third and final reading. Throughout the process, votes are registered for each amendment as well as for the bill as a whole. Last year the parliament voted approximately 20,000 times.

After voting, the Constitutional Committee has one week to demand the return of the bill if the amendments it opposed were passed in plenary. This procedure is invoked to ensure harmony in the laws.

### *Question period*

Each Wednesday between 1:30 pm and 4:30 pm a question period is scheduled. There are three kinds of questions:

#### Immediate questions:

A member wishing to ask a question of a government minister must submit his/her question to the speaker in writing identifying the topic. Two minutes are allotted for the question and the response from the minister.

#### Written questions:

If an MP does not want a verbal response, s/he would submit a written question to the Speaker's office by noon on the previous Friday. This gives the minister time to prepare a response by the following Wednesday. Again, both the member and the minister have two minutes for the question and the reply to be read into the record.

#### Interpolations:

In this case, the question is written and the response must be issued verbally. Three minutes are devoted to the reading of the question, following which the minister has five minutes to respond. The member then has two minutes to then accept or decline the explanation. Should the member veto the reply, the matter is put to a vote of the plenary. Opposition members usually vote to reject the minister's answer, but, as the current

coalition has a 72 percent majority, it is rare that parliament does not accept the Cabinet's response.

If parliament rejects the minister's answer, the speaker will send the response to the relevant committee. The committee can then accept the response, rationalizing that five minutes was not adequate time for the minister to explain the issue, but after careful study, the committee now accepts the Cabinet's position. Should the committee fail to accept the response, there are no legal consequences. However, this action serves as a warning to the government that a majority of the parliamentarians are not satisfied with the outcome of the issue.

### **E. The Role of Committees**

The Hungarian National Assembly, like many other legislatures, relies on its committees to perform most of the detailed work of parliament. Members are elected by parliament as are their chairs and vice chairs; and membership is apportioned according to party representation in the Assembly.

There are sixteen standing or permanent committees, roughly corresponding to the ministries, which meet each Wednesday and Thursday. Committee meetings are open to invited public, NGOs and lobby groups who have been registered as interested in participating in public policy debate. To register, a letter is sent to the secretary general requesting to be put in the data base of NGOs indicating in which areas they have a particular interest or expertise. This data base is available for the use of MPs and committees. If an MP is impressed by the group, s/he can invite representatives to the hearings. The committee can vote to hear presentations from these representatives. Whenever possible, the Constitution and Judicial Affairs Committee invites law students to attend. Committees can vote to hold closed sessions for national security reasons. The National Security Committee, whose members must have an extensive background clearance check, is the only committee closed to observers.

The duties of the committees include consideration of government bills and the presentation of opinions and recommendations on policy initiatives. Amendments to bills must receive support from at least one third of the committee members or they are not forwarded for plenary consideration. Committees have the right to initiate bills as well as the responsibility to review drafts bill from individual members which are referred to them by the speaker. Committees vote on the merit of these bills and recommend whether plenary should consider such a measure. In practice, only about one third of the private members' bills reviewed by committees proceed to the plenary. Another important committee task is to hold hearings to review and to ratify the government's selection of ministerial appointments.

Parliament can establish *ad hoc* committees as it deems appropriate. The purpose of such committees is either to investigate an issue or to fulfill a specific task. These provisional committees would, at the close of their work, submit a report to parliament containing their

conclusions and recommendations.

PLC Members had the opportunity to observe the Budget Committee in operation followed by a discussion of the proceedings with Dr. Peter Hack. Dr. Hack also reviewed the operation of the Constitution Committee, of which he is the chair. Members also met with the chair and other members of the Local Government Committee.

The committees in the Hungarian Parliament have had to overcome many obstacles to reach their present level of effectiveness. Until 1994, the meetings often were delayed or postponed due to a lack of quorum, and when they did proceed, business was hampered by quarreling amongst the members. Such disorganization was overcome by limiting to one the number of committees on which any member could serve, by streamlining the voting procedure to allow for proxies, and by prioritizing their work on long- and short-term (annual, six-month, monthly and weekly) agendas. They developed criteria by which a proposed piece of legislation must provide answers to several questions to be recommended to the plenary such as: Is the law needed? Will it benefit the public? Does it conform to previous regulations? Does it conflict with environmental laws?

#### **F. Legislative/Executive Relations**

The relationship between the legislative branch and the executive branch is of crucial importance in any democracy, and therefore was a topic of much discussion between the Hungarian and Palestinian parliamentarians. Dr. Hack and former Hungarian National Assembly member, Lazlo Rajk, were very candid in their observations.

In the Hungarian parliament there are three primary methods employed to oversee executive action:

- question and interpolation period,
- committee hearings, and
- the examination and approval of the budget.

As a last resort, the government can be dissolved by a 50 percent majority vote of the members. However, with this no-confidence vote, or impeachment, only the prime minister can be removed, not any of his ministers. This system was adopted from the German model.

Hack and Rajk emphasized the use of question period as an important vehicle for oversight of policy direction and fiscal responsibility. In Hungary, question period is routinely scheduled for three hours once a week (see section on plenary procedures for details on format).

Mr. Rajk noted several strategies which can be invoked to keep the executive accountable. According to the Standing Orders of the Hungarian parliament, a member may refuse to have a

response to his/her question given by a substitute for the minister or prime minister, thus preventing the particular minister from avoiding answering difficult or embarrassing questions.

He also suggested that a question could be repeated over and over, week after week, until the Minister, through public pressure, provides the information. Another strategy is to solicit small segments of information until, step by step, enough of the pieces have been revealed to put together a complete picture.

Mr. Rajk added that, during the preparation stage of legislation, a member should question the intentions of the executive; while after a bill is passed, the implementation process should be monitored and any delay questioned. This makes it difficult for government to pass legislation which they do not intend to implement.

Dr. Hack discussed the channels used by committees to exercise control over the executive. He described an agreement which was reached between the government and the SZDSZ caucus as follows: in principle, the government cannot present a bill until the appropriate working group of the caucus has agreed to it.

MPs could, for example, request the Local Government Committee to investigate an issue. The committee would set up a task force comprised of government representatives and lawyers. This task force would use its expertise to produce a report for submission to the committee and based on that report, the committee then makes informed recommendations. These recommendations are forwarded to the relevant ministry, but the committee continues to monitor the ministry to assure that they are following the recommendations properly.

In the review of the budget by the Budget Committee, the attendance of government ministers is seen as critical. The government is required to explain various line items and answer specific questions as to why some items require amendment and others do not. Although a simple "yes" or "no" suffices occasionally, the Committees usually focus on more specific details, and want more complete answers.

The State Audit Office (SAO) has been established by the Hungarian parliament as a critical oversight vehicle. This office is an independent and non-partisan body whose president is elected by parliament for a twelve-year term. The president cannot be a member of parliament.

The SAO has three main goals or objectives guiding its operation:

- to protect public funds from corruption;
- to ensure that government agencies are distributing funds properly *i.e.* the correct people/programs are receiving the correct amount; and,
- to monitor the actions of civil servants in order to guard against favoritism.

Each March, this office issues a financial statement on the execution of government

programs. While technically an auditor has authority to examine the implementation of each piece of legislation, in reality, an auditor looks randomly at files and searches for certain details. In addition, Parliament can ask the SAO to investigate concerns by placing a request to the SAO in writing. Although the SAO has the right to refuse these requests, it usually cooperates with the Parliament.

The State Audit Committee of parliament receives and monitors all reports issued by the SAO. The SAO can bring particularly egregious items to the attention of the Committee, such as a scandal incriminating a minister. If the nature of the misdeed suggests an abuse of power, the Prosecutor General may call for a criminal investigation as well. The Committee may also establish a special investigation culminating in a report to parliament on the findings.

Finally, the Hungarian Parliament has a provision whereby it can pass a resolution obligating the government to report annually on an issue either to the plenary or to individual committees.

### G. Constituency Relations

The NDI and PLC delegation had the opportunity to visit a SZDSZ constituency office in Tasz-Nagykon Szolnok in the rural Jaszbereny region of Hungary. Constituency offices are organized through the political parties of each sitting member, but this one was also used by local SZDSZ city councillors and the Mayor (also SZDSZ). The Mayor attended this meeting and outlined for the PLC members the importance of maintaining close communications between the Member of the National Assembly representing the constituency and the local politicians. Working in a coordinated fashion, they can achieve many improvements for their community, even if they are of different political parties.

The staff members of the constituency office play a major role in assuring the member of parliament is kept abreast of all the local issues, by advising the member of matters brought to the office by constituents and local politicians. The parliament has no scheduled sessions on Fridays, so members are free to travel back to their districts to meet with the electorate. The staff keep official hours which are published so constituents know when they can visit the constituency office.

Lazlo Rajk earlier had stressed the primary duty of an MP as developing strong, transparent relations with the public: "One of your basic tasks is to bring power to the people. For example, if you have a rural constituency, it is hard for them to understand that public transportation is important to the cities. You must explain why it is important, but also discuss inter-city transportation."

"It is essential for any politician to have strong roots in his/her constituency. You must trust the villagers in the far-flung areas because they know more and better than us, especially when it comes to their own interests. I believe that we are elected to represent and articulate their



interests, so I am obligated to provide information from the city and bring rural ideals to the capital. Perhaps this over-simplifies the role of a legislator, but it is true." Mr. Rajk stressed that a legislator must force a minister to pay attention to his/her constituency and demonstrate these results to his/her constituents.

"In politics, conducting public outreach is important. If a lawmaker wants to achieve his/her objectives, that individual must reveal their intentions to the public. For example, if I see that a section of a draft law is bad, I will want to prevent that section from being ratified. A lobby in support of the provision may be so strong, so I may need public support to campaign effectively against it, because I can't go against it alone. One tactic I would consider would be to contact a journalist friend and show him the proposal. The journalist could choose to write an article about the issue bringing the issue to the attention of the public."

The strategy of many Hungarian members has been to present their views to local daily papers rather than national ones so that their message directly reaches their constituents.

## **V. GEORGIA: November 24-30, 1997**

### **A. Introduction**

Six members of the Palestinian Legislative Council; Marwan Barghouthi, Yousef Abu Safiyeh, Abdel Karim Abu Salah, Abdel Fatah Hemayel, Muhammad Hourani, and Hassan Khreisheh, spent the week of November 23-30, 1997, in the Republic of Georgia. The delegation was accompanied by Myrna Phillips, Director of NDI's Program with the PLC, Laura Abrahams, PLC Program Assistant, and Reema Abu Hamdieh, PLC Project Assistant. Over the course of one week, the delegation had nineteen meetings in which they met with members of the Georgian Parliament, including the Speaker and committee chairs, members of the executive, NGO representatives and journalists. The delegation also observed several plenary sessions.

### **B. Political Context**

After 70 years as a semi-autonomous Soviet Republic, Georgia declared its independence from the USSR in 1991. In the past six years, Georgia has held several multiparty elections, drafted a new democratic constitution, and worked hard to develop effective and accountable political institutions. The Georgian Parliament has evolved from an inefficient body of more than 30 competing parties and groups, to a more disciplined institution where a smaller number of parties have learned to work together to advance their common legislative interests. Since legislative elections in 1995, the Parliament has functioned cohesively and productively to enact key legislation underpinning the foundations of civil society and economic reform.

The Georgian Constitution of 1995 provides for a strong executive. President Edouard Shevardnadze is both head of state and chief executive, as well as commander in chief of the Georgian armed forces. He is assisted by cabinet ministers, who he appoints subject to

parliamentary approval.

Several years ago, there was extensive reform of the judiciary, so that it is now an independent branch of the government, along with the legislature and the executive. Many of the members with whom the delegation met emphasized the importance of the independence of the three branches of government.

The Georgian electoral system is a hybrid, with 150 out of 235 seats allotted by proportional representation on the basis of a party list vote, and the remaining 85 seats contested by majoritarian voting in single-member constituencies. The most recent legislative elections were held in November 1995, and resulted in a combined total of 112 seats for the CUG. Two other pro-Shevardnadze parties, the All Georgian Union for Revival and the Socialist Party, won 32 and four seats respectively, thus guaranteeing the government a comfortable parliamentary majority. The largest opposition party, the National Democratic Party, took second place in the party list voting, but nevertheless ended up with only 35 parliamentary seats.

The extreme political instability during the years 1990-1994 coincided with the loss of Soviet economic support, thus sending Georgia's economy into a tailspin. The Georgian economy as a whole contracted by more than 60 percent during this period. Agricultural production fell by 95 percent in some areas, and industrial production decreased by 80 percent. Meanwhile, the Georgian currency became practically worthless as inflation climbed to some 10,000 percent in 1993. Many people in this once prosperous republic were reduced to subsistence living. In 1993 and 1994, near famine conditions were reported during the winter months, and international donors were credited with having saved many people from starvation -- particularly among the refugee population.

The political unrest that Georgia has experienced in the last decade has had an impact not only on the social and economic indicators, but also on the very structure of the country's government. The 1995 Constitution does not include provisions defining the respective jurisdictions of federal and local government, but rather postpones these decisions until the territorial integrity of Georgia is assured. The structure of the Georgian Parliament also depends on the eventual resolution of Georgia's internal political conflicts. Although the current Georgian Parliament is a unicameral body, the Constitution envisages the eventual creation of a bicameral legislature. Article Four of the 1995 Constitution states that once "appropriate conditions" are met, the Georgian Parliament will consist of two chambers: the Council of the Republic, which will be elected through proportional representation, and the Senate, which will be composed of deputies elected in the country's territorial units.

### **C. The Georgian Parliamentary Structure**

The Georgian Parliament is a unicameral body and is the legislative authority in the country. It is viewed as one of the most successful examples of a democratic legislature in the former Soviet Union and has grown into a very active body, particularly in its roles as lawmaker

and overseer of the government. Indeed, the transition is noteworthy, as the Parliament has progressed from a body lacking rules of procedure (which took two years to pass) and where debates focused on political crisis, to an institution that has passed more than 200 laws in two years.

The Parliament consists of 235 members, who are elected to serve a four-year term of office. The Speaker of Parliament is elected by his peers. The current speaker is Zurab Zhvania, Secretary General of the CUG.

Elected independently of the President, the Parliament's clout vis a vis the Executive has been strengthened under the new Constitution. In addition to the power to initiate legislation, the Parliament has also been given the right to override executive vetoes and confirm or reject the President's cabinet appointments. Furthermore, the Parliament can initiate impeachment proceedings in the event of presidential or ministerial misconduct. The President and his government, however, lack the power to dissolve the legislature.

The Georgian Parliament alternates weeks between plenary and committee meetings. During the plenary week, Mondays are for faction meetings, and Tuesday-Friday are for plenary sessions. MPs work from 10:00 a.m. to 7:00 p.m. every day, though their work day is often extended until midnight.

The large Parliamentary staff is led by a Director General (Chief of Staff), who is appointed by the members of Parliament, but is not a member herself. There are three major categories of staff: those who work in one of the fourteen departments of the Parliament (e.g. Public Relations, Press, Legal, International Relations, Research, Financial); the committee staff (there are fourteen committees and each have eight staff), and the staff of the political parties and nine party factions.

In addition to this highly organized staff structure, the Georgian Parliament has also developed an extensive library and research department, the purpose of which is to provide information to parliamentarians. There are three branches of this unit, including the research group, which prepares analytical work for the MPs, and are available to answer their questions; the library group, which is in charge of maintaining materials and conducting "strategic reporting" for the MPs; and the archive group. All of these departments work in coordination with each other, and with the parliamentary staff. They have a local computer network with Internet capability, so staff and members can liaise with other parliaments and glean research and other information from the Internet. There are more than 50 staff in the research department, all of whom are computer literate, and speak at least two foreign languages. There are also lawyers, economists, philosophers and other professionals who work in this department.

#### **D. Plenary Procedures**

In meetings with several of the Georgian MPs, they stressed how important the issue of

committed leadership has been in their democratic transition. Upon its election in 1995, the Georgian Parliament was characterized by 33 dueling political parties and the absence of standing orders or internal rules of procedure. Now, there are only three political parties in a Parliament which has passed over 200 laws in the past two years. According to the Speaker of the Parliament, over the past two years "we have developed a civil code which is as important as the constitution; a criminal code; and, [generally] there has been a lot of legislative activity, even while we are trying to solve political problems. In the beginning, we spent a lot of time on political issues, issuing resolutions." Many people noted that the key to this successful transition can be attributed, in large part, to the will and initiative of the Speaker and parliamentary leadership.

By law, the Parliament is required to convene two sessions per year. The Autumn session opens on the first Tuesday of September and closes on the third Friday of December. The Spring session begins on the first Tuesday of February and ends on the third Friday of June. As stipulated by the Constitution, the president of Georgia, at the request of the Speaker, one-fourth of the deputies, or by his own initiative, may convene an extraordinary sitting of Parliament in the period between regular sessions. These extraordinary sessions must have an agenda, and are closed upon the completion of the agenda.

Plenary sessions are open to the public, unless a majority of those present request that a particular sitting be closed. Parliamentary proceedings are recorded and made available to the public. All legislative votes are open and recorded, except in the case of a sensitive issue (e.g. voting to approve a minister), at which point the vote is secret. Voting takes place at a fixed time at the end of each day so that all members can plan to be present for the vote, even if they do not attend all of the debate.

Mr. Zhvania, the speaker of the Parliament, emphasized the importance of neutrality in his role as the chairman of the plenary. He noted that it is extremely rare for him to take part in a debate, and he is prohibited from doing so from the chair. If he wants to speak, a deputy speaker will take over and he will speak from the floor. According to him, "my main job is to let all parties express their views which is very important because my job is also to facilitate compromise." He added, "we like to make all of our decisions based on compromise. It is the most important thing in the parliament."

The Parliamentary Bureau, a committee composed of the Speaker, committee chairs, and representatives from political factions, adopts the agenda for an entire year. This schedule is published, and all members receive a copy. This Committee meets weekly, and determines schedules for plenary and committee meetings. MPs receive a copy of the agenda one day before a given meeting.

In addition, the Georgian Parliament has a Procedures Committee, which was seen as a necessary development, as the initial proceedings of the legislature were chaotic and unorganized. In addition to working with the rules of procedure to organize the work of the legislature, this

Committee also establishes criteria for the roles and responsibilities of MPs (e.g. whether they can work in other professions), as well as the privileges they can receive (e.g. housing allowance for members far from the capital, Tbilisi).

Through observation of the several plenary sessions, PLC members were able to observe, first hand, proceedings of the Georgian Parliament. In one such session, question period was scheduled, but many of the Ministers were out of the Parliament, hosting a visit of the Estonian President. Some Members proposed a motion to adjourn the session, since question period -- the scheduled item on the agenda -- could not be held in their absence. While the motion failed, and the session proceeded to the next item on the agenda, this episode clearly illustrated how seriously members take adherence to the written agenda.

### ***Passing Legislation***

According to law, the President, parliamentary committees and political factions hold the right of legislative initiative. The Legal Committee, for example, has initiated 42 pieces of legislation. Anything drafted by the executive must be endorsed by the President before it is presented to the Parliament.

All draft bills are given to the Parliamentary Bureau, which decides when the bill will be discussed in Parliament.

Every bill passes through three stages, or readings. The first reading is on the general principle of the bill. The second reading is more detailed, and there is voting on each clause. The third reading is when all amendments are taken into account. The voting occurs in the plenary, but the majority of the legislative review is done in committees, which work on the text and wording of the bills.

As outlined by the Secretary General, each draft bill has an attached cover sheet which contains the following information:

Name of the draft law

Which reading

Which committee has reviewed it

Which individuals worked on the draft law

List of ministries where the bill was sent

Date for first reading

Name of committee rapporteur

Member of staff responsible (there is a staff member responsible for the procedures and tracking of each draft law)

Endorsement by the Legal Committee (if a law is in contradiction to the constitution or other laws, the legal department will not endorse it. This endorsement is based on the constitutionality of the draft law, not on policy consideration. If approved, then the first reading commences).

These cover pages/information summaries are color-coded to differentiate the three readings. In addition, plenary agenda is printed in a different color, to facilitate the work of the members and to eliminate confusion as to which reading is being considered.

Deliberations of the first reading are recorded live on TV. Before the second and third readings, the committee meets again. Attached to the draft law at the second reading is a page that lists amendments. Amendments are discussed in detail during this reading. Amendments must be submitted in written form, which, according to one member, increases the efficiency of debate while ensuring that everyone has equal opportunity to submit amendments.

There cannot be more than one month elapsed between the first, second and third readings. In practice, this process usually takes two weeks. A law is not valid until it is published in the Official Bulletin of the Parliament, as well as in newspapers, magazines, etc.

#### **E. Role of Committees**

Committees in the Georgian Parliament have evolved in the past several years to play a more meaningful role in the legislative process. The constitution stipulates that standing committees are created in the Parliament for the term of its authority. One of the main functions of these [fourteen] standing committees is the preliminary preparation of legislation. Hence, by the time that a bill is presented in the plenary, it should have already been passed through the steps of public hearings and committee discussions. Committees also help ensure government accountability by serving in an oversight function, particularly with respect to the budget.

There must be at least ten members on each committee, but the maximum number is open. However, MPs can only sit on one committee, which, in the words of one chairman, helps members to stay focused on their work. There is proportional membership between the committee and members, meaning that the overall percentage of seats of a certain party is also reflected in the committees.

Temporary (ad-hoc) committees may also be created at the request of one-fourth of the deputies in Parliament. Majority party representation in temporary committees is not to exceed one-half of the total number of members of such a committee.

The relevant committee will review draft legislation, and schedule hearings. Committee hearings are generally announced on TV and in the newspapers. Any citizen can attend the parliamentary committee hearings. Citizens, either as individuals or as a group (e.g. NGO representatives) can participate in the hearings. Comments and suggestions raised at these hearings play an important role in the committee's consideration of a bill.

In addition to the importance of transparency of committee meetings, the delegation also saw how committee legislative hearings are utilized as an important tool of public outreach. Several committee chairs noted the importance of committee hearings as an integral stage in the

legislative process. They see this as *the* opportunity in the law-making process to exchange information with the public. The chair of the Agriculture Committee, for example, noted that “before the Lands Law was passed, we conducted hearings with people in eight regions.” This was echoed by the chair of the Natural Resources Committee, who commented that “we have continuous relations and consultations with the people. The members of the Committee travel [around the country].”

Committee chairs, as well as the speaker, also emphasized their relations with the executive, in terms of coordinating on legislation, and maintaining open lines of communication between their committee and the respective ministry. Ministers are required to attend committee meetings to which they are invited.

In many of the discussions with committee chairmen, they noted the important role that their staff play in the legislative process. The Chairman of the Foreign Relations Committee, for example, noted that he has fifteen staff members, including lawyers and economists, who assist in conducting research on legislation, drafting briefing papers for members, etc.

#### **F. Legislative-Executive Relations**

A primary theme raised in many of the meetings with the Georgian MPs was the importance of facilitating and encouraging compromise during the transitional phase. This is critical, both for the internal workings of the Parliament (e.g. Government versus Opposition), as well as in the area of legislative-executive relations. Members, particularly the Speaker, attribute much of the success of Georgia’s democratic transition to the commitment among members of the government and parliament to strike compromises with each other.

The Parliament can introduce a motion for the impeachment of the President. In the event that one-third of the MPs believe that the President has committed a gross violation of the Constitution or other laws of the Republic, they may send their case to the constitutional court or supreme court for judgement. If the court confirms that the President has committed the crime of which he was accused, then the Parliament decides by simple majority whether to take a vote on the impeachment of the President. If two-thirds of all MPs vote in favor of the motion on impeachment, then the President is considered removed and impeached. The Parliament may also remove members of government through a similar procedure.

There is a Minister’s Hour, or question period, scheduled for each Friday afternoon of the plenary meeting weeks. Any MP has the right to submit a written question to a minister, which they are then required to answer in the session.

In addition, Members of Parliament have the right to question government officials. A group of ten deputies may bring a member of government before Parliament to answer questions. The answer provided may then become a matter of consideration by the Parliament. This power has recently been used as a means to combat official corruption. In June 1996, the leader of the

main opposition party accused the state security minister of phone-tapping and triggered a parliamentary investigation. After the public prosecutor's office confirmed the phone-tapping accusation, the minister resigned.

While the President generally only attends the plenary session when an important issue is being discussed, there is a President's Representative to the Parliament who attends all of the plenary sessions. This representative is not an elected member, but rather part of the staff of the executive. He reports back to the president on a daily basis about the parliament's proceedings. Moreover, the representative can be questioned, like any minister, on executive policy.

The Representative, Mr. Khetsuraini, described how the need for his role evolved over time: "In 1992, it was hard to find the balance between the executive and the legislature. There was conflict between the different parties, and between the legislature and the executive...I try to solve problems and facilitate relations between them. Our constitution does not allow for the dismantling of parliament, so I must work hard to coordinate and reach agreements. Conflict would mean to return to what happened a few years ago [civil war]."

He emphasized, moreover, that "I use the mass media to conduct my work. Under my jurisdiction lies the gathering of information about public opinion, and accordingly, I advise the President."

PLC members were very interested in learning about the details of this position; specifically, the responsibilities and rights of the President's Representative. As stated by Mr. Khetsuraini, "it is an important position to balance relations with both authorities [legislative and executive]. Some MPs are not happy with the President. I have relations with all of the ministers and can help solve problems at their preliminary stages. If the problem is big, then the President plays a role in helping to solve it." PLC members commented that a similar position should be created in their Council.

In addition to his involvement in the plenary, Mr. Khetsuraini also meets with the majority party caucuses to discuss important issues with them. He is not allowed to attend committee meetings, but usually attends the meetings of the Parliamentary Bureau, and attends the Government caucus meetings.

In addition to the President's Representative to the Parliament, who is a direct liaison between the executive and the legislature, the Speaker of the Parliament also consults with the President on a daily basis. This interaction is particularly important surrounding the discussions over the annual budget.

Indeed, one of the most important areas of legislative-executive interaction occurs with the review and passage of the budget. Each committee reviews the budget of their respective ministry, and ministers are required to answer any questions.



In the words of the Deputy Minister of Agriculture, "There is good cooperation and mutual understanding between the Agriculture Ministry and the Agriculture Committee [of the Parliament]. We, in the Ministry, do our work based on legislation from the Parliament. That is the foundation, like any new democracy."

### **G. Constituency Relations**

Not unlike the situation facing members of the Palestinian Legislative Council, Georgian MPs expressed that a lot of their time is spent responding to constituent complaints that relate to the overall economic situation (e.g. unemployment, lack of electricity, money).

Another parallel with the situation facing PLC members is the lack of resources allocated for constituent relations, in terms of office space, staff, etc. Many of the Georgian MPs, for example, also do not have individual constituent offices, so they are continuing to develop strategies to enhance these relations in the absence of sufficient infrastructure.

While informal interaction with constituents is still at a formative stage, as is a system of well-functioning constituency offices, there are, nonetheless, links developing between MPs and the public. One key form of interaction with constituents on legislative issues occurs in committee hearings.

## **VI. SIMILARITIES AND DIFFERENCES**

While the study missions to Hungary and Georgia had similar agendas, there are key differences seen in their democratic transitions and parliamentary development. These are included below as a means to highlight that there are variations in detail on how these parliaments operate, reinforcing the premise that there is not one "perfect" model of parliamentary development. Nonetheless, there are important similarities highlighted in this analysis, which relate to universal principles that provide the foundation for an efficient, democratic parliament.

### ***Commitment to democratic organization***

The Hungarian and Georgian parliamentarians recounted the difficult period they went through en route to establishing their democratic parliaments. They cited problems of disorganization, divisions and dissension due to large numbers of political factions. Both groups acknowledged that they had made two decisions which were the turning point to democratically reforming their legislatures: 1) setting thresholds for party representation in the House or lower chamber, which served to formalize the party competition that already existed and more importantly, helped to increase the organization of the plenary sessions; and, 2) the leadership making a commitment to follow an organized plenary structure and ensuring they had the capacity to deliver this by employing competent, trained staff. In contrast to these systems, The Palestinian Legislative Council does not operate with official political parties but unofficially has one main party, Fateh, and several small opposition parties, Islamist members and independents. The PLC

has yet to make a concerted effort to operate the plenary sessions according to established parliamentary norms.

### *Democratic experience*

Historically, Hungary was a functioning representative democracy before the Soviet invasion in 1956. Georgia, on the other hand, has emerged from 70 years of one-party rule as an autonomous Soviet Republic preceded by the Czarist monarchy. The Palestinian members, who have faced a series of occupational forces for many decades, have no history of parliamentary democratic decision making.

### *Electoral systems*

Hungarian and Georgian electoral systems are similar hybrids -- members are elected both directly and from party lists. Seats in the Palestinian Legislative Council are directly selected by voters for a number of members in each constituency. The Hungarian President is elected by Parliament while the Georgian and Palestinian presidents are elected directly.

Georgian and Palestinian Cabinet Members are nominated by the President and ratified by the parliaments while the Hungarian Prime Minister has the responsibility to recommend executive candidates to the President and the plenary for approval.

### *Constitution and judiciary*

Adoption of a constitution delineating governmental and legislative powers has been achieved in Hungary and Georgia, while the PLC has passed third reading of a Basic Law but is still awaiting presidential signature and implementation. Both the Hungarian and Georgian parliaments have given high priority to reformation of their judicial system to assure the independence of the courts. The PLC has begun consideration of a draft law on the independence of the Judiciary.

### *Adherence to parliamentary procedures*

There is a striking difference between the way parliamentary procedures are strictly adhered to in the Hungarian and Georgian parliaments in comparison to the Palestinian Legislative Council. Members in those two parliaments were very open in describing the inefficient and chaotic sessions they had in the early years. Their leadership took serious measures to address the problems and were supported in their efforts by all parties in parliament. The present high level of efficiency and organization was achieved in comparatively short time with the recruitment and assistance of a cadre of trained and dedicated staff.

The speakers in the Hungarian and Georgian parliaments follow their Standing Orders strictly. They are totally committed to the role of a neutral chair of the proceedings and hold as

their most important responsibility that of upholding the rules of the house. They both have instituted a House Committee which agrees on the daily and sessional agendas. Both parliaments make extensive use of their committee structure and committee hearings. They have each developed strong mechanisms to oversee the executive branch. Each use Question Period in a systematic manner to ensure the ministers are held accountable to the legislative branch.

The PLC, on the other hand, has not yet set adherence to the Standing Orders as a top priority. The role of the Speaker is clearly stipulated in the Standing Orders to be a neutral one. However, this rule is abandoned regularly by the Speaker without the members forcing the issue. The result is that the plenary proceedings are more frequently than not, most unpredictable and decisions are made in an unorthodox, if not undemocratic, manner. While some progress has been made-- the agenda is more regularly distributed to members -- there is much to be accomplished before the plenary or the committees are operationally efficient and effective. Question period was invoked by the PLC during its second annual session, but is held on a haphazard basis and is not yet institutionalized.

### *Transparency*

Transparency is an imperative for Hungarian and Georgian parliamentarians. Plenary proceedings are open to the public and are televised. Parliamentary documents are available to the public. Committee meetings are open to the public (except for national security debates) and committees often hold hearings throughout the country. The sessions of the PLC are also open to the public. They had briefly been televised but the transmission was suddenly ended under very questionable circumstances. Committees can vote to open their meetings to the public but to date only one committee has chosen this option.

### *Legislation*

Each session, the parliaments of Hungary and Georgia pass and implement dozens to hundreds of pieces of legislation. To accomplish this, these parliaments sit for long sessions, often late into the evenings. The PLC has, as yet, passed only four laws in its first two years. It meets for approximately three hours a day for six-eight days a month. The executive, legislative committees and individual members can submit draft laws in all three parliaments. The rules of the Hungarian and Georgian parliaments allow for legislation to have *three* readings. The PLC, on the other hand, has an additional *zero* reading to discuss the draft in principle, making it possible for a bill to have *four* readings. All amendments are discussed and voted on in committee in Hungary and Georgia while line-by-line debate in the PLC takes place in plenary. Public presentations in Hungary and Georgia are heard in committee following *second* reading of the draft, while the public in the West Bank and Gaza has the opportunity to comment on legislation before it is introduced for *first* reading in the Palestinian Legislative Council.

### *Staff support*

The parliaments of Hungary and Georgia have clear organization charts, job descriptions and reporting structures for staff. Both parliaments have a "chief of staff" whose responsibility is not only to ensure that all the necessary documents are in order for the work of the plenary, but also to ensure the resources of the parliament, including that of procedural advice and legislative drafting expertise, are available to any member. The Palestinian Legislative Council has yet to clarify the function and role of many staff positions and to use, for example, committee staff to their fullest potential. Committees of the PLC suffer from many handicaps, they do not meet on a regular basis and lack organizational ability, both for public consultation and executive oversight.

### *Legislative/executive relations*

Standardized procedures have been institutionalized to enhance the communication between the executive and legislative branches in both Hungary and Georgia. For example, in Georgia the office of the Representative of the President was established for this purpose, while in Hungary, the government submits its list of bills for the coming session to the government and coalition caucus for approval before being finalized. The Palestinian experience represents a more arbitrary relationship between the Executive and the Legislative Council. Whereas in Hungary and Georgia, investigations of ministerial corruption by legislative committees were concluded with severe penalties imposed, in the PLC, a report of an *ad hoc* corruption committee was commented on by the President but with no repercussion as yet.

### *Constituency support*

In Hungary, members of parliament have constituency offices which are well financed and staffed. The PLC has established and funded one constituency office per constituency to be shared by all members of that district, though these are at different stages of development. In Georgia, resources to assist members with funds for opening and staffing constituency offices have not yet been provided. Indeed, the situation in Georgia parallels the challenges that PLC members have faced in developing effective two-way contact with their constituents.

### *Political parties*

Political parties are a major factor in the political lives of Hungary and Georgia. The breakup of the one-party regimes in these countries signaled a new freedom of expression which manifested itself in the formation of a large number and variety of parties. Because the status of West Bank and Gaza is dependent on the peace process and parts are still under Israeli occupation, for the interim period, at least, the appearance of national unity must be maintained. Therefore, the PLC functions without overt political parties although it is clear that, *de facto*, they do exist.

### *NGO connections*

Few Palestinian NOGS have developed a capacity to lobby with the PLC. A few have

developed a capacity to review legislation but on a very selective basis. There is no formal mechanism in place for contact between PLC members and NOGS. In Hungary, there is a well defined relationship established between parliamentary committees and NOGS. NOGS are registered on a central data base indicating their area of interest and expertise. This computerized list is available to any member or committee, and NOGS on the list can be invited to make presentations to committees deliberating legislation. In Georgia, there is not an abundance of NOGS, as their existence was discouraged under the former communist state. Nonetheless, there are now several NOGS which are having a positive impact on legislative deliberations, particularly in the area of legislative review.

### ***Media independence***

The media in all three countries is heavily influenced by the government. Journalists in Hungary and Georgia confessed that, due to the high degree of state ownership of the media, there is a significant degree of state and self-imposed censorship. This opinion was echoed by the members of the PLC. While parliamentary sessions are broadcast live on TV in Hungary, the Georgian and PLC sessions are not.

## **VII. Conclusion**

PLC members who participated in the study missions expressed to NDI that the chance to share experiences and information with fellow parliamentarians and to examine the operations of another transitional legislature was an unprecedented opportunity that will assist them in their work to build the PLC. Through focusing on four key components of legislative development, the agenda for the study missions allowed for specific, detailed discussions that often yielded suggestions for PLC members to apply in their legislature. Moreover, as the Georgian and Hungarian parliamentarians were well-briefed on the context in which the PLC operates, they were able to offer realistic advice on how the Council can strengthen its role in this difficult socio-political environment.

Indeed, there is not one "correct" model for a legislature, yet, there exist universal principles that guide all democratic legislatures, including the ability of members to participate in the legislative process, conduct meaningful oversight of the executive, and develop effective, strong relations with their constituents. The visits to Hungary and Georgia illustrated how the creation of a democratic government and fulfillment of these principles is a long, arduous, and often contentious, process. Moreover, in the words of many of the MPs with whom the delegation met, this is a continual process, that takes time and patience. As PLC members often express frustration at the pace of their development, it was important for their own confidence and morale to meet with other parliamentarians who expressed similar sentiments about their legislatures.

# **APPENDICES**



**NATIONAL  
DEMOCRATIC  
INSTITUTE**  
FOR INTERNATIONAL AFFAIRS

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Washington, D.C. 20036  
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**DRAFT AGENDA**  
**PLC Study Mission to the Hungarian National Assembly**  
**June 15 to 20, 1997**

**Saturday, June 14**

pm Arrivals at 9:30pm

**Sunday, June 15**

Morning Free

3:00pm - 3:30pm NDI Briefing: Program Overview and Logistics

3:30pm - 5:00pm Hungarian Transition: Overview and Public Opinion  
Roundtable: **Tibor Vidos**, Journalist and Consultant\*  
**Endre Hann**, Pollster

5:00pm - 5:15pm coffee break

5:15pm - 6:45pm Overview of National Assembly and its Workings  
Question and Answer Session  
Guest: **Peter Hack**, SZDSZ, Chairman of Constitutional and Judicial  
Affairs Committee\*

7:00pm - Depart for Group Dinner (perhaps with Peter and other briefers?)

**Monday, June 16**

8:45am - 9:30am Breakfast

9:30am - 10:30am Tour of the Parliament

11:00am - 12:00pm Observation of Party Fraction Meeting (MDF, HDPP or FIDESZ if possible)  
*PURPOSE: see members working as a team, deciding on legislative agendas, setting priorities and working out strategies*  
(Is it possible to allow PLC members to observe both an opposition and government party fraction meeting?)  
PLC team meets Fraction members (all PLC members attend one fraction meeting or split up so less obtrusive -- opposition versus government)



- 12:00pm - 1: 00pm    **SZDSZ Party Fraction Meeting**  
Location:
- 1:00 pm - 2:00pm    **Lunch**  
Location:
- 2:30pm - 3:30pm    **Meeting with the Speaker of the National Assembly**  
*PURPOSE: discuss role of Speaker in setting agenda, plenary organization, coordinating with the Executive, parliamentary staff management, production and distribution of plenary session minutes*  
Location:
- 3:30pm - 4:30pm    **Observation of Plenary Session: Big Policy Debates**  
*PURPOSE: introduction of plenary, overview of how debate is managed and role of Speaker*  
(3pm to 9pm plenary, first two hours interesting political debates)
- 4:45pm - 6:00pm    **Meeting with an Opposition Leader**  
**Ivan Szabo, HDPP**  
*PURPOSE: discuss role of opposition in the National Assembly, opportunities for and challenges to opposition voice being heard, obstacles faced in the transition to democracy*  
Location:
- 6:15pm                **Return to hotel**
- 6:45pm                **Dinner on Own**

**Tuesday, June 17**

- 8:00am - 9:00am    **Breakfast -- Review of Day's Agenda**
- 10:30am - 11:30am    **Meeting with Jozsef Szajer\***  
*PURPOSE: Discuss the evolution of FIDESZ and its role as an opposition party in parliament*  
Location: FIDESZ Parliamentary Office



- 11:45am - 12: 45pm Meeting with Clerk's office  
*PURPOSE: obtain a briefing on how agenda is produced administratively, how votes are recorded and how plenary minutes are produced and distributed.*  
**Location:**
- 1:00pm - 2:00pm Lunch  
**Location:**
- 2:15pm - 3:15pm Plenary Observation: Question Period  
 (1pm to 5pm: question and interpellation period)  
**Laszlo Rajk will attend if available**
- 3:30pm - 4:30pm Discussion of Question Period and Preparation for Voting Observation  
**Moderator: Laszlo Rajk**  
**Location:** (serve coffee)
- 5:00pm - 5:45pm Plenary Observation: The Voting Process  
 (5pm - 8pm plenary voting time)
- 5:50pm - 6:10pm Transit from National Assembly to Hotel (discuss observations in van)
- 6:15pm - 7:30pm Roundtable: Role of Press  
*PURPOSE: learn about press freedoms, journalist analysis of political transition, how cover the National Assembly*  
**Moderators: Tibor Krecz\*, Andrew Bogtar and Mr. Desiganos**  
**Location: Astoria Hotel meeting room or Parliament room (Refreshments served)**
- 8:00pm Dinner on Own

**Wednesday, June 18**

- 8:00am - 8:45am Breakfast -- Review of Day's Agenda
- 9:00am - 10:30am Meeting with a Minister with Q&A  
*PURPOSE: discussion of executive's responsibility to members of parliament -- MPs right to oversee work of Ministers and Ministers obligations to discuss with, report to and include Mps in policy, financial and/or planning decisions*

\*Denotes Confirmation of Participant

- 11:00am - 12:15pm Meeting with Prime Minister and Staff  
*PURPOSE: discuss his views on division of responsibilities between the Executive and Legislature, obstacles faced in transition to democratic governance*
- 12:30pm - 1:30pm Lunch
- 1:45pm - 3:00pm Observation of Committee #1  
*PURPOSE: observe procedure for setting/distributing/following the agenda, how minutes are taken/distributed/published, how chairperson conducts meeting for example are motions used to make decisions? Does the chairperson participate in the debate?*
- 3:00pm - 3:20pm coffee break (in hotel meeting room)
- 3:30pm - 5:00pm Observation of Committee #2 OR Observation of Public Hearing  
*PURPOSE: another example of above or opportunity to observe how hearings are organized, who testifies/speaks, public participation etc.*
- 
- 5:15pm - 6:30pm Discussion/Q&A of Committee Observation: led by Hungarian -- MP and/or NGO type (coffee served)  
Moderators: **Zoltan Sekete and/or Dr. Bolash Polski** ????
- 7:30pm - Group Dinner
- Thursday, June 19**
- 8:15am - 9:00am Breakfast -- Review of Day's Agenda
- 9:30am - 11:00am Meeting with Political Scientist and Political Trainer  
**Dr. Istvan Stumpf**  
Location:
- 11:30am - 1:30pm Meeting with Leader of an Active NGO  
*PURPOSE: discussion of how this NGO lobbies the National Assembly, submits policy proposals to the government and drafts laws for the government also a discussion of how the NGO leader perceives the transition to democracy, his/her perceptions of government reaction to NGO views, NGO freedom in general*

afternoon Free time/TBA/Report writing

6:00pm - 7:30pm Mission Debriefing in Hotel Meeting room

8:00pm Dinner on Own

**Friday, June 20**

8:30am - 9:30am Breakfast -- Review of Day's Agenda

10:00am - 11:30am Tour of Budapest Constituency Office and meet staff/volunteers (set aside time for simple observation of operations and debrief with relevant MP or office director)  
*Purpose: discuss/observe constituency outreach/servicing in an urban setting*

11:30am - 12:45am Travel to rural Constituency

1:00pm - 2:00pm Lunch

2:15am - 4:00pm Tour of Constituency Office and Meeting with Office Staff/Volunteers (Some time set aside for simple observation of operations/debrief with MP).

4:15pm - 5:15pm Meeting with Local Citizen's group or with local branch of Active NGO (the one met with day before) *PURPOSE: discuss local efforts to lobby MP and perceptions of MP servicing of constituent needs at national level*

5:30 - 6:30 Free Time

6:30pm - 7:30pm Travel back to Budapest

8:00pm Group Dinner

**Saturday, June 21**

Morning Departures

\*Denotes Confirmation of Participant

## **Biographies of Palestinian Legislative Council Members Who Participated in NDI's Study Mission to the Hungarian National Assembly**

### **Azmi Shu'abi**

Azmi Shu'abi, from Ramallah, is a very active and outspoken Member of the Palestinian Legislative Council. He is a Member of the Liaison Committee, as well as a Member of the Economics and Budget Committees. Formerly, Mr. Shu'aibi, trained as a dentist, was the Minister of Youth and Sports. He is politically affiliated with the Palestinian National Democratic Union FIDA, where he sits on the board. Mr. Shu'abi was a former member of the Political Bureau of the Democratic Front for the Liberation of Palestine.

### **Husam Khader**

Husam Khader, from Nablus, is one of the young, active Members of the Palestinian Legislative Council. He is a Member of the Human Rights and Oversight and the Refugee Committees. Mr. Khader is politically affiliated with Fateh, and is a Member of the Revolutionary Council of Fateh, as well as a Member of the Higher Committee of the Fateh Movement in the West Bank. Mr. Khader was imprisoned more than 20 times by the Israeli authorities, and was deported to Lebanon in 1987, to return to the West Bank in 1995.

### **Jamal Hindi**

Jamal Hindi is a Jenin Member of the Palestinian Legislative Council, and is affiliated with Fateh. He is the Chairman of the Refugee Committee, as well as a Member of the Human Rights and Oversight Committee. He was formerly a member of the Interior Committee. Mr. Hindi is also a Member of the High Palestinian Refugee Affairs Commission. He is a President of the Youth Centers of the Refugee Camps in the West Bank. Mr. Hindi, who has a degree in Sociology, was shot and wounded by Israeli forces, and spent seven years in Israeli prisons. Mr. Hindi was deported for six years, and returned to the West Bank in 1994.

### **Jamal Shobaki**

Jamal Shobaki is a Member of the Palestinian Legislative Council from Hebron. He is a member of the Political Committee of the PLC, as well as a member of the Higher Committee and the Revolutionary Council of Fatah. Mr. Shobaki was formerly a teacher, in Libya, and spent nine years in prison. From 1988-1994, Mr. Shobaki directed the Planning and Development Department of the University Graduates Union, and from 1994-95, he served as Director General of the Local Government Ministry.

### **Jamileh Saydem**

Jamileh Saydem is a Member of the Palestinian Legislative Council from Deir Al-Balah, in the Gaza Strip, but is originally from Ramleh, now an Israeli city near Tel Aviv. She is a Member of the Refugee Committee, and was the Rapporteur of the Economics Committee in the first session

of the Council. Ms. Saydem is a Member of the Revolutionary Council of Fatah, as well as a Board member of the Palestinian Women General Union. Ms. Saydem is the widow of Mahmood Sabri Saydem, Member of the Central Committee of Fatah, who was martyred in 1971.

**Kamal Shurafi**

Kamal Shurafi is a Member of the Palestinian Legislative Council from Jabalia Refugee Camp in Gaza. He is the Chairman of the Human Rights and Oversight Committee, and a Member of the Political Committee. Mr. Shurafi, who is a surgeon trained in Bulgaria, formerly worked as a physician in the Jabalia Refugee Camp.

## **Agenda for PLC Visit to the Georgian Parliament**

### **Monday, November 24**

- 5:00 PLC Members arrive. Greeted at airport by a member of the Parliamentary Protocol office and Laura Abrahams (NDI)
- 6:00 Check-in Villa Berica Hotel (Tel: 995-32-93-35-62, 995-32-30-40-38)  
Rest
- 14:00 Lunch at hotel
- 15:00 Briefing with NDI Staff on the week's activities with resident staff from NDI-Tbilisi  
Location: Villa Berica Hotel
- 18:00 Tour of Tbilisi
- 20:00 Dinner at Le Cabernet Restaurant

### **Tuesday, November 25**

- 9:00 Breakfast at the hotel--review of the day's agenda
- 9:30 Depart for the Georgian Parliament
- 10:00 Meeting with Ms. Nana Chkoidze, Chief of Protocol Office  
Mr. Merab Cotsiridze, Chief of Information Department
- 11:00 Meeting with various NGO Representatives:  
Ms. Lia Mukhashavria, Georgian Young Lawyer's Association  
Others, TBA  
*PURPOSE: To discuss the role of outside groups, NGOs, vis-a vis the Parliament and the legislative process.*
- 12:00 Meeting with Rostom Dolidze, Chairman of the Procedural Issues Committee  
*PURPOSE: To discuss procedures in the Georgian Parliament, the work of a committee chairman.*
- 13:30 Lunch at Nicala Restaurant
- 15:00 Meeting with Ms. Khatuna Gogorishvili, Secretary General of the Parliament  
*PURPOSE: To obtain a briefing on how the agenda is produced administratively,*

*how votes are recorded and how plenary minutes are produced and distributed.*

- 16:00      **Attend Plenary Session of the Parliament**  
**PURPOSE:** *To observe legislative debates and voting procedures*
- 16:30      **Meeting with Mr. Kakha Chitala, Chairman of the Foreign Relations Committee**  
**PURPOSE:** *To discuss the function of parliamentary committees, role of the chairman.*
- 19:30      **Meeting with Mr. Mamuka Giorgadze, Chairman of the People's (National Democrat) faction – Opposition Party**  
**PURPOSE:** *To discuss the role of an opposition party, strategies for effective coalition-building with other Members of Parliament.*
- Meeting with Mr. Giorgi Baramidze, Chairman of the Citizen's Union faction -- Government Party**  
**PURPOSE:** *To discuss the evolution of the efficient parliamentary procedures, the role of the Anti-Corruption Committee in the Parliament, of which he is the chair.*
- 21:00      **Depart for hotel**
- 21:30      **Dinner at hotel**
- Wednesday, November 26**
- 8:30      **Breakfast at hotel--briefing on the day's agenda**
- 9:45      **Depart for Parliament**
- 10:30      **Meeting with Mr. Vitali Khazaradze, Deputy Chairman of the Committee on Constitutional and Legal Affairs**  
**PURPOSE:** *To discuss the role of the Legal Committee, and the process and challenges of legal reform in Georgia.*
- 11:30      **Tour of Parliamentary Library with Mr. Gigi Tevzadze, Chief of the Parliamentary Research Service**
- 13:00      **Lunch at the Parliament hosted by Mr. Zaza Kandelaki, Chairman of the Coordinating Council of Permanent Delegations**
- 15:30      **Meeting with Ms. Roza Lordkipanidze, Chairman of the Rural Committee**  
**PURPOSE:** *discuss strategies on how to hold and conduct effective public*

*hearings.*

- 17:00 Depart for Hotel
- 19:00 Dinner at the Golden Fleece Restaurant

**Thursday, November 27**

- 8:30 Breakfast at the hotel--briefing on the day's agenda
- 10:00 Depart for Parliament
- 10:30 Attend plenary session of the Parliament  
(Legislative Debates)
- 12:00 Meeting with MP Irakily Batiashvili, Mayoritarian from Vake District  
*PURPOSE: To discuss strategies and methods used to develop effective constituent relations*
- 14:00 Lunch with Mr. Alecs Rondeli, Professor of Foreign Relations at Tbilisi State University and Mr. Vakhtang Khmaladze, Constitutionalist  
*PURPOSE: To discuss the overall political and economic transition of the Republic of Georgia with foremost analysts on the subject*  
Location: Villa Berica Hotel
- 16:00 Depart for the Ministry of Food and Agriculture
- 16:30 Meeting with Mr. Bakur Gulua, Minister of Food and Agriculture  
*PURPOSE: To gain insight, from the executive point of view, of legislative-executive relations, and to discuss the executive's responsibility to members of parliament -- MP's right to oversee the work of ministers, and ministers' obligations to discuss with and report to, and include MPs in policy, financial, and/or planning decisions.*
- 17:30 Meeting with Mr. Khetsuraini, President Shevernadze's Representative in the Parliament  
*PURPOSE: To discuss the relationship between the legislature and the executive, from the point of view of someone working closely in the executive branch, while interacting with the legislature on a daily basis.*
- 19:00 Depart for Dinner at the Villa Berica Hotel



**Friday, November 28**

- 9:00            Breakfast at the hotel--review of the day's agenda
- 10:00           Depart for the Parliament
- 11:00           Meeting with Ms. Lana Gogoberidze, House Majority Leader  
*PURPOSE: To share recent developments of the PLC, including the creation of the Council Affairs Committee, and to discuss parallels with the Georgian Parliament.*
- 13:00           Lunch with journalists  
*PURPOSE: To learn about press freedoms, discuss journalists' analysis of the Georgian political transition, how the proceedings of the Parliament are recorded in the press.*  
Location: Budwiser Restaurant
- 16:15           Depart for Parliament
- 16:45           Attend session of the Parliament: Question Period
- 19:00           Meeting with Mr. Zurab Zhvania, Speaker of the Georgian Parliament
- 20:00           Depart for Bread House
- 20:15           Dinner hosted by Ms. Lana Gogoberidze and Mr. Kakha Chitaia

**Saturday, November 29**

- 9:00            Breakfast at the hotel
- 9:45            Depart for Rustavi, a district near Tbilisi
- 10:30           Meeting with Deputy Mayor of Rustavi
- 1:00            Free afternoon
- 18:30           Depart for the Youth Palace
- 19:15           Concert at the Youth Palace
- 21:00           Dinner in Old Tbilisi -- Miraj Bar

**Sunday, November 30**

- 9:00            **Breakfast**  
                 **Debrief and Evaluation of the week's activities**
- 11:30           **Depart for the Opera House**
- 12:00           **Attend the ballet, "Gaiane."**
- 15:00           **Depart for Mtskheta, a historical town near Tbilisi**
- 15:30           **Sightseeing in Mtskheta**
- 18:00           **Checkout from hotel**
- 18:30           **Depart for Airport**
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## **Biographies Of The Palestinian Council Members Participating In NDI's Study Mission To The Georgian Parliament**

### **Dr. Yousef Abu Safiyeh:**

Dr. Abu Safiyeh is a Member of the Palestinian Legislative Council from North Gaza. He studied biology first in Bier Zeit University and then at the American University of Beirut. He received his Masters degree in 1975. He lectured at the Islamic University in Gaza from 1980 until 1983 prior to attending University of Texas, Houston where he completed his Ph.D. He then taught at Al Azhar University in Gaza for four years. He was the Director of the Environment Unit at the Gaza Health Council in 1995 and the President of the Science and Technology Faculty in Khan Younes - Gaza Strip before his election to the Palestinian Legislative Council. He is the chair of The Natural Resources Committee. Dr. Abu Safiyeh is also a member of the Council Affairs Committee.

### **Marwan Al Barghuthi:**

Mr. Barghuthi, from Ramallah, is a political activist. He was detained by the Israeli authorities in 1978 for 6 years. Upon his release, he served as the head of the Students Council at Bier Zeit University for four consecutive periods from 1983 until 1987. He was deported to Jordan in 1987 and occupied several political positions while in exile in Tunisia. He was elected member to the Fateh Revolutionary Council in Tunisia and a is a Member of the Palestinian National Council. He is presently the Secretary General of the Fateh Higher Movement Committee. He returned to Palestine with the political exiles after the signing of Oslo Accords. He is a political consultant to the president. He was elected as a Fateh Member to the Palestinian Legislative Council in January 1996. Mr. He is currently completing his master's degree in International Relations from Bier Zeit University. He sits on three Committees of the Council; the Interior Committee, the Political Committee and the Education and Social Affairs Committee.

### **Mohammed Hourani:**

Mr. Hourani is a Fateh Member of the Palestinian Legislative Council representing the constituency of Hebron. Hourani is a political activist and was arrested several times. He was first arrested in 1978 and spent five years in total in the Israeli prisons, three of which were as administrative detention. His public and political work was under Fateh umbrella. Mr. Hourani holds a BA in Psychology from Sofia University in Bulgaria. He is a Member of three Council Committees: the Political Committee, the Legal Committee and Land and Settlements Committee. Mr. Hourani is also a Member of the Fateh Revolutionary Council and a Member of the Fateh Higher Movement Committee.

### **Hasan Khraisheh:**

Mr. Khraisheh is an independent Member of the Palestinian Legislative Council representing the constituency of Tulkarem. He was detained in Jordan in 1983 and then in Israel from 1983 until 1986 and again in 1988 until 1990. He participated in the revolution wars in Lebanon in 1976 and 1982. Mr. Khraisheh received his BA in Medicine from Pakistan and his Masters degree in Gynecology from Dublin, Ireland. Khraisheh is a Member of the Political Committee and the Education and Social Affairs one. He was also a member of the ad-hoc Committee which was established to investigate of the Auditor General.

### **Abdul Karim Abu Salah:**

Mr. Abu Salah is a Member of the Palestinian Legislative Council from Khan Younes in Gaza Strip. He was elected as an independent although he is a member of Fateh. He is the chair of the legal committee and played a leading role in drafting the Standing Orders adopted by the Council as well as reviewing and analyzing the draft legislation received from the Executive. Mr. Abu Salah is a Lawyer by profession receiving his law degree from Cairo, Egypt. He worked as a teacher, lawyer and legal consultant.

### **Abdul Fattah Hamayel**

Mr. Hamayel was a Member of the Asifeh "Storm" wing of Fateh when he was first detained on September 7, 1967 and sentenced to seven life terms and fifteen years. He stayed in prison until May 20, 1985 when he was released in the "Prisoner's exchange between PLO and Israel". During the Intifada, he was a key source of information on behalf of his Party to the people. He was arrested then for 21 days and when released he was sought by the Israeli Authorities from March 1988 until August 12, 1990. He was arrested on that date and sentenced to 4,5 years divided into two and a half years in prison and two outside. At the end of the prison term, he was deported to Jordan and returned on July 3, 1994 after the signing of Oslo agreement. Mr. Hamayel was elected to the PLC and is a member of the Budget Committee, Council Affairs Committee as well as being the Rapporteur of the Interior, Security and Local Government Committee. He is also a Member of Higher Movement Committee of Fateh in the West Bank. Prior to his election to the Council, he was the Secretary General of Fateh Movement in Ramallah City where he represents for the PLC.



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