



**CENTRE FOR LIBERAL STRATEGIES
UNITED NATIONS DEVELOPMENT PROGRAMME**

**STRENGTHENING PARLIAMENTS
IN CONFLICT/POST-CONFLICT SITUATIONS**

**ROUNDTABLE MEETING
SOFIA, BULGARIA, MAY 22, 2005
Summary Report**

The Centre for Liberal Strategies in cooperation with UNDP, Democratic Governance Group, Bureau for Development Policy is working on Europe regional preparatory process for the UNDP Global Conference on Strengthening Parliaments in Conflict and Post-Conflict Situations.

The key presumption of present research project is that Parliaments and other legislative and consultative bodies can play a critical role in conflict resolution, peacebuilding and post-conflict sustainable development. As a forum for bringing together parties in dispute, parliaments and other such bodies allow for peaceful dialogue and resolution of differences, both serving to prevent conflict and to help end conflict. In the aftermath of conflict, the legitimacy of a parliament – afforded by its representative and diverse nature – gives it a claim to speak for society and the right to a meaningful say in a nation's development.

Having the above mentioned in mind CLS decided to investigate six parliaments' involvement and contribution to conflict resolution, peace-building and post-conflict sustainable development. The parliaments of Moldova, Macedonia, Serbia and Montenegro, Kosovo, Ukraine and Georgia were included in the research.

In the framework of the preparatory process and in order to get together the six local researchers and discuss the findings of the case studies papers CLS organized a roundtable meeting on May 22, 2005 in Sofia, Bulgaria.

The one-day long meeting was held in the CLS office. It was open and moderated by Daniel Smilov, Project Director at CLS. He briefly explained the philosophy of the project, presented the case studies and the roundtable meeting participants at the start of the meeting.

Ludovic Hood from UNDP, Democratic Governance Group, Bureau for Development Policy made some opening notes and presented the main points of consideration that UNDP expects to be included and studied in the case studies.

First country presentation was delivered by Saso Ordanovski, Program Director of FORUM – Centre for Strategic Research and Documentation in Skopje, Macedonia. The Macedonia case study focuses on the role of parliament in the 2001 armed conflict. The major paper's thesis is that Macedonian Parliament played insignificant role in the conflict resolution and gave only legal force to the agreements reached outside the assembly. Saso Ordanovski argues that Macedonian parliament – as most of the parliaments in the newly democratized post-communist countries in Central and South East Europe – is a re-actor, not a pro-actor in the political developments in the country. The institution is mostly used to verify or to transform into legal acts and formal agreements political decisions done in other power centres in the country (political parties with their oligarchs, government with its ministries, president's and prime minister's offices etc.). He also insisted that very few meaningful political processes were/are opened or taking place in the parliament, with the exception of the so-called "political marketing" by the MPs and other speakers during the televised parliamentary sessions.

His presentation posed several controversial questions that were later discussed by the participants. The discussion was centered on possible invisible role of the parliament in the resolution of 2001 armed conflict in Macedonia. Daniel Smilov

suggested that Macedonian parliament might played critical role for the peace settlement by taking the blame for not interfering in the conflict thus leaving a space open for other factors outside the parliament to work towards its resolution.

The role of Georgian parliament with respect to latent ethnic conflicts in Georgia was presented in the second country presentation made by Maia Nikolaishvili from Caucasian Institute for Peace, Democracy and Development in Tbilisi. Her paper deals with the two “frozen” conflicts in Georgia, in Abkhazia and South Ossetia respectively. Both conflicts developed into violent armed confrontations. Currently, Georgia has no control over these territories and this has been the state of affairs since ceasefire agreements signed in 1992 for South Ossetia and 1993 for Abkhazia. The Russian peacekeeping forces still operate in Georgia's conflict zones under the CIS mandate. The study concludes that Georgian Parliament has played a negative role in the outbreak of the ethnic conflicts in Georgia and a negligible one since the ceasefire agreements were signed. This is being explained by the tendency of the executive branch's domination over the legislative authority (with only short-lived exceptions in 1992-1995 and between 2002 and 2003). Another reason why Parliament's role regarding the conflicts has been limited throughout these years has to do with the status of the conflicts in Georgia: They are often referred to as "frozen." This essentially means that Georgia has no jurisdiction over the conflict territories, both regions are de facto independent and have their own leadership, they are not recognized by the international community as independent states. The paper's overall recommendation is further strengthening of the Parliament both institutionally, through changes to enable the assembly with more independence and power within the overall structure of state governance, and in terms of development of sustainable democratic parliamentary practices.

Igor Botan, Executive Director of Association for Participatory Democracy in Chisinau, Moldova delivered the last country presentation in the morning session. Instead of focusing on separate conflict Moldovan case study presents comprehensive review and analysis of almost all conflicts (including separatist,

political and ethnic/cultural based conflicts) that have been taking place over the whole transitional period ever since 1990. The paper argues that the Parliament's success in solving the conflicts is predetermined by its cooperation with the other state institutions and in particular with the Constitutional Court. Since Moldova is an exception from the dominant institutional design, providing the presidential institution with a leading role and adopted nearly everywhere in the post-soviet political space after dissolution of Soviet Empire it provided a possibility to study how this pattern affected the capability of the assembly to cope with conflict situations.

The afternoon roundtable meeting session commenced with the Rashko Dorosiev's presentation on the role of Ukrainian Parliament in November-December, 2004 political conflict, also known as the "Orange Revolution". He is a Project Director in the Centre for Liberal Strategies and was assisting Inna Pidluska, Director of Europe XXI Foundation in Kiev, in the preparation of the case study. In contrast to most of the other cases studies, where the parliaments had no, or had insignificant influence over the conflict settlement, the Ukrainian case study describes the crucial role of the Parliament in the process of conflict resolution despite the unfavorable political context and institutional design. The conflict studied is defined as political in which huge masses of people were involved and a threat of civic conflict appeared as a result of the streets protests. While the parliament of Ukraine had only reduced legislative prerogatives to interfere in the conflict and make decisions of issues related to the presidential elections beyond the adoption of the election law and the appointment of the Central Election Commission, it utilized most of available political instruments for intervention in the conflict and facilitating the conflict resolution. The position of the parliament on the election process and announced results, and on the conflict itself was of very high political significance for finding a peaceful solution to the situation in the country. First, the people protesting in the streets found an institutional answer, which politically legitimized their demands and helped the channeling, constraining and eventual resolution of the conflict. Second, the Supreme Court found the strength to question the powerful pro-Kuchma

forces and rule, on December 3, that the election fraud had taken place during the second round of the presidential elections, and to order that the second round of the elections be repeated on December 26, 2004.

Due to many different reasons the work on Kosovo case study delayed and Ylber Hysa, Member of Kosovo Parliament presented the main points of consideration that would be latter included in the paper.

The meeting continued with general discussion on the case studies and possible future steps. Ludovic Hood and Katrin Kinzelbach, Peace and Security Specialist, at UNDP Bratislava Regional Centre made several comments aiming at improving the case studies and broadening the area of the issues covered. The comments are summarized bellow:

- Parliaments appear to have played a minimal role in preventing conflict (at the pre-conflict crisis stage). Similarly, they seem to have proven ineffective at mediating or resolving conflict during hostilities. Accordingly, it would be useful if the case study authors thought about under what conditions could parliament have played a proactive and positive role before and during conflict? Without resorting to excessive historical recounting or contextualization, the authors should write about this, and propose ways in which MPs, other local stakeholders and international actors could have ensured that parliament played a more significant role in conflict prevention and resolution. Out of this, the authors can hopefully also come up with some forward-looking, concrete recommendations (and likewise the regional paper)
- Related to this is the sequencing and prioritization of possible action by local and international actors. The recommendations should include ideas on this.

- The authors need to write about legislation that was debated and/or enacted pertaining to measures that provided relief for segments of the population affected by the conflict, e.g., IDPs, veterans, etc.
- All the papers need to consider the gender dimension. Did parliaments permit women to have a meaningful say at any stage of the crisis/conflict. If so, did this make a difference?
- Another issue that might need some discussion is the extent to which a competent secretariat / technical staff can make a difference in parliament's performance in conflict/post-conflict.
- The impact of the possibility of accession to European and/or trans-Atlantic organizations (EU, NATO, NATO-related partnerships, etc.) needs to be considered in the context of parliaments' role in conflict resolution and post-conflict peace building.

Additional points of considerations:

- Parliamentary oversight of the executive branch, including security forces: This was an issue that was raised a few times on Sunday, and which is worth discussing in the context of post-conflict peace-building.
- Parliament's role vis-à-vis legal and regulatory frameworks for establishing and/or reinforcing the rule of law. This is important from both a post-conflict peace-building perspective, and a conflict prevention angle.

MEETING PROGRAM

Saturday, May 21

Arrival of the participants

Grand Hotel Sofia,

1 Gurko Str., 1000 Sofia, Bulgaria

Reception: ++ 359 2 811 0811

<http://www.grandhotelsofia.bg>

19:30 - Diner

Motto restaurant – 18 Aksakov Str.

Sunday, May 22

Program

9:30 – 10:00 Introduction

- Ludovic Hood, Democratic Governance Group, Bureau for Development Policy, United Nations Development Program
- Ivan Krastev, Centre for Liberal Strategies

10:00 – 12:30 Case studies presentation

- Jovan Teokarevic & Vessela Tchernevea, “*Serbian Parliament*”
- Saso Ordanovski & Daniel Smilov, “*Macedonian Parliament*”
- Maia Nikolaishvili & Vessela Thereneva, “*Georgian Parliament*”
- Igor Botan & Deyan Kiuranov, “*Moldavian Parliament*”
- Rashko Dorosiev, “*Ukrainian Parliament*”

12:30 – 14:30 Lunch – Egur Egur Restaurant - 10 Dobrudzha Str.

14:30 – 16:00 – General Discussion

- Katrin Kinzelbach, Peace and Security Specialist, UNDP, Europe and the CIS
Bratislava Regional Centre
- Roumiana Kolarova, Sofia University, Political Science Department

ANEX II

LIST OF PARTICIPANTS

1. Ludovic Hood, Program Manger, *Democratic Governance Group, Bureau for Development Policy, United Nations Development Program, NY, USA*
2. Katrin Kinzelbach, Peace and Security Specialist, *UNDP, Europe and the CIS Bratislava Regional Centre*
3. Daniel Smilov, Project Director, *Centre for Liberal Strategies, Sofia, Bulgaria*
4. Rashko Dorosiev, Project Director, *Centre for Liberal Strategies, Sofia, Bulgaria*
5. Deyan Kiuranov, Program Director, *Centre for Liberal Strategies, Sofia, Bulgaria*
6. Maia Nikolaishvili, Researcher, *Caucasian Institute for Peace, Democracy and Developmen, Tbilisi, Georgia*
7. Ylber Hysa, Member of the Parliament, *Parliament of Kosovo*
8. Igor Botan, Executive Director, *Association for Participatory Democracy, Chisinau, Moldova*
9. Saso Ordanovski, Program Director, *FORUM – Centre for Strategic Research and Documentation, Skopje, Macedonia*
10. Roumiana Kolarova, Professor, *Sofia University, Political Science Department*