

# WORKSHOP “BUILDING TRUST BETWEEN PARLIAMENTS AND CITIZENS ”

#ParlAmericasOPN #CongresoAbierto

## DATE

April 20-21, 2017

## LOCATION

Bogota, Colombia

## PARTICIPANTS

24 parliamentarians and civil society representatives from 10 countries

This workshop, organized by the Congress of Colombia, the Congress of Chile, the World Bank, and ParlAmericas, had as its main objective to explore mechanisms and practices to increase citizen’s confidence in Latin American parliaments.

Senator **Mauricio Lizcano** (Colombia), President of the Senate and Vice-President of the Open Parliament Network for South America, opened the event alongside Member of the Chamber of Deputies **Patricio Vallespín** (Chile), co-chair of the Bicameral Group for Transparency of the Congress of Chile, and Member of the Legislative Assembly **Karla Prendas** (Costa Rica), Vice-President of the Open Parliament Network for Central America.



Senator **MAURICIO LIZCANO** (Colombia), President of the Senate and Vice-President of the Open Parliament Network for South America

*“We are very committed to open data. We have already held a meeting with civil society and journalists where we chose the data, we performed an in-person survey with them to identify the information which was most valuable to them.”*



Member of the Chamber of Deputies **PATRICIO VALLESPÍN** (Chile), co-chair of the Bicameral Group for Transparency of the Congress of Chile

*“In these matters, one makes progress based either on conviction or obligation. What this Network tried to do was advance progress based on conviction as we realized that the topic of transparency and probity is not a trend that will pass; rather it is a topic that has been engrained in our societies with the understanding that standards for transparency and probity have risen and congresses must meet these new standards.”*



Member of the Legislative Assembly **KARLA PRENDAS** (Costa Rica), Vice-President of the Open Parliament Network for Central America

*“We have made an effort in every country, and each experience is different. The action plans have worked, the agreements between parliamentarians have worked, but now we have to open ourselves up a bit more and continue to improve looking towards those challenges that legislative openness demands every day.”*

# Open budgets and citizen participation

The first session was moderated by **Juan Pablo Guerrero**, Director of the Global Initiative for Fiscal Transparency (GIFT), and addressed citizen participation in budgeting processes. Juan Pablo Guerrero and **Tania Sánchez**, Research and Communications Manager at GIFT, presented the [10 principles](#) of public participation in fiscal policy adopted by GIFT, as well as a guide that supports these principles.

**Mario Martínez**, researcher in Colombia on the Open Budget

Survey, showed the 2015 results and emphasized that the Latin American countries studied in the survey had a regional average of 50% on budgetary accountability.

Finally, Guillermo Ávila, researcher at Fundar, spoke about the budget negotiations that took place in the Chamber of Deputies of Mexico in 2016, where citizens were formally included. As part of these negotiations, Fundar presented [13 proposals](#) to improve that country's budget allocation.

## 10 PRINCIPLES OF PUBLIC PARTICIPATION IN FISCAL POLICY ADOPTED BY GIFT <sup>1</sup>

Accessibility
Openness
Inclusiveness
Respect for self-expression
Timeliness
Depth
Proportionality
Sustainability
Complementarity
Reciprocity

<sup>1</sup> GIFT, 2016



**JUAN PABLO GUERRERO**,  
Director of GIFT

*“Public participation improves the distribution of resources and the provision of services, generates a better response to the specific preferences of the electorate, (and it) gives opportunities for marginalized groups to have a certain influence over the decisions that affect them.”*

*“The public budget is the tool that the government relies on to undertake its plans and strategies and make progress in building a more equitable country. The commitments that the government has taken on with regards to development or human rights need to be represented concretely by the allocation of public resources.”*



**GUILLERMO ÁVILA**,  
researcher at  
Fundar

# Parliamentary budget offices

The second session focused on presenting budget offices and other monitoring tools useful in periods when budgetary allocations are being discussed and defined at the national level in parliaments.

**Nelson Shack**, consultant at the World Bank, underlined that budgetary support offices are key to improving management and decision-making, as well as promoting greater transparency and accountability.

**Luis Alberto Rodríguez**, Project Coordinator for the Budgetary Technical Support Office for the Congress of Colombia at the Inter-

American Development Bank (IDB) and the United Nations Development Programme (UNDP), mentioned that these offices also strengthen the parliament's work during discussions on the national budget, as they eliminate imbalances in information between the executive and legislative powers.

**Gregorio Eljach Pacheco**, Secretary General of the Senate of Colombia, emphasized how these tools allow for easier access to parliamentary information, a policy that is part of the modernization program of the Colombian Congress.

For more information about parliamentary budget offices, please see:

- ⇒ [Strengthening the budgetary capacities of parliaments in Latin America and the Caribbean](#). BID, 2013 (in Spanish)
- ⇒ [World Bank online course on parliamentary budget offices](#). World Bank, 2017

## HOW DOES THE BUDGETARY TECHNICAL SUPPORT OFFICE FOR THE COLOMBIAN CONGRESS WORK?<sup>2</sup>



<sup>2</sup> Budgetary Technical Support Office for the Colombian Congress, 2017

**LUIS ALBERTO RODRÍGUEZ**,

Project Coordinator for the Budgetary Technical Support Office at the IDB and the UNDP



*“The budgetary technical support office is not a place for negotiation nor is it a think tank. Rather it is a unit for the technical strengthening of congressional decision-making and allows for informed economic discussions between the legislative and executive powers.”*

*“Budgetary discussions should not only be limited to budget allocations. They should also include the policies behind parties and budget offices that facilitate the parliament’s political monitoring work in order to discuss and debate the corresponding law.”*



**NELSON SHACK**,  
consultant at  
the World Bank

# Perceptions and regional progress of parliaments

The third session, moderated by **Lisa Bhansali**, Governance and Anti-Corruption Advisor for Latin America and the Caribbean at the World Bank, focussed on the perceptions and regional progress made by parliaments in Latin America on transparency standards, accountability, and citizen participation.

**Octavio del Favero**, Legislative Coordinator at the *Fundación Ciudadano Inteligente*, presented the results from the last edition of the [Latin American Legislative Transparency Index](#) (2016), highlighting that the majority of countries included in the index

improved their scores from 2014.

Member of Congress **Alberto de Belaúnde** (Peru) presented 17 measures adopted by the [Integrity Commission](#) in 2016, an initiative of the Presidency of the Republic of Peru to combat corruption, in which civil society participated.

**Rocío Noriega**, advisor to the Bicameral Group for Transparency of the Congress of Chile, concluded the session highlighting the proposals included in the [Presidential Advisory Council](#) of 2015, which seeks to regulate conflicts of interest and to combat influence peddling and corruption, through a balanced grouping of members.

## THEMATIC AREAS FROM THE PROPOSALS OF THE PRESIDENTIAL ADVISORY COUNCIL AGAINST CONFLICTS OF INTEREST, INFLUENCE PEDDLING, AND CORRUPTION (CHILE)

- ⇒ Prevent corruption
- ⇒ Regulate conflicts of interest
- ⇒ Finance politics to strengthen democracy, enforcement bodies, and compliance with the law
- ⇒ Build confidence in the markets



**OCTAVIO DEL FAVERO**,  
Legislative  
Coordinator at  
the *Fundación  
Ciudadano  
Inteligente*

*“On a regional level, we are at 51% (in terms of regulations and reforms in the context of transparency, according to the Latin American Legislative Transparency Index). We can see that progress has been observed in terms of access to information laws, especially on institutional and budgetary topics. We can see that today we have more information on legislative work. What still remains is improving laws on lobbying, accountability, procurement, consultancy, and competition.”*

*“Currently there are at least 22 bills on anti-corruption topics, but many of them are more focused on what to do once an act of corruption has been reported. The emphasis on prevention is still not there. The most important measure that [the Congress of Peru] has approved in this legislature in terms of anti-corruption is a constitutional reform on the imprescriptibility of corruption crimes.”*

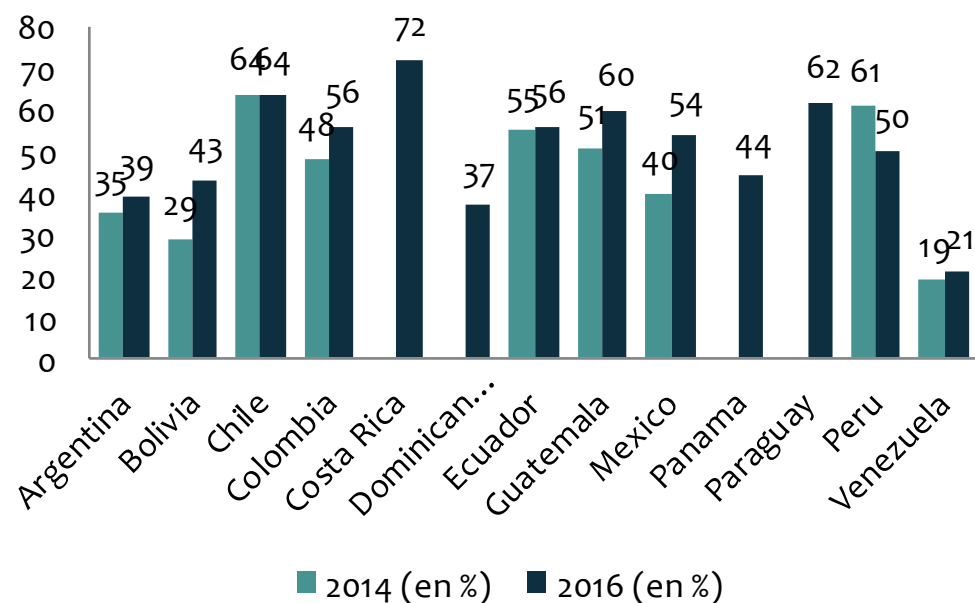


Member of  
Congress **ALBERTO  
DE BELAÚNDE**  
(Peru)

## 17 MEASURES OF THE INTEGRITY COMMISSION (PERU)

- ⇒ Establish the highest level of transparency in the State
- ⇒ Strengthen the Civil Service
- ⇒ Strengthen integrity and ethics in the public sector
- ⇒ Avoid influence peddling
- ⇒ Block people sentenced for corruption, drug trafficking, and money laundering from entering or re-entering into public service
- ⇒ Make the State Contracting System transparent
- ⇒ Avoid corruption in public infrastructure projects and strengthen the autonomy of regulatory bodies
- ⇒ Encourage administrative simplification and Electronic Government
- ⇒ Reform the National Control System
- ⇒ Promote whistleblowing and protect whistleblowers
- ⇒ Reform the Justice System to eradicate impunity in corruption crimes
- ⇒ Reform the National Council of the Magistrates
- ⇒ Combat money laundering and strengthen the abilities of the Financial Intelligence Unit
- ⇒ Strengthen the State's Legal Defense System
- ⇒ Prevent the use of illicit money in political organizations and electoral campaigns
- ⇒ Limit parliamentary immunity

## COMPARATIVE PROGRESS ON LEGISLATIVE TRANSPARENCY IN LATIN AMERICA (2014-2016)<sup>3</sup>



<sup>3</sup> Latin American Legislative Transparency Index, 2016

## POLITICAL PARTIES' ROLES IN RECOVERING CITIZENS' TRUST IN PARLIAMENTS

- ⇒ Maintaining constant contact with citizens
- ⇒ Incentivizing socialization and building a political consciousness
- ⇒ Educating citizens on how the political system works
- ⇒ Encouraging partisan coherence of legislators in their parliamentary work

# Formulas for recovering citizens' trust

The fourth session, moderated by Member of the Chamber of Deputies **Patricio Vallespín** (Chile), covered actions and key aspects for facilitating interactions between citizens and increasing their confidence in the legislature.

Member of Congress **Welsy Vásquez** (Honduras), President of the Legislative Commission for Connecting with Civil Society, presented the different legal mechanisms that Honduras has approved to encourage citizen participation.

**Ana Paulina Sabbagh**, Implementation Coordinator for the Access to Information Law of the Transparency Secretariat of the Presidency of Colombia,

emphasized the relevance of a distinct communicative process that not only includes the individual tasks of the parliamentarian but also integrates the management of the parliament's public and administrative resources as an institution.

**Francisco Herrero**, Resident Director of the National Democratic Institute (NDI) in Colombia, based his presentation on the role of political parties in recovering citizens' trust and how the programmatic focus of their agenda can influence their subsequent promotion of a culture of transparency and probity in parliaments' necessity to build citizens' trust.

## MECHANISMS FOR CITIZEN PARTICIPATION (HONDURAS)

- ⇒ **Plebiscite:** consulting citizens to see whether they are in favour or against constitutional, legislative, or administrative aspects on which a previous decision has never been made
- ⇒ **Referendum:** process by which the citizens, by a vote, express their approval or rejection of an ordinary law, a constitutional norm, or reforms approved and submitted by the Congress
- ⇒ **Open municipal councils:** forum in which citizens can discuss topics of interest in their locality
- ⇒ **Citizen-led legislative initiative:** a chance for citizens to present a law before Congress for discussion and approval (or rejection) by the plenary, upon the presentation of the signatures of 3,000 citizens



Member of Congress  
**WELSY VÁSQUEZ**  
(Honduras)

*“Citizen participation in my country implies including citizens in the formulation, execution, and evaluation of all of the policies and actions of the State, turning them into the protagonists and agents of their own destiny. In 2016, a decree-law on citizen participation was approved. This law implies that the Honduran population is involved in all the laws that we pass in our congress.”*

*“It would be important for the culture of transparency and probity to grow within political parties. When a member is elected for a public position, and particularly for the parliament, it should be absolutely natural to keep improving the legislation and behave transparently and with integrity within that parliament.”*



**FRANCISCO HERRERO**,  
Resident  
Director of NDI  
in Colombia

## PROTECTING WHISTLEBLOWERS

The workshop concluded with roundtable discussions preceded by a presentation on the key aspects of systems to protect whistle-blowers by **Camilo Enciso**, former Transparency Secretary of the Presidency of Colombia, who signalled that parliaments must have safe reporting channels that allow citizens to share their complaints in a way that the legislature can exercise its role in terms of political and judicial control.

### PROTECTING WHISTLEBLOWERS

- ⇒ Establish mechanisms to filter and validate complaints
- ⇒ Guarantee the safety of citizens who file a complaint
- ⇒ Classify the behaviours that are sought for sanctioning
- ⇒ Create an autonomous and independent body to receive complaints
- ⇒ Establish criteria for anonymity when there is relevant proof

For more information on protecting whistleblowers, please see:

- ⇒ [OAS Model law to facilitate and encourage the reporting of acts of corruption and to protect whistleblowers and witnesses](#). OAS, 2013

## PARLIAMENTS IN ATTENDANCE



CHILE COLOMBIA COSTA RICA ECUADOR HONDURAS PANAMA PERU

## PARTICIPATING ORGANIZATIONS



This meeting was made possible by the generous support of the Congress of Colombia, the Congress of Chile, the World Bank, and Global Affairs Canada (GAC).



# PARLAMERICAS



ParlAmericas is the institution that promotes **PARLIAMENTARY DIPLOMACY** in the **INTER-AMERICAN SYSTEM**



ParlAmericas fosters **OPEN PARLIAMENTS** by advancing the principles of transparency, accountability, citizen participation, ethics and probity



ParlAmericas is composed of the **NATIONAL LEGISLATURES** of the member States of the OAS from North, Central and South America and the Caribbean



ParlAmericas promotes policies and legislative measures to mitigate and adapt to the effects of **CLIMATE CHANGE**



ParlAmericas facilitates the exchange of parliamentary **BEST PRACTICES** and promotes **COOPERATIVE POLITICAL DIALOGUE**



ParlAmericas works towards strengthening democracy and governance by accompanying **ELECTORAL PROCESSES**



ParlAmericas mainstreams **GENDER EQUALITY** by advocating for women's political empowerment and the application of a gender lens in legislative work



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