

TECHNICAL ASSISTANCE COMPLETION REPORT

Division: PLCO

TA No. 3816-VAN: Institutional Strengthening of the Parliament			Amount Approved: \$200,000		
			Revised Amount:		
Executing Agency: Office of the Speaker, The Parliament Project Review Committee and the Department of Strategic Management support the Office of Speaker		Source of Funding: JSF	Amount Undisbursed: \$52,456.50	Amount Utilized: \$147,543.50	
TA Approval Date: 19 December 2001	TA Signing Date: 8 February 2002	Fielding of First Consultant: 23 April 2003	TA Completion Date Original: 28 February 2003 Actual: 31 December 2005 Account Closing Date Original: 28 February 2003 Actual: 30 November 2006		
Description					
<p>Strengthening the role of the national Parliament has been a priority of the Government of Vanuatu. Despite an important role prescribed by the Constitution, the Parliament of Vanuatu has been seen as largely ineffective mainly due to its weak capacity and lack of clear business processes, which are significant impediments to good governance and can be part of low confidence in Government. A study undertaken in 2001 identified areas to be addressed for strengthening the role of the Parliament. A subsequent study assessed the legislative needs focusing on the Parliament's role in legislation. Given the weaknesses identified by the above two studies, an institutional capacity building process of the Parliament was initiated by the government through the establishment of the Parliament Project Review Committee. This committee identified the main factors limiting the efficiency of Parliament's lawmaking function as: (i) poor mechanisms for reviewing bills, (ii) weak sector standing committees, (iii) a lack of debate on bills, (iv) short ordinary sitting sessions, and (v) no scrutiny of the regulations delegated by legislation. In addition to the above, the government's national summits of 1998 and 2000 identified three areas for the reform of the Parliament: (i) updating the institutional framework through the passage of a new parliament act; (ii) developing new procedures, including standing orders for a parliamentary committee system; and (iii) strengthening the Office of the Speaker and support services for the Parliament. This urgent reform of the Parliament was further reiterated in government's 2001 national summit, calling for institutional capacity building of the Parliament for strengthening parliamentary democracy and enhancing legislative function, parliamentary oversight, and parliament-constituency relations. Consequently, the Government requested ADB to provide technical assistance (TA) for strengthening the institutional capacity of the Parliament.</p>					
Expected Impact, Outcome and Outputs					
<p>The TA objective was to assist the Government to enhance governance by providing an institutional strengthening program to the Parliament. It was to improve the efficiency of the Parliament's operations through provision of an adequate structure of parliament offices, redefining and strengthening legislative functions and the supervisory role of the Parliament, and updating the operational rules and procedures. The TA outputs comprised: (i) structured and more efficient parliament offices, (ii) clearer and more efficient law-making functions and operational rules and procedures of the Parliament, and (iii) enhanced parliamentary oversight of executive branch of the Government.</p>					
Delivery of Inputs and Conduct of Activities					
<p>The TA was adequately formulated and designed in terms of budget and provision of consulting services; however the implementation arrangements were not adequately organised to maximize its impact on the capacity building processes. In addition, the TA commencement was delayed for over a year due to: (i) non availability of counterpart staff (2 deputy clerk positions), which was the precondition for fielding of consultants; (ii) change in coalition government resulting in a change in Parliamentary Speaker who requested that the positions for the 2 deputy clerks be reopened, (iii) time taken by the Office of Clerk in convening selection panels and associated engagement process in consultation with the Public Service Commissions, and (iv) additional criteria imposed by the Government that the consultants be bi-lingual (English and French). The TA provided consulting services for a Parliamentary Expert for 5 person-months (pm) and a Parliament Management Expert for 3 pm.</p>					
<p>The Parliament Expert commenced on 23 April 2003 and satisfactorily completed his services. Due to the delayed implementation of the TA, the fielding of the Parliament Management Expert proved most difficult. In early 2003, ADB followed up contact with potential candidates only to learn that most of the short-listed candidates had found alternative employment. However, due to the invaluable experience of the Parliament Expert and in the view of need to continue the momentum and mentoring work with minimum distraction, the contract of the Parliament Expert was extended for an additional 2 pm to assume the tasks of the Parliament Management Expert. After additional requests by the Executing</p>					

Agency (EA), the TA was further extended to 31 December 2005 to assist the Government with (i) the review and finalization of the Vanuatu Parliament Bill, (ii) mentoring the Parliament secretariat staff and members of Parliament in their new roles, and in the functions of the Opposition and operationalising the new Parliament budget system. However, capacity building experienced major difficulties due to the political instability experienced in Vanuatu (i.e., frequent change in coalition government in April 2001 and July 2004) and lack of counterpart staff. The EA and ADB were generally satisfied with the input provided by the consultants. As agreed, the EA provided office space and equipment, and counterpart staff, albeit late. Whilst the consultant's performance was satisfactory, the performance of the EA was partly satisfactory as it could not provide a counterpart staff in a timely manner. In addition, ADB fielded only an inception mission with no review missions over the implementation period. Given the proximity of ADB's South Pacific Regional Mission which was located in Port-Vila, Vanuatu, more informal meetings were held, as opposed to formal review missions, but these proved less than effective. In addition, the counter parties predominantly relied on an email exchange as the main source of communication. Hence the TA was not effectively administered and ADB's performance was partly satisfactory.

Evaluation of Outputs and Achievement of Outcome

Although there was significant delay in the initial stages of implementation, the TA was substantially completed. The consultant prepared the final reports and submitted to and accepted by the EA and ADB. The TA largely achieved the intended outputs but frequent changes in coalition government and delayed enactment of the Parliament Act meant that the planned capacity building exercise was stalled. With new members voted into Parliament, the burden of the Parliament Secretariat became overwhelming. In addition to setting up the new committee system, the Secretariat had to mentor the Members of Parliament and new Opposition Members on their roles and functions.

Notwithstanding these difficulties, there have been a number of achievements: (i) an orientation period for newly elected Members of Parliament was designed, (ii) procedural guidelines for the new system of standing committees has been prepared, (iii) a proposal for the revision of the Standing Orders has been developed both in English and French (iv) a Memorandum for the Council of Ministers has been developed, also both in English and French, setting out options and recommendations for a Parliament of Vanuatu Act. The Memorandum was approved by the Development Committee of Officials and accepted by the Ministers on October 9, 2003. In addition, the international consultant worked closely with the State Law Office in drafting the Parliament Act. At TA completion, the findings and recommendations for implementation were to be pursued by the EA. Unfortunately the implementation phase suffered setbacks caused by a Government reshuffle in November 2003, the dissolution of Parliament in May 2004 and the general elections including the formation of the new Government in July 2004.

Overall Assessment and Rating

The TA was partly successful as it partially achieved its objectives through the enactment of a new Parliament Act in 2005 that included new more appropriate Parliament rules and procedures such as a Parliament Management Board, staff manual, and separation of Parliament staff from the public service. While there are some improved procedures and five standing committees established, they are not yet fully functional. Greater capacity building and improved performance of Parliament Committees would have been achieved with more consultant field inputs and if the government had been more stable over the period. The closure of the TA accounts was delayed as a result of an outstanding proposal for additional assistance that could not be implemented due to lack of counterpart staff within the EA.

Major Lessons

The main lesson is the need to ensure clearly defined and focused assistance. Greater impact could have been achieved with a more attentive project design, especially in relation to time and resources allocation and better coordination between the Parliament and the consultants. In addition, EA's resources should be carefully examined at TA design stage to ensure smooth implementation. The TA could have been more effectively implemented if the Government mobilized its resources in an efficient and timely manner.

The third lesson is regarding ADB's administration of the TA. The lack of legal expertise in South Pacific Regional Mission coupled with no review missions to administer the TA provided inadequate support and guidance to the EA and the consultants.

Recommendations and Follow-Up Actions

Several TA outputs remain to be implemented. For these outputs to be sustained, the government should self-finance or request external funds from donor partners.