

FY 2023 Report to Congress
USAID Legislative Strengthening Programs

The U.S Agency for International Development (USAID) submits this report pursuant to House Report 117-401, incorporated by reference into the Joint Statement to the Department of State, Foreign Operations, and Related Programs Omnibus Appropriations Act of 2023. The report provides information regarding USAID’s support to legislative strengthening programs and its approach to expanding these efforts, including to countries where House Democracy Partnership (HDP) is engaged. Further, it presents USAID's current and ongoing programming, to underscore its commitment to this work, and then outlines plans to expand upon this going forward.

Current Work

USAID supports foreign national legislatures and their elected members through a variety of programs, both through dedicated projects and through integration in a broader program or effort such as advancing economic growth, women’s rights, improved health policy, or other development objectives. For the purposes of this report, we focus on projects or efforts with substantial focus upon the legislature, its members, and staff. However, given the centrality of national legislatures across the spectrum of governance, it is worth noting that support provided through agriculture, education, health, anti-corruption, public finance, or other projects may also support a legislature. While this report focuses exclusively on support to national legislatures, USAID also supports subnational legislative bodies, including at state and local/municipal levels. These projects are funded through a mix of USAID Mission budgets, as well as centrally managed programming, particularly the Elections and Political Processes (EPP) Fund.

USAID has legislative strengthening activities in 17 countries that seek to enhance the role of the legislature in government oversight, improve citizen representation, and facilitate the law-making process. There are dedicated legislative strengthening projects in Ukraine, Malawi, Zimbabwe, and Georgia that work solely with these national institutions and focus upon their organizational capacity to strengthen the institution and its accountability of the executive. Activities in Ukraine following the invasion by Russia focused on enabling communications between legislators and their constituencies, even in temporarily occupied zones. These activities also focused on civic education and improving citizen engagement to counter Russian defamation of democratic institutions by highlighting their engagement with the citizenry to improve governance. This programming has been especially adaptive during a time of unprecedented national crisis, supporting the law-making process.

For example, in Malawi, USAID is bringing together national audit agencies and committees with oversight powers to better address corruption and assist this emerging democracy in better delivering services during a period of democratic transition. In Zimbabwe, where the executive continues to erode democratic norms, the democratic champions in the Parliament continue to challenge the executive, and USAID is supporting continued government oversight through improved budget research and analysis.

In Georgia, a new governance program is focused on strengthening the oversight and law-making capacities of the Parliament to ensure effective oversight of government performance and evidence-based and inclusive policy making processes. Programming also seeks to increase public engagement in law-making and oversight processes through the establishment of new and/or strengthened existing public engagement platforms. Both the Malawi and Georgia activities are demonstrating a new approach that focuses on building the capacity of audit institutions jointly with parliamentary committees to improve government oversight and improve anti-corruption efforts.

Another line of effort in our programming with national legislatures is the integration of parliamentary engagement into elections and political party programming, which is a key component to improving political competition and citizen engagement in the legislative process. Examples of this type of programming include Guatemala, El Salvador, Kosovo, Libya, Bosnia and Herzegovina, Kyrgyz Republic, Nepal, Armenia, Jordan, Sudan, Sri Lanka, and the Maldives. The levels of effort nested within the national legislatures varies by each program, but these activities have considerable effort integrated more broadly within political competition outcomes gained through investing in the capacity of parliamentarians, committees, and key professional staff. These activities are implemented by members of the Consortium for Elections and Political Process Strengthening (CEPPS), including with the National Democratic Institute (NDI) and International Republican Institute (IRI).

One example of this integrated effort is in Nepal, where USAID is partnering with elected representatives, civil society, and local research institutions to create a more participatory and evidence-based public policy making process. This supports parliamentary committees to more effectively engage with constituents and stakeholders and elevate principles of inclusion and equity in the lawmaking process. In Bosnia and Herzegovina, USAID is addressing climate change, including air pollution, by working with Members of Parliament (MPs) on policy solutions. Another example is in Armenia, where a new generation of staff is being trained to support parties, committees, and individual members through a fellowship and internship program. These early interventions have long-standing impacts in legislatures where these young staff are often later hired and go on to comprise the core cadre of parliamentary staff.

Recent efforts in Libya and Sudan to engage the legislature were hampered by political crises and conflict, but USAID partners are ready to engage once the appropriate opening occurs and a legislature can be engaged. In the meantime, those programs are working closely with emerging political leaders and democratic champions who will eventually impact public policy and democratic outcomes. An example of this effort is in Libya where USAID partners have established a Youth Leadership Academy with the political parties and sponsored national debates.

USAID, through the United Nations Development Programme (UNDP), works with the national legislature in Laos. The program is focused on improving the oversight and accountability of government actions and service delivery, in particular at provincial levels. These efforts seek to improve the quality and alignment of policy, regulation, and financial allocation of social programs.

In line with our global legislative programming, USAID has begun to take a new approach to this critical sub-sector based upon emerging challenges to democratization, particularly democratic backsliding. A cornerstone of this approach is to develop the capacity of its Democracy, Human Rights, and Governance (DRG) cadre in the field to better understand the development challenges and options for programming approaches associated with legislative bodies, to bolster technical officers' understanding of parliamentary institutions and processes. As part of this effort, the DRG Center is providing additional support and training to our mission staff, including in-person legislative assessments and assisting in developing project designs.

In order to better design programming in a collaborative manner with our partners, USAID is assisting our missions to conduct better contextual analysis through implementation of a Political Economy Analysis (PEA) as part of the initial stages of programming to ensure that workplans aligns with incentive structures and motivations among local partners in the countries in which USAID operates. This new approach is a response to research-based critiques of donor programming with legislatures that identified failures to fully understand the context and instead to seek outcomes that were not realistically aligned with the current country context. USAID also undertook a large scope research intervention to better understand the application of evidence within legislative bodies in sub-Saharan Africa. These findings have provided better insight into the need to improve the application, accessibility, and quality of evidence that legislators use in providing oversight and policy recommendations. Overall, USAID is seeking to better apply evidence-informed approaches in these challenging contexts and work more closely on sharing information and best practices across the larger community of practice. This includes developing stronger linkages to the academic and research community

that are generating a new understanding of legislatures and their role in democratization, including resisting executive capture.

DRG Center Support to the HDP

In December 2022, HDP hosted the “Legislative Track” of the Summit for Democracy with USAID assistance. This four-part event brought together legislators from around the world, including both mature and transitioning democracies, to discuss the challenges facing legislative bodies around the world. Events included a discussion on global threats to democracy, curbing authoritarianism, advancing integrity, and defending and safeguarding human rights. In the Year of Action, USAID, through its agreement with NDI and IRI, is working to take stock of recent achievements in meeting the goal of more accountable legislatures. Our partners are also planning a number of events for the second Summit in March 2023 to include a declaration of democratic principles for legislatures and events integrated both into the main agenda, along with additional events focusing upon national legislatures.

The efforts of HDP greatly expand upon USAID’s interventions with legislative bodies and provide an effective exchange between emerging and transitioning legislative bodies as well as exposure to the U.S. Congress. USAID, through our assistance agreement with CEPPS, continues to promote current legislative strengthening efforts by leveraging other USAID and USG assistance activities whose objectives relate to the mandates of HDP partner parliaments. The aim is to align HDP interventions with the longer-term interventions of USAID activities (and other USG activities). HDP also creates ongoing practical opportunities for members of parliament and staff to apply the skills learned in the HDP capacity building interventions, and enable these parliaments to fully exercise their legislative, oversight, and budgetary mandates. With an increased earmark from previous years, USAID was able to increase the amount of this award to allow more robust engagement by CEPPS with partner parliaments in coordination with HDP.

Of the 20 HDP partner countries, USAID has current legislative and parliamentary programming in 7 (see Annex 1). USAID democracy and governance efforts in countries like Kenya, Indonesia, Mongolia, Colombia, Peru, and Timor-Leste have moved towards other objectives as past engagement with these countries' legislative bodies met or exceeded many of its objectives. In other HDP countries, such as Haiti, Tunisia, and Lebanon, we face the same challenges as other donors in effectively accessing these institutions but may in the future find opportunities to re-engage. As HDP decides to engage with new country partners, USAID will be looking for opportunities to further engage any inbound or outbound delegations to further its objectives related to more accountable democratic institutions. An example of this collaboration is the

recent decision of our regional mission for the Caribbean to provide additional funding to the current HDP award to increase its follow-on engagement into the region.

Ongoing and Future Assistance

As USAID focuses on bolstering the skills of technical staff in order to identify opportunities and outcomes related to strong legislatures, it is also defining new approaches. We are exploring how democratic innovations in other countries can be better transferred to new contexts. Some innovations hold the potential for overcoming common challenges in emerging democracies. Lessons such as those learned from Ukraine in supporting legislators' ability to reach communities in crisis, can apply to other conflict or post-conflict contexts. Another common challenge is hyper-polarization, where political factions cannot communicate because of severe differences. There is potential to use innovations that bring in citizens' input in a non-partisan manner to move protracted, but necessary, policy reforms forward. These democratic innovations are of increasing interest to donor and public policy experts and determining ways to transfer these concepts is increasingly important, in line with the objectives of the Summit for Democracy.

Funding for Legislative Strengthening has increased modestly from FY 2020 to FY 2022¹. In line with these increases, USAID will consider new programming as opportunities arise, based upon the strategic determinations made by USAID Missions, which design and manage programming in more than 100 countries. For example, USAID is designing new programming to support the National Congress in Honduras following a recent needs assessment. As parliamentary elections in various countries show promise in the election of lawmakers committed to democratic reforms, USAID will examine opportunities to support these democratic champions and these legislatures' reform agendas. Modest reform efforts in Kazakhstan also demonstrate the potential for engagement that could assist in positioning its legislature to be more representative and to better hold the government accountable. USAID will continue to support other Missions to determine which interventions with national legislatures have the potential to foster better executive accountability and oversight, increased citizen-legislature participation, and improved public policy outcomes.

Another emerging area of interest within Legislative Strengthening is the increased debt burden and continuing failure of many legislatures to fully engage executives on difficult financial management issues. Strong legislatures are key to better public financial management (PFM), and USAID is seeking to shape more programming that engages legislatures in bolstering their

¹ USG Funding (included State Dept. Accounts) under "DR2.1 Legislative Authority- Functions and Processes" in FY22 was \$41.1m, up from FY20 at \$33.2m, FY21 \$32.0m.

capacities to address complex financial issues and provide better budgetary oversight. For example, USAID/Armenia has begun a new effort to improve the National Assembly Budget Office's budgetary and technical capabilities alongside its existing work with the legislature. In Sri Lanka, a heavily indebted country undergoing a major financial crisis, USAID is assisting the Parliament in establishing its Parliamentary Budget Office (PBO) to counter previous government efforts to sidestep fiscal accountability. Both of these efforts will assist legislatures and legislators to better assess fiscal and debt issues and provide economic information as part of these parliaments' budget oversight. As USAID has worked for many years to support budget oversight and economic analysis for parliamentarians, we commissioned an ex-post analysis of work to support PBOs in Kenya and Uganda. USAID helped establish these offices over 20 years ago and provided sustained long-term technical support to their operation. The findings relating to the sustainability of past interventions were positive in both countries, particularly Kenya, which has become a regional leader in parliamentary budget oversight. In Uganda, some of the past PBO successes and effectiveness has been eroding as the country begins to backslide.

In summary, USAID's future assistance to legislatures and parliaments will be strengthened by increasing the evidence base, including their role in resisting or capitulating to executive capture, while also determining new approaches to these threats and opportunities. USAID is also utilizing our engagement with HDP to extend and amplify our approach to this sub-sector. USAID is also seeking to integrate emerging issues of indebtedness and budgetary oversight, along with better contextual analysis to improve the responsiveness of our programming to an increasingly complex context for democracy programming globally. Additionally, countries in crisis, from Sri Lanka to Ukraine, are key to ensuring that legislative bodies are central in moving a country from crisis to stability. Collectively, these efforts will help to keep our engagement of legislatures at the core of governance work while continually improving approaches.

Annex 1: Table of Recent Legislative Strengthening Support Programs or Activities

* Denotes HDP Partner Countries

Country	Project Name
ARMENIA*	Strengthening Electoral Processes and Political Accountability Project
BOSNIA-HERZEGOVINA	Supporting Political Pluralism and Governance Process in BiH
GEORGIA*	National Governance Program
HONDURAS	<i>Assessment in progress</i>
JORDAN	Elections and Political Processes and Participation Activity
KOSOVO*	Inclusive and Accountable Representation Activity
KYRGYZ REPUBLIC*	Kyrgyz Republic Trusted and Accountable Politics (KTAP)
LAOS	Strengthening Capacity and Effectiveness of the People's Assembly System in Laos
LIBYA	Libya Elections and Legislative Strengthening Activity (pending)
MALAWI	Strengthening Parliament's Role in Malawi's Development (SPRID)
MONGOLIA*	Electoral and Political Processes of Mongolia Activity
NEPAL	Policy Dialogue (Niti Sambad)
SRI LANKA*	Sri Lanka Inclusive Political Processes Project
SUDAN	Improving Electoral and Political Processes for Change in Sudan (pending)
UKRAINE*	RADA: Next Generation
VENEZUELA	Venezuela Legislative Processes Assistance Program
ZIMBABWE	Parliamentary Strengthening Program