

Conference Issue: 63rd Commonwealth Parliamentary Conference in Dhaka, Bangladesh



Bangladesh Parliament

PLUS ▶

'Continuing to enhance the high standards of performance of Parliamentarians'

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PROFESSIONAL DEVELOPMENT CERTIFICATE IN PARLIAMENTARY MANAGEMENT

Parliaments are a critical component of a country's governance system. Typically, they oversee the executive arm of the government, represent the electorate, and formulate and enact legislation. To perform these roles, parliaments need to have in place competent, responsive and proactive personnel. Developed in partnership with the World Bank, this program prepares effective parliamentary personnel to lead sustainable government institutions. The Program is designed for mid-level parliamentary staff with the potential to reach the highest levels of parliamentary management.

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- Corporate Management of Parliament I
- Corporate Management of Parliament II
 - Parliamentary Committees
 - Public Financial Management

I am glad to have been part of this program. I got a promotion at my place of work and we are fully using the financial management course to inform other staff through the Institute of Parliamentary Studies of Uganda.

Josephine Waters,
Principal Monitoring and Evaluation
Officer, Parliament of Uganda

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STATEMENT OF PURPOSE

The Commonwealth Parliamentary Association (CPA) exists to connect, develop, promote and support Parliamentarians and their staff to identify benchmarks of good governance, and implement the enduring values of the Commonwealth.

Calendar of Forthcoming Events

Confirmed as of 30 November 2017

2018

January

20 to 27 January CPA Post-Election Seminar for the St Helena Legislative Council, Jamestown, St Helena

February

25 February to 1 March 9th Commonwealth Youth Parliament, Jersey, Channel Islands

26 February to 1 March Commonwealth Parliamentarians' Forum, London, United Kingdom (CPA UK event)

March

12 March Commonwealth Day 2018 – 2018 theme 'Towards a Common Future', All CPA Branches and at CPA Headquarters Secretariat

19 to 23 March CPA Parliamentary Staff Development Programme with McGill University, Centre for Parliamentary Studies and Training, Nairobi, Kenya

April

16 to 20 April 2018 Commonwealth Heads of Government Meeting (CHOGM) - 'Commonwealth Summit' 2018, London and Windsor, United Kingdom

The publication of a Calendar of Commonwealth Parliamentary Association (CPA) events is a service intended to foster the exchange of events and activities between Regions and Branches and the encouragement of new ideas and participation. Further information may be obtained from the Branches concerned or the CPA Secretariat. Branch Secretaries are requested to send notice of the main CPA events and conferences to hq.sec@cpahq.org in advance of the publication deadline to ensure the Calendar is accurate.

Further information can also be found at www.cpahq.org or by emailing hq.sec@cpahq.org.



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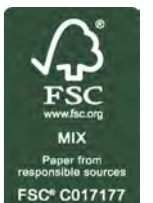
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COMMONWEALTH PARLIAMENTARIANS URGED TO UPHOLD DEMOCRATIC PRINCIPLES AT THE 63RD COMMONWEALTH PARLIAMENTARY CONFERENCE

The Editor's Note

One of the largest annual gatherings of Commonwealth Parliamentarians, the 63rd Commonwealth Parliamentary Conference (CPC) took place in Dhaka, Bangladesh from 1 to 8 November 2017 and addressed key global issues and solutions. Against a backdrop of greater scrutiny of Parliamentarians, the CPA's annual conference offered the opportunity for Members to benefit from professional development, supportive learning and the sharing of best practice with colleagues from over 180 Commonwealth Parliaments together with the participation of leading international organisations. The overall main conference theme for the 63rd CPC was 'Continuing to enhance the high standards of performance of Parliamentarians'.



Jeffrey Hyland, Editor
The Parliamentarian,
Commonwealth
Parliamentary Association

Delegates were welcomed by the **Prime Minister of Bangladesh, H.E. Sheikh Hasina, MP, Vice-Patron of the Commonwealth Parliamentary Association** who urged Commonwealth Parliamentarians to uphold democratic principles as she opened the 63rd CPC on the south plaza of the Parliament of Bangladesh.

The **CPA President** and outgoing **Chairperson of the CPA International Executive Committee, Hon. Dr Shirin Sharmin Chaudhury MP**, Speaker of the Parliament of Bangladesh read to delegates the goodwill message for the 63rd CPC from Her Majesty Queen Elizabeth II, Patron of the CPA and Head of the Commonwealth. The CPA President and outgoing Chairperson of the CPA also gave Members a reflection on her three years in office.

The **Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan** welcomed Commonwealth Parliamentarians and delegates to the conference and a video message was played from the **Commonwealth Secretary-General, Rt Hon. Patricia Scotland QC**. The vote of thanks on behalf of Members of Parliament was given by **Hon. Vicki Dunne, MLA, CPA Treasurer** and Deputy Speaker of the Australian Capital Territory Legislative Assembly.

The 63rd CPC began with a briefing for Commonwealth Parliamentarians on the Rohingya refugee crisis from the **Foreign Minister of Bangladesh, Hon. Abul Hassan Mahmood Ali, MP** and this was followed by the CPA membership endorsing a statement on the refugee crisis at the 63rd CPA General Assembly.

Workshops were held during the conference on a wide range of topics including the role of Parliament in addressing the challenges of democracy; the role of trade in building stronger ties within the Commonwealth; Climate Change in the Commonwealth context; and giving a voice to the youth of the Commonwealth. For the first time, a youth roundtable was held at the conference with Members and local students and youth groups.

Equal representation for women in Parliaments and gender empowerment was the focus for Commonwealth Women Parliamentarians and **Hon. Dr Dato' Noraini Ahmad, MP, Chairperson of the Commonwealth Women Parliamentarians (CWP)** at their meeting at the 63rd Commonwealth Parliamentary Conference and a



CWP session was held on male champions of gender equality for the first time with Parliamentarians of all genders participating.

Commonwealth Parliamentarians from the CPA Small Branches held their 36th annual conference prior to the 63rd CPC in Bangladesh and, led by **Hon. Angelo Farrugia, MP, Chairperson of the CPA Small Branches** and Speaker of the House of Representatives of the Parliament of Malta, focused on the unique challenges affecting small Parliaments and legislatures across the Commonwealth.

The 63rd CPC Conference Concluding Statement containing all of the outcomes and recommendations from the conference is available online at: www.cpahq.org/cpahq/cpc2017concludingstatement.

To catch up on all of the news from the 63rd CPC – you can access copies of the 63rd CPC daily bulletins produced during the conference online at: www.cpahq.org/cpahq/cpc2017dailybulletin. 63rd CPC conference news is also available on the CPA website at: www.cpahq.org/cpahq/cpc2017news and Twitter at hashtag #63CPC.

The 63rd CPC took place ahead of the 2018 Commonwealth Heads of Government Meeting, the 'Commonwealth Summit' to be held in London, UK in April. The outcomes of the 63rd CPC, as well as a unique parliamentary perspective, will feed directly into the Summit, which is themed 'Towards a Common Future'.

Commonwealth Parliamentarians Disabilities Conference

The unique challenges faced every day by disabled Parliamentarians from across the Commonwealth have been highlighted at a unique gathering of Members of Parliament in Nova Scotia, Canada. The Commonwealth Parliamentary Association (CPA) in partnership with the Nova Scotia House of Assembly held the first conference of this kind, bringing together over 30 Commonwealth Parliamentarians with disabilities, carers and parliamentary officials from eight of the nine regions of the CPA from 30 August to 2 September 2017. This issue features reports of the conference and contributions from many Members who attended the conference who share their views and experiences.

News and reports of many activities across the nine regions of the CPA are included in this issue. *The Parliamentarian* and *Third Reading* section in this issue includes parliamentary and legislative news from Canada, British Columbia, India, New Zealand, the United Kingdom and Australia.

We also take this opportunity to wish all of the CPA membership best wishes for 2018. We look forward to hearing your feedback and comments on this issue of *The Parliamentarian* and to receiving your future contributions to this publication.

Jeffrey Hyland
Editor, The Parliamentarian, editor@cpahq.org

63rd Commonwealth Parliamentary Conference Photo Gallery

Images from the 63rd Commonwealth Parliamentary Conference: For more images from the conference please visit the **CPA Flickr website** at www.cpahq.org/cpahq/flickr where you can view, share and download images. The main group image of delegates from the conference appears on pages 320-321.





**63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh
1 to 8 November 2017**

Opening Ceremony - 5 November 2017

**‘FRIENDSHIP TO ALL, MALICE TO NONE’
SAYS BANGLADESH PRIME MINISTER
AT OPENING OF THE 63RD COMMONWEALTH
PARLIAMENTARY CONFERENCE**

The 63rd Commonwealth Parliamentary Conference was officially opened by Her Excellency Sheikh Hasina, Prime Minister of the People’s Republic of Bangladesh.

Bismillahir Rahmanir Rahim, Hon. Chair of the Inaugural Ceremony, Hon. Speakers of CPA Member Parliaments, Hon. Members of Parliament, Members of the Diplomatic Corps, Excellencies, Ladies and Gentlemen. Assalamu Alaikum and a very good morning to you all.

I am deeply honoured to be here to inaugurate the 63rd Commonwealth Parliamentary Conference (CPC) in this historic city of Dhaka. I would like to welcome the distinguished guests on behalf of the people of Bangladesh, the government and myself. Conferences of this kind would, I am confident, give us a clearer insight into democratic values and practices.

We Parliamentarians, being the people’s representatives, have the first and foremost obligations to preserve and maintain the faith of the people in democracy and parliamentary institutions.

Due to the pragmatic and far-reaching thinking of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman, the decision to

join the Commonwealth Parliamentary Association’s (CPA) membership was taken in 1973. Our Hon. Speaker Dr Shirin Sharmin Chaudhury, MP made Bangladesh proud when she became the first woman to be elected as the Chairperson of CPA in 2014. This is a testimony by the Hon. Members of Parliament across the Commonwealth towards our commitment to democratic practices and values.

The cherished desire of the people of this land to establish a sovereign and an independent democratic country has been materialized through huge sacrifices. The Father of the Nation, Bangabandhu Sheikh Mujibur Rahman had led the struggle from the forefront. As a consequence, he had to endure confinement in jail for half of Pakistan’s 24 year regime.

The Pakistani military junta conceded to arrange general elections in 1970 after a long and unbridled struggle waged and headed by Bangabandhu Sheikh Mujibur Rahman. The

Bangladesh Awami League earned an absolute majority in the election. But the then rulers had tried to impose an undemocratic rule through exercising power instead of handing over power to the elected representatives.

Bangabandhu Sheikh Mujibur Rahman in his historic speech of the 7th March aroused the Bangalee nation to get their freedom and he called for a non-cooperation movement. As the Pakistani military force started genocide through ‘Operation Search Light’ on the night of the 25th March 1971, Bangabandhu

declared the independence in the first hour of the 26th March. We earned an independent Bangladesh sacrificing 3 million lives and the innocence of 200,000 women in the nine month bloody war with Pakistani forces.

When Bangabandhu was engaged in reconstruction and rehabilitation of the war-

Below: The Prime Minister of Bangladesh, watched by the CPA President and Speaker of Parliament, inaugurates a set of commemorative stamps to celebrate the opening of the 63rd CPC.



ravaged country, the reactionary defeated forces assassinated Bangabandhu Sheikh Mujibur Rahman along with most of his family members on the 15th August 1975. I and my younger sister survived as we were abroad on that fateful night. We had been barred to return home. With the killing of Bangabandhu, the democracy was assailed and the era of military dictatorship started.

While in exile, I engaged myself in the struggle for restoration of democracy. Ending six years in exile, I returned home in 1981. I had to endure huge suffering while struggling for establishment of the people’s rule. Repeated attempts were made on my life along with house-arrest and internment.

We didn’t restrain ourselves from the struggle for the restoration of democracy despite thousands of workers and leaders becoming victims of the massive repression. We think that only a democratic polity can ensure the uplift of people’s living standards through the fulfilment of their basic needs.

After a long 21 years, my party, the Awami League, returned to state power in 1996 and we engaged ourselves to fulfil the basic needs of the people not as a ruler but as a public servant. After an interval of eight years, my party again came to the state power in 2009.

Our main aim is to build a hunger and poverty-free Bangladesh through strengthening the foundation of democratic rule in the country. Aiming to fulfil this goal, we framed Vision 2021 and now are implementing this and devising specific plans.

‘Friendship to all, malice to none’ is our policy in maintaining relations with foreign countries. Especially, we are eager to maintain good relations with our neighbours. We have resolved the long-standing problems of the Ganges water sharing and the land boundary with India through the signing of treaties.



Similarly, the maritime boundary problem with India and Myanmar was also resolved amicably.

But the inhuman persecution meted out on the Rohingya population in the Rakhaine state of Myanmar and their forceful expulsion from their homeland have created instability in the region and beyond. Over 600,000 Myanmar nationals fled to Bangladesh to escape persecution. Since 1978, another 500,000 Rohingyas have come to Bangladesh at different times.

We have given temporary shelter to this huge number of people on humanitarian grounds. I would like to request you all to discuss the Rohingya issue with utmost importance and exert pressure on the Myanmar government to stop persecution on its citizens and take them back at the earliest.

A new campaign of militancy and terrorism has been added to our efforts to eradicate hunger and poverty. Thoughtless acts of a section of people are claiming innocent lives.

Militancy is not a problem of a particular country, rather it has become a global phenomenon. A few days back, eight precious lives were claimed on a New York road.

We have to be united to get rid of this menace.

Bangladesh is one of the worst victims of climate change. This year we have experienced excessive precipitation and recurrence of flooding that washed away our vast localities and damaged standing crops. We expect immediate implementation of the promises made at different times to offset the adverse impacts of climate change.

In Bangladesh, we have been striving hard to build a poverty and hunger-free democratic society. We have strengthened various democratic institutions, including our national parliament and local government bodies. Elected representatives have been heading the local bodies from the Union Council to Upazilas (Sub-districts), Municipalities, City Corporations and District Councils. Bangladesh now stands at the top among its South Asian neighbours in terms of women’s empowerment and achieving gender parity.

An independent and strong mass media are the vigilant watchdog of democracy. In the past few years, we have witnessed the huge expansion of mass media. The freedom of

mass media and people’s right to information have been ensured.

We have been implementing the Sustainable Development Goals (SDGs) in continuation of the successes of the Millennium Development Goals (MDGs). The subjects of the SDGs have been incorporated in our seventh 5-year plan.

Bangladesh has been on a journey through the roads of peace, democracy, development and prosperity. We have already been elevated to a lower middle income country. We expect that Bangladesh will emerge as a country of middle income on the Golden Jubilee of our Independence in 2021 and as a developed one by 2041.

Let us make this planet a peaceful, happy and prosperous abode for the entire humanity. I wish your stay in Bangladesh will be a joyful and memorable one. I also wish all the success of the conference.

With these few words, I declare the 63rd Commonwealth Parliamentary Conference open. Thank you all again. Khoda Hafeez. Joi Bangia, Joi Bangabandhu. May Bangladesh Live Forever.



**63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh
1 to 8 November 2017**

Opening Ceremony - 5 November 2017

**CPA PRESIDENT SAYS FOCUS IS ON
'CONTINUING TO ENHANCE HIGH
STANDARDS OF PERFORMANCE OF PARLIAMENTARIANS'**

The CPA President and Chairperson of the CPA Executive Committee, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of the Parliament of Bangladesh gave the opening address at the 63rd Commonwealth Parliamentary Conference.



Her Excellency, Sheikh Hasina, Honourable Prime Minister of the Government of the People's Republic of Bangladesh, and Vice-Patron of the Commonwealth Parliamentary Association (CPA) and the chief guest of today's inaugural ceremony. Honourable Speakers, Deputy Speakers, Members of Parliament of the CPA; Honourable Members of the Executive Committee of the CPA; Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan; Honourable Ministers, advisors, distinguished delegates, respected guests, media representatives, ladies and gentleman - As-Salaam-Alaikum. Shuvo Shokal. A very good morning to you all.

I am deeply honoured to welcome you to the 63rd Commonwealth Parliamentary Conference (CPC) in Dhaka, Bangladesh. It is indeed a distinct honour and a rare privilege for me as the President and Chairperson of the Commonwealth Parliamentary Association and the Speaker of the Bangladesh Jatiya Sangsad, to extend a very warm welcome to you at the south plaza of our Parliament.

The Bangladesh Parliament - the centrepiece of our democracy - takes immense pride

and joy in hosting this event of Commonwealth Parliamentarians. As a member of the CPA since 1973, the Bangladesh Parliament has been an active partner in promoting the enduring values of the Commonwealth. Commonwealth - a family of nations - bonds together the rich experience of diversity, uniting over two billion people across continents, based on the principle of an equal say for all Members.

The Commonwealth Parliamentary Association (CPA) provides an exceptional forum for Parliamentarians and change-makers around the world to come together to discuss and deliberate on issues of global concern. Forums, such as the CPA, facilitate conversations that allow us to take forward our shared vision and harness our resources to maximise the wellbeing of the people we serve across nations. The CPA has been a leading force in bringing together cultures and ideas for dialogue and exchange at the parliamentary level. This interactive forum allows us to share practices across regions and discuss best practices. We hold each other up as role models, and humbly critique policies that can be improved. As we use consensus building models

to come to decisions, we learn a great deal about international politics. At the centre of this is trust. Most importantly, it helps build bridges of trust between nations and regions from all over the world, promoting parliamentary diplomacy.

I thank the CPA for giving us the opportunity to organise the 63rd Commonwealth Parliamentary Conference in Bangladesh. I express my heartfelt gratitude to our Honourable Prime Minister, Sheikh Hasina, for her valuable guidance and support. I thank Honourable Parliamentarians from the CPA who have come to Dhaka to make this event a success. I thank the Secretary-General, Akbar Khan, for his support and the staff of the CPA Secretariat. I thank my colleagues, Honourable Members of the Bangladesh Parliament, officials and staff of the Parliament Secretariat for their cooperation. I also extend my thanks to all concerned ministries and law enforcement agencies in Bangladesh for their cooperation in organising this conference. I congratulate the people of Bangladesh for their support.

I express my sincere gratitude to all my colleagues and friends at

the CPA for their support for me during my term as Chairperson. My tenure at CPA was uniquely challenging yet deeply rewarding. CPA gave me an exposure to the dynamics of international politics; I have a greater insight into the importance of cooperation between Parliamentarians, I have gained a profound understanding of how much more we Parliamentarians can achieve by working together. We serve a greater purpose acting in unity.

Bangladesh - a river-lying delta of six seasons - is laden in history and culture, folklore and the melodies of music. With the mangrove poets of the Sundarbans and the Bay of Bengal in the south and the tea gardens, the beauty of this land is majestic. The Royal Bengal Tigers are a symbol of the Golden Bangla - 'Amar Sonar Bangla' - radiating hope, determination and resilience. Dhaka, our capital, is a bustling metropolis; a microcosm of a country where people from all over the country come to this city for opportunities with the dream and ambition to achieve a prosperous future. You may have by now noticed the multitude of restaurants catering food of different varieties, food trucks and cafes around the corners

that reflect our entrepreneurial spirit and hospitality. Dhaka is a vast entity unto itself that lives and breathes. I honestly hope that you revel in the lively, vibrant energy of this diverse city during your stay.

Bangladesh was born as an independent sovereign country in 1971 through the sacrifice of our valiant freedom fighters, soaked in the blood of our martyrs led by the father of the nation, Bangabandhu Sheikh Mujibur Rahman. Within less than 50 years of independence, Bangladesh, under the leadership of the Honourable Prime Minister, Sheikh Hasina, has now become a lower-middle income country with a young and innovative population. We are the second largest producer of ready-made garments in the world and prominent contributors to a variety of other industries worldwide.

Bangladesh has made significant strides in poverty eradication, gender parity in education, women's empowerment, reduction in maternal and infant mortality, disaster risk reduction, strengthening the rural economy and achieving the Millennium Development Goals. Bangladesh has invested in access to power structures across the country, as well as information communication technology in building a digital Bangladesh. A consistent rise in GDP of seven percent remittance reserve as well as social and human development indicators, demonstrate that Bangladesh is marching ahead to become a middle-income country by 2021.

Bangladesh has been recognised as leaders in many sectors of development. Honourable Prime Minister, Sheikh Hasina has been awarded the 'Champion of the Earth' award, 'Planet 5050 award, and many more. Parliamentary democracy in Bangladesh nurtures the values of rule of law, fundamental freedoms and human rights. Our constitution upholds the pledge to build an equitable and inclusive society, free from exploitation and poverty, where economic, social and political justice will be ensured for all - the dream of

the father of the nation, Bangabandhu Sheikh Mujibur Rahman.

Parliamentarians from the nine regions of the Commonwealth have assembled here to express solidarity in building a prosperous today and shaping a better tomorrow. It is inspiring to see Parliamentarians from all around the Commonwealth gathered for a week of dialogue and exchange. The theme of this conference is 'Continuing to enhance high standards of performance of Parliamentarians'. This theme itself poses certain questions: why is it necessary to prioritise the performance of the Parliamentarian? What do we wish to accomplish?

We Parliamentarians are entrusted with the duty of bringing about positive changes in the lives of the people we serve. Our influence over the governance structure gives us a unique ability to create a world where everyone has equal opportunity to attain their aspirations. We have the power to thwart terrorism, to counter climate change and to provide people's safety in their livelihoods and ensure every individual is alike with human dignity. This unique role that we play and the potential we have to impact every life within the Commonwealth and its future and beyond is why it is important to focus on enhancing the performance of Parliamentarians.

Performance can be measured in several different ways. It is my belief that as Parliamentarians we must concentrate on inclusiveness. Progress for the sake of progress alone is hollow if we are not able to serve the most vulnerable segments of the population. We cannot rely on growth to benefit the downtrodden, instead we need to shape policies and formulate legislation that ensures not growth alone, but we move forward in our movement as a society and not to leave anyone behind. We must push for inclusive growth, it is only through our collective efforts that we can eliminate all forms of violence and inequality - to give



voice to the vulnerable who fear discrimination and oppression.

We must measure the performance of democracy in its ability to achieve these goals. The goals that we set for ourselves may seem ambitious, there may be mountains to climb, rivers to forge, but they are achievable. A lot has changed with the turn of the 21st century. Progress of technology now faces every institution. Trends in the challenges we face as a society are also changing.

More and more people are being displaced by conflict and climate change, and these figures will only increase. The recent Rohingya influx from Myanmar into Bangladesh is a humanitarian crisis of immense and unendurable proportions. Our Honourable Prime Minister, Sheikh Hasina, mother of humanity, demonstrated unique courage, compassion and resolve to open up our doors to the Rohingyas. Our people responded in solidarity with them. We seek the support of the Commonwealth Parliamentarians in finding an urgent solution to this matter, in facilitating the return of the Rohingyas to Myanmar. We must work together to ensure that the basic human rights of these displaced peoples are actively preserved. As Parliamentarians of a globalised world, we must rely on each other to accomplish this.

Democracy is the way forward. Democracy must deliver if we are to achieve inclusive progress. In order for democracy to be sustainable, it needs to nurture the intrinsic values of equality, rule of law, freedom, respect for diversity and pluralism, transparency, accountability and tolerance. A trust is built in the efficacy of democracy to deliver, then Parliament's function to uphold the rights of the people and thereby gain the confidence of the people to deliver long-term benefits. We need to fortify our Parliaments as strong and responsive institutions better equipped to deliver. Democracy must prove to be an effective process of realisation of economic and social goals, deeply ingrained in people's development aspirations.

I quote, "Democracy is always a work in progress, it is recommitting ourselves to the work that needs doing if we want democracy to survive and thrive." Let the voices of the people from around the globe resonate and dominate the discourse of democracy. Let us translate our commitments into actions. How we will shape the language of our politics is for us to decide. Let the language of our politics be to build an inclusive, equitable and peaceful world and with that I conclude and I welcome all of you.



**63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh
1 to 8 November 2017**

Opening Ceremony - 5 November 2017

'CONTINUING TO ENHANCE THE HIGH STANDARDS OF PERFORMANCE OF PARLIAMENTARIANS'

Mr Akbar Khan, Secretary-General of the Commonwealth Parliamentary Association gave the keynote plenary at the 63rd Commonwealth Parliamentary Conference.

Her Excellency Sheikh Hasina, Honourable Prime Minister of the People's Republic of Bangladesh and Vice Patron of the CPA; Madam Chairperson, Honourable Dr Shirin Sharmin Chaudhury, Speaker of the Parliament of Bangladesh; Distinguished Ministers, Parliamentarians, Presiding Officers and Speakers, CPA elected Officers, Clerks, and Ladies and Gentlemen - As-Salaam-Alaikum. A very warm welcome to the 63rd Commonwealth Parliamentary Conference here in the vibrant city of Dhaka, in 'Amar Sonar Bangla', the Golden Bengal: Bangladesh.

I wish to start by expressing on behalf of us all our enormous gratitude to our host, the CPA President and Chairperson, Hon. Dr Shirin Sharmin Chaudhury, MP, and to her teams for the excellent arrangements and very warm welcome since arriving in Dhaka.

I also take this opportunity to recognise Her Majesty The Queen, the Patron of the Commonwealth

Parliamentary Association, for her best wishes for a successful Conference and for her message of support to us all. She has been the golden thread of unity through our diverse Commonwealth of Nations and an inspiring and devoted Patron to the CPA.

It gives me great pleasure to participate in the opening ceremony this morning, speaking alongside such distinguished female politicians, such as Her Excellency Sheikh Hasina, MP, the Honourable Prime Minister and Her Excellency, Dr Chaudhury, the Honourable Speaker of the Bangladesh Parliament, who have contributed so much to their nations' global leadership and its stability and prosperity.

In this context, Bangladesh is one of only eleven countries in the world to have a female Head of Government and one of only fifty-four national Parliaments globally to have a woman Speaker of Parliament.

Standing here, I cannot help but feel humbled amongst such outstanding female talent – maybe

the former British Prime Minister, Rt Hon. Margaret Thatcher did have a point when she remarked: *"In politics, if you want anything said, ask a man. If you want anything done, ask a woman."*

We gather here this week to reaffirm and celebrate our Commonwealth political values. Values of democracy, separation of powers, rule of law, and human rights. Values which unite us in our diversity and which are emblematic of our Commonwealth's democracies.

As you all know very well,

each Parliament is a unique institution reflecting its own special historical evolution. However, what all Parliaments have in common is a capacity to strengthen democracy by acting as powerful agents of change.

But for Parliaments to act as powerful agents of change, its Members must have the capabilities and necessary support to execute their parliamentary and constitutional responsibilities.

This year's conference theme *'Continuing to enhance the high standards of performance*



of Parliamentarians' is very appropriate, focusing as it does on the importance of development for Parliamentarians, and in turn, Parliament's performance as an independent pillar within the separation of powers.

As Rt Hon. David Carter, the outgoing New Zealand Speaker observed in 2016: *'If we want a true House of Representatives, with a diversity that is reflected in the backgrounds of our Members, we shouldn't then be surprised if some of them arrive having had minimal exposure to reading and analysing legislation, public policy development or the myriad of other activities that a Member is required to perform on a day to day basis.'*¹ The outgoing Speaker further observed that new Members need to equip themselves to become effective Parliamentarians, but they cannot do so in isolation and without support.

The Honourable Speaker's observations go directly to the heart of our conference theme which also raises two important questions, namely:

- What are the 'high standards' that are expected from Parliamentarians? and,
- Why does this all matter?

Turning to the *'high standards'* expected of Parliamentarians. As elected officials, Parliamentarians occupy *"a position of trust and authority."* As public officials, Parliamentarians are *"obliged to act in the interests of others and practice high standards of behaviour."* The greater complexity of the environments in which Parliamentarians function makes it increasingly necessary that, as professionals, they possess special knowledge and skills to enable them to discharge their parliamentary and constitutional functions.²

In 2006, the CPA led the development of a seminal piece of work setting out the benchmarks or standards expected of a functioning democratic legislature.

'The CPA Recommended Benchmarks for Democratic Legislatures' as this body of work is known, made explicit reference to *'Professional and Public Capacity-Building'* suggesting that Parliamentarians should be given access to professional development programmes to prepare them to participate more effectively in the democratic process.³

In 2015, the CPA further developed its benchmarks work in the field of Codes of Conduct applying to Members of Parliament. Even though the professionalisation of Members of Parliament is clearly invaluable to promoting a stronger trusting relationship between Parliamentarians and the public, there still remains a reluctance from some Parliamentarians to participate in upskilling opportunities.

Some Members explain this on the basis they are just 'too busy' to participate in such opportunities, while others will say there is little if anything left for them to learn about. A further group are keen to know what the CPA will do to help capture their experience during their time in Parliament for use in their post-parliamentary careers.

The CPA has listened carefully, and through its new and diverse range of programmes, has responded positively to the challenges. By using technological innovations, our CPA President, Dr Chaudhury, is launching its new series of CPA Masterclasses at this conference.

These 'bite-sized' briefings and analyses prepared by



Parliamentarians and experts, capable of being accessed remotely, aim to be the 'go to resource' on a range of parliamentary practice and procedural matters.

Although 'remote' learning, is key to widening access to opportunities, it can never fully replace the value of 'face-to-face' learning and the relationships and networks that result from the coming together of Members. This is why earlier this year the CPA, in partnership with two distinguished Commonwealth universities, launched the CPA Parliamentary Fundamentals course.

Parliamentarians can now benefit from a week-long, face-to-face course, which on completion will lead to a postgraduate certificate. This qualification not only continues to enhance the high standards of performance of Parliamentarians but also confers a formal recognition of a Parliamentarian's experience which may be useful in post-parliamentary life.

It is also very pleasing to see the development of parliamentary training opportunities being provided by CPA Branches not only for their own Members, but being made widely available to others across the CPA network,

such as the 'CPA Canadian Parliamentary Seminar' which has just concluded its 14th workshop to share Canadian good practice with other Commonwealth jurisdictions. Or CPA UK's 'Westminster Seminar' which will conduct its 65th seminar later this month exploring differing approaches to parliamentary practice and procedure in the context of the Westminster System.

Likewise, the vitally important role of upskilling parliamentary staff to support Members and the institution of Parliament can be seen in the establishment of specialised training institutes to meet the growing developmental needs of parliamentary staff.

In this context, I am pleased to announce that the CPA will for the first time deliver its own accredited training course in partnership with McGill University, Canada for parliamentary staff in Kenya, hosted by the Kenyan Centre for Parliamentary Studies, to ensure the course is more easily accessible to CPA parliamentary staff.

Finally, on our conference theme let me say a few words about why all this matters! Today, we have more democratically elected Parliaments in the world,



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with more new, or first-time Parliamentarians than ever before.

In many of our Commonwealth Parliaments, the turnover of Parliamentarians is high – over 70% in some Commonwealth legislatures.

Our upskilling work is never complete, as Members not returning to Parliament take with them a vast amount of institutional knowledge and expertise, and leave fewer returning Parliamentarians to help guide and mentor newly elected Parliamentarians to navigate the complexities of parliamentary life.

Parliamentarians do not have a job description on entering Parliament. As one academic has put it, *“Those elected to public office are expected to possess indefinable qualities to accomplish an indescribable job.”*¹ Given the unique nature of parliamentary careers and the absence of any comprehensive training to prepare for the evolving demands of the job, it is essential for them to receive and be supported in their ongoing development to be effective.

Continuing to enhance the high standards and performance of Commonwealth Parliamentarians has been the mission of the CPA since it was established some 106 years ago. During the past three years, the responsibility of leading this distinguished Association has been on the shoulders of our able President and Chairperson, Honourable Dr Shirin Chaudhury, MP. As Dr Chaudhury nears the end of her term of office, I hope you will allow me to share a few moments together to celebrate some of the significant achievements she has made during her tenure:

- Through her various representational activities,

our Chairperson has taken great care to build relationships across all CPA's regions – in doing so, she has strengthened the unity of the Association through respect for diversity and inclusion;

- Dr Chaudhury's commitment to inclusion of Commonwealth youth in political life led to her launching the CPA Roadshows last March here in Dhaka. These Roadshows, which are unique in showcasing the Commonwealth and the importance of parliamentary democracy, have now reached over 15,000 young people across the Commonwealth.
- And this week our President and Chairperson, will launch the CPA Youth Roundtable – a new and innovative way of incorporating the voice of young people into this prestigious Commonwealth Parliamentary Conference;
- But it is her leadership in translating the values of the Commonwealth into tangible gains for the Association through renewing and reinvigorating its programme strategy, contributing to the resolution of the issues of

the Association's status, and promoting respect for diversity and good governance of the Association that will be her enduring legacy as she leaves behind a CPA truly fit for the challenges of the 21st century.

Honourable Members, please join me in giving a round of applause for the Honourable Chairperson, Dr Chaudhury.

In closing: I wish to express my sincere appreciation and thanks to all CPA Branches who have hosted CPA programmes in the past year and for their warm welcome when I, or my staff have visited their Branches. I especially send our sincere wishes to those Caribbean Branches with whom we have worked with so closely this year and who have been so tragically affected by the recent hurricanes. On behalf of the CPA family we send our heartfelt wishes to them for a speedy recovery, they will not be forgotten here in Dhaka, and we look forward to their attendance at the 64th CPC.

I also wish to express my deep appreciation to the outgoing Vice-Chairperson of the Executive Committee, Hon. Emilia Lifaka, Deputy Speaker of the National Assembly of Cameroon, and to all Members of the CPA

Coordinating Committee for their guidance, and to the Executive Committee for their dedication and commitment to creating a positive trajectory for the CPA.

I hope you will agree with me that no matter where we are in life, if we keep on learning we will succeed. I wish everyone a very successful 63rd Commonwealth Parliamentary Conference. Thank you.

References

¹ Speech by Rt Hon. David Carter, MP, 'Orientation and Development of Parliamentarians' at the Commonwealth Speakers' and Presiding Officers' Conference 2016.

² Lewis and Coghill 'Parliamentarians' Professional Development, 2015

³ See 'Commonwealth Parliamentary Association Recommended Benchmarks for Democratic Legislatures', CPA et al, 2006.

⁴ Ken Coghill, Holland and Rozzoli, 'Professional development programme for Members of Parliament', Parliamentary Affairs, vol. 61, no.1 (2008)



'CONTINUING TO ENHANCE THE HIGH STANDARDS OF PERFORMANCE OF PARLIAMENTARIANS'

The Commonwealth Secretary-General, Rt Hon. Patricia Scotland QC sent a video message to delegates at the 63rd Commonwealth Parliamentary Conference.

Distinguished Parliamentarians, Commonwealth friends and colleagues – greetings! I am delighted to be able to say a few words to you as you gather in Dhaka for the 2017 Commonwealth Parliamentary Conference. It is a very important fixture in our Commonwealth calendar, and so I am extremely sorry not to be joining you in person.

Your work as representatives of the people, and as guardians of their rights and welfare, goes to the heart of all we seek together to build as the Commonwealth.

Shared understanding of democratic values, with honest and accountable administration, and respect for the separation of powers, are fundamental to our Commonwealth approaches to development - with equitable and sustainable social and economic progress. Individually as nations and territories, and together as the Commonwealth, each and every one of us has a part to play in working towards the Sustainable Development Goals.

We can inspire with our vision and commitment, we can provide leadership and political will, and we can mobilise the human and financial resources necessary for inclusive growth. Our Commonwealth Charter – precursor to the 2030 Agenda for Sustainable Development – contains strong commitments to peace, equality and sustainability.

Your conference theme reminds us of the value of Commonwealth connection in continually challenging ourselves to be more effective, and to achieve greater positive impact.

In the rough and tumble

which are part of lively democracy, it is important never to lose sight of the great duties entrusted to those elected or appointed to serve in Parliaments and legislative assemblies.

Only when due process is upheld with transparency and fairness will respect for political leadership be deserved and delivered. Vigilance is vital, and must suffuse all that we do if we are truly to live up to our 2017 theme of being 'A Peace-building Commonwealth'.

This means constantly reviewing and reforming our systems to make them more open and responsive. It means encouraging dialogue between political groupings and among nations which is animated by trust and by commitment to the common good.

Next April, our leaders will be gathering in London for the Commonwealth Heads of Government Meeting.

Under the theme 'Towards a Common Future' there will be four principal areas of focus:

- A more sustainable future;
- A fairer future;
- A more secure future;
- A more prosperous future.

Within these, common approaches to matters of such pressing importance as trade and investment, ocean governance,



regenerative development to better address climate change, countering violent extremism, and modern slavery will be considered.

The Commonwealth flourishes because of our conviction that all can contribute, and none should be left behind. Building on our comparable legal systems, close ties between our Parliaments and judiciaries, and shared language, there are immense opportunities for us to learn from each other and to provide mutual support.

The rich diversity, common values and other commonalities of our inheritances combine to create 'Commonwealth Advantage'. This immensely valuable asset means that in trade, and many other dealings, substantial benefits accrue when both partners are based in Commonwealth countries.

To build on this advantage in new ways I have established the Commonwealth Office of Civil and Criminal Justice Reform.

It will provide Commonwealth

jurisdictions with templates for tackling violence against women and girls, gender discrimination, corruption and climate change, amongst many, many, other things. It will also assist with the delivery of access to justice and sustainable development through the creation of fair and effective laws, policy making and legislation.

Cross-fertilisation of ideas and experience is a distinctive characteristic of how we cooperate in the Commonwealth to accelerate positive change.

Your conference and the work of the Commonwealth Parliamentary Association are fine examples of how forums and mechanisms for exchange of ideas and expertise enable us to leverage the advantages our shared inheritances offer.

I wish you every success as you work to mobilise closer Commonwealth support and collaboration. Our future is greater than our past!





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THE CPA CHAIRPERSON'S THREE YEAR REPORT

The CPA President and outgoing Chairperson of the CPA Executive Committee, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of the Parliament of Bangladesh presented her end of three year term report to delegates.



As I turn back the pages of the last three years, a journey unfolds. One that began in the city of 'Seven Hills', Yaoundé, Cameroon in October 2014. I was deeply touched with the trust reposed on me by my colleagues, fellow Parliamentarians of the Commonwealth in electing me as their Chairperson.

My tenure of three years as Chairperson were uniquely challenging yet deeply rewarding. While many a time, we were confronted with complex problems that required solutions and immediate attention; yet even more numerous were my moments of contentment when I could collaborate with my colleagues to resolve an issue, or joy when I learnt something new.

The responsibility of Chairperson has pushed me outside of my comfort zone and I have undoubtedly grown from experience. I took the time to reflect on my role in leading this Association and had the opportunity to learn a great deal about myself. I can safely say there are several lessons I can take away from the experience. CPA gave me exposure to the dynamics of international politics. I have greater insight into the importance of cooperation between Parliamentarians. I have gained a profound understanding of how much more we Parliamentarians can achieve

when we work together. We serve a greater purpose when we unite. Most importantly, I come away with invaluable friendships that I treasure most.

In this Report I present a two-fold account of my work. First, I give an account of the events that I attended in different CPA Regions. The second part illustrates the ongoing programmes that have been adopted by CPA and are being administered across the CPA Regions.

While I began my work to make CPA more visible and relevant to the Branches by adopting innovative strategies, there were pending issues requiring immediate attention.

Two important matters needed urgent attention – the appointment of a new Secretary-General and the status of the CPA. We had to initiate the procedure of appointing a new Secretary-General. This entailed a great deal of work. We formed a group with representatives of the nine CPA Regions that I chaired. This group came together in London, UK for the interviewing of the candidates and then the final selection was made. We completed the process and appointed the present Secretary-General, Mr Akbar Khan to start this term in January 2016.

The status of the Association was a long pending issue, almost 20 years. It was a demand of the members of the Association

to address this matter. I had to delve into the matter to have an in-depth understanding as to what was required to be done. We formed a Working Group with Parliamentarians from all nine Regions to examine this matter in great detail. The Working Group in a very short span of time presented a Report with a proposal to be taken forward. I thank the CPA Secretary-General for his support in the implementation of the decision of the General Assembly.

During my tenure as CPA Chairperson, I have visited many CPA Branches in different Regions attending important and interesting events.

- I visited the Punjab Legislative Assembly in India, attending an agricultural seminar of members of the Standing Committee. It was a truly wonderful learning experience. Discussions took place on a whole range of issues of relating to food security, agriculture policies, providing subsidies to farmers, talking about adverse effects of climate change, water for irrigation etc.
- I visited the Parliament of Gibraltar to attend a women's conference, organised by the Commonwealth Women Parliamentarians (CWP) British Islands and

Mediterranean Region.

- I attended a Commonwealth conference to celebrate the 600th anniversary of Magna Carta and facilitated important deliberations on human rights in London, UK.
- I was delighted to be invited to Nairobi, Kenya to attend the CPA Africa Regional Conference.
- I had the opportunity to represent the CPA in Andhra Pradesh, India to take part in a Conference on the National Women's Parliament.
- I represented the CPA at the 'Women Legislators Conference' in New Delhi, India.
- I visited the Singapore Parliament and called upon the Hon. Speaker and Deputy Speaker.
- It has been a great honour to meet Her Majesty Queen Elizabeth II, Patron of the CPA and Head of the Commonwealth at the annual Commonwealth Day celebrations. I have attended three Commonwealth Day celebrations in London, UK and it was a rare honour to be invited to speak at the Westminster Abbey Commonwealth Observance at the Commonwealth Day celebrations in March 2015.
- I attended the CPA Mid-Year Executive Committee Meetings in Sabah, Malaysia; Darwin,

- I represented the CPA at the UN General Assembly in 2015 when the SDGs were adopted and delivered a speech at an event on 'Redressing Inequality'.
- I represented the CPA in St. Petersburg, Russia at the Commonwealth of Independent States (CIS) Annual Assembly.
- I also visited the Scottish Parliament in celebration of Commonwealth Week and had a meeting with the Presiding Officer and Members of CPA Scotland Branch.

The Parliament of Bangladesh also hosted two CPA events during my tenure – the CPA 26th Commonwealth Parliamentary Seminar and the CPA Workshop on 'Economic and Financial Challenges for Emerging Economies'.

Many new and existing CPA Programmes have been adopted by the Association and are being implemented by the CPA Headquarters Secretariat and in CPA Branches.

The CPA Fundamentals Programme on Parliamentary Practice and Procedure, delivered in partnership with the University of the Witwatersrand, South Africa and for CPA Small Branches, with McGill University,

Canada is a new innovation.

In particular, the programme for CPA Small Branches with McGill University, Canada with its first group of twelve Parliamentarians who have gained the Certificate in this programme and will form the first cohort of graduates.

The CPA also delivers a successful Professional Development Programme for Parliamentary Staff in collaboration with McGill University, Canada. It is uniquely designed to meet the professional development needs of parliamentary staff in the 21st century and to this end, topics include the following: parliamentary democracy, accountability, legislative oversight, representation, corporate management of Parliaments, and parliamentary procedure. Admission to this programme is highly competitive. I am pleased to report that a number of parliamentary staff members from CPA Small Branches have benefitted from attendance on the programme and I wish to encourage others to apply for this programme once the notices for 2018 are circulated by the CPA Secretariat. I am delighted to announce that next year, the programme will be delivered by lecturers from McGill

University and hosted by the Kenyan Centre for Parliamentary Studies (CPST) in Nairobi, Kenya and will take place in March 2018.

The newly launched CPA Masterclasses provide concise video briefings for Members of Parliament and parliamentary staff from across the Commonwealth on a particular topic. CPA Masterclasses are filmed professionally and can last from five minutes to up to an hour. They are aimed at promoting parliamentary debate, dialogue and cooperation to build parliamentary capacity and efficiency. The topics of the Masterclasses cover three key areas: key policy issues, parliamentary practice and procedure and corporate skills. These video briefings are available for the CPA membership only through the CPA website. I am delighted to announce that I have this week launched CPA Masterclasses via an online video message and I look forward to hearing your feedback on the benefits of this resource.

The CPA continues to deliver its Post-Election Seminars (PES) for Branches who have recently undergone a recent General Election. In 2017, the Association has delivered PES to a number of Small Branches. This programme utilises one of

the unique selling points (USPs) of the CPA as it owes its success to peer to peer learning between Members and parliamentary staff from different jurisdictions around the CPA. It exposes Members to different parliamentary systems and methods of working. As such, I wish to encourage any Branch who may be undertaking a General Election in the near future to contact the CPA Headquarters Secretariat to discuss the delivery of a CPA PES. I would even go further to say, that Members who are present today and who have elections in 2018, should start discussing a potential PES with the Secretary-General or his staff present here in Dhaka.

I would also like to take this opportunity to speak about the Commonwealth Women Parliamentarians (CWP). I thank the Chairperson of CWP for her leadership. A working group of CWP members was convened in February 2017 and that meeting provided CWP Members with the opportunity to come together and identify key priorities for the network. They established a work programme for the period 2017-2019 and developed the CWP Strategic Plan 2017-2019 to guide and measure the impact of the CWP's work.

I wish to draw attention to the Commonwealth Youth Parliament



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(CYP) which was due to be delivered by the British Virgin Islands (BVI) in October this year. Unfortunately, as we all know BVI was devastated by Hurricanes Irma and Maria, which resulted sadly with the loss of life in BVI as well as other Small Branches in the CAA Region. Once again, I wish to express my sympathies to all those Branches affected by these adverse weather systems.

Even in this time of sadness however we are able to identify some positives and, in this case, it is the comradely relationship between Small Branches, in that, another Small Branch - Jersey has stepped forward and agreed to host the 9th Commonwealth Youth Parliament from 25 February- 1 March 2018. I am therefore pleased to also announce the delivery of the 9th CYP in early 2018.

I, as the Chairperson, along with the CPA Bangladesh Branch launched the CPA Youth Roadshows on Parliamentary Democracy. We invited students from different educational institutions in Bangladesh to the Parliament and they had interactive sessions with Parliamentarians. Then this programme was 'rolled out' across the Regions of the CPA. The Secretary-General has conducted many CPA Roadshows and to date, we have been able to reach out to about 12,000 youth across the Commonwealth.

The CPA Commonwealth Parliamentary Lecture Series is another programme that has invited key people from the Commonwealth to deliver a Lecture on Commonwealth Values and other relevant topics.

This is a brief account of the different programs which have been adopted by CPA and are being administered with the active

participation of the Branches in the Regions. CPA has a special focus on women and youth issues and is working to promote gender equality and women's empowerment. Working with youth has gained momentum and visibility and I believe this will succeed in creating positive impact in nurturing future leadership.

As I conclude my term as Chairperson, I pay respects to the late Dr William Shija, former Secretary-General to the CPA. I pay tribute to the late Request Muntanga, former Treasurer of the CPA, a dear friend. I express my sincere gratitude to all my colleagues who were on the CPA Executive Committee at different points in time and made an immense contribution in taking the CPA forward.

I express my heartfelt thanks to the Secretary-General, Mr Akbar Khan for his continued support and cooperation. He has helped me at every step in the adoption and implementation of different CPA programmes and in moving the Association forward.

I thank my esteemed

colleagues, members of the Coordinating Committee and the Executive Committee who have given me continued support and guidance in implementing the agendas and performing the functions and discharging the responsibilities as the Chairperson.

I must acknowledge the help and support of all the staff at the CPA Headquarters Secretariat with whom I worked as a team to deliver to all our Branches and Members across the Regions of CPA. I cannot thank them enough and I am grateful to all for their support and cooperation.

In a group as large and diverse as CPA, differences of opinion were not uncommon. Often, discussions got heated and emotions ran high. At times, we agreed to disagree. However, the crucial aspect to agreeing to disagree was that we all had the best interests of CPA at the centre. This is truly the strength and beauty of democracy and of CPA to be able to raise concerns with an equal voice and on equal footing.

In my role as Chairperson, I have strived to create space for

Members to raise issues that are important to them. I believe it is necessary to encourage Members to bring their concerns to the table to increase their investment in the organization. Everyone must feel that CPA was a support system for them. We were all willing to listen to one another. This mutual respect for one another's views constitutes the driving force for CPA in steering the way forward.

Consensus was key during my tenure as Chairperson. I stressed the need to resolve pending and emerging issues on the basis of consensus between member Parliaments and Branches in the Regions. Consensus brings in convergence of diverse perspectives and ensures greater inclusiveness. More importantly, it built trust between the Members of the Association. This trust helped forge friendships that allowed for further cooperation and promoted interparliamentary diplomacy. I wish CPA every success.



New Commonwealth Parliamentary Association Chairperson elected at the 63rd CPA General Assembly

Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon has been elected as the Chairperson of the Commonwealth Parliamentary Association (CPA) International Executive Committee at the 63rd CPA General Assembly. The new Chairperson of the Commonwealth Parliamentary Association (CPA) International Executive Committee was elected for a three-year term at the General Assembly that took place in Dhaka, Bangladesh as part of the wider 63rd Commonwealth Parliamentary Conference. The new Chairperson succeeds the outgoing CPA President and Chairperson of the CPA International Executive Committee, Hon. Dr Shirin Sharmin Chaudhury MP, Speaker of the Parliament of Bangladesh.

Hon. Emilia Monjowa Lifaka, MP entered the National Assembly of Cameroon in 2002, following a 21 year career as a civil servant and has been the Deputy Speaker since 2009. Hon. Lifaka has been a member of the Committee on Finance and the Budget, Constitutional Law and the National Commission on Human Rights and Freedoms as well as Vice-President of the Association of African Female Ministers and Parliamentarians. Hon. Lifaka has been regularly engaged in the CPA since 2007, attending regional and international meetings and held the position of Vice-Chairperson of the CPA Executive Committee from 2016-2017 and Alternate President of the CPA during the hosting of the 60th Commonwealth Parliamentary Conference in Cameroon.

The Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan said: "I congratulate Hon. Dr Shirin Sharmin Chaudhury MP, the outgoing CPA Chairperson for the important achievements she has made during her term in office. On behalf of the entire CPA membership, we are incredibly grateful to her



for her leadership over the past three years. I very much look forward to working with Hon. Emilia Monjowa Lifaka, MP from Cameroon, the new CPA Chairperson during the next three years and wish her all the very best in this important role to build on the achievements of her predecessor."

Under CPA election rules only Branch delegates to the 63rd Commonwealth Parliamentary Conference are entitled to vote in the election of a new CPA Chairperson. There were three candidates for the position: Hon. Emilia Monjowa Lifaka, MP (Cameroon); Hon. Shirley M. Osborne, MLA (Montserrat); Hon. Niki Rattle (Cook Islands).

Following her election, the new CPA Chairperson chaired the new CPA Executive Committee and during the meeting, Hon. Alexandra Mendes, MP (Canada Federal) was confirmed as the new Vice-Chairperson of the CPA Executive Committee.

The newly constituted Executive Committee of the Commonwealth Parliamentary Association met at the conclusion of the 63rd Commonwealth Parliamentary Conference in Dhaka, Bangladesh. The CPA Executive Committee represents the nine regions of the CPA – Africa; Asia; Australia; British Islands and Mediterranean; Canada; Caribbean, Americas and Atlantic; India; Pacific; and South East Asia.



Links from the 63rd Commonwealth Parliamentary Conference: CPA Flickr Images Albums: For images of the 63rd Commonwealth Parliamentary Conference please visit: www.cpahq.org/cpahq/flickr.



Commonwealth Parliamentarians call for urgent action from the international community to resolve the ongoing humanitarian crisis facing the Rohingya refugees at 63rd Commonwealth Parliamentary Conference

Commonwealth Parliamentarians attending the 63rd Commonwealth Parliamentary Conference in Dhaka, Bangladesh have called for urgent action from the international community to resolve the ongoing humanitarian crisis facing the Rohingya community.

Delegates were briefed by the Bangladesh Foreign Minister, Abul Hassan Mahmood Ali, MP, on the Rohingya



humanitarian crisis in Bangladesh. Following the briefing, Commonwealth Parliamentarians called for urgent action from the international community to resolve the ongoing humanitarian crisis facing the Rohingya community in Bangladesh. The adoption of a statement on the crisis was proposed by the CPA Malta Branch and a CPA statement on the Rohingya crisis was adopted by consensus by the Commonwealth Parliamentarians attending the 63rd General Assembly of the Commonwealth Parliamentary Association (CPA) held in Dhaka, Bangladesh on Tuesday 7 November 2017. The CPA statement on the Rohingya crisis "affirms the collective will of the membership of the Commonwealth Parliamentary Association to call for urgent action from the international community to resolve the ongoing humanitarian crisis facing the Rohingyas ethnic minority."

The full CPA statement on the Rohingya is available at: www.cpahq.org/cpahq/rohingya.

CPA Members visit the Rohingya refugees in Bangladesh

Following the 63rd Commonwealth Parliamentary Conference, a number of CPA Branches including the United Kingdom, Malta and Canada travelled to visit the refugee camps to see for themselves the conditions faced by the Rohingya refugees. **Rt Hon. Lord Foulkes of Cumnock**, Vice-Chair of CPA UK writes for *The Parliamentarian* about his visit:

"There is currently a tide of humanity fleeing ethnic cleansing, brutal murder and sexual violence. There is a genocide in 2017. We must act before it's too late and even more lives are affected. Following the 63rd Commonwealth Parliamentary Conference in Dhaka, I undertook the most distressing visit in my many humanitarian travels. With seven MPs and two other Peers from the UK branch of the CPA and 2 Maltese Parliamentarians, we saw the plight of the Rohingya refugees from Myanmar in the sprawling, depressing camp in Bangladesh that is now their home.

There are over 800,000 refugees in the camp including around 5,000 new arrivals in the few days before our visit and fifty more arriving by boat during our meeting with the refugee coordinator. Drastically growing in size, the camp is the size of Cyprus without an adequate hospital, schools or sanitation. As we stood on a hill in the centre, tents stretched in every direction as far as the eye could see. It is a living hell.

One of the refugee coordinators who has also worked in refugee camps in Rwanda, Congo and Yemen, told us it is the worst she has ever seen and that this is the greatest movement of people since Rwanda. The Rohingya people have been expelled from their homeland in the Rakhine state gradually since 2015 by a vicious military government



in Myanmar. The reasons: their religion or as some suggest, their lucrative land.

The camps had been just coping until 25 August earlier this year when the huge purge by the military resulted in the current tsunami of people fleeing across the border to Bangladesh. We spoke with a 25 year old who was born in the camp and feels he is imprisoned there, although it has no walls. He is stateless and cannot leave unless he is accepted in a third country and now there is no hope of that. Two of the women arrivals were pregnant and gave birth almost as soon as they arrived. Others were taken to 'stabilisation centres' at which the coordinator said they were 'taken back to life'.

Most upsetting of all was seeing two families living under a tarpaulin by the side of a busy road. They eat, sleep and just barely exist under that tarpaulin. Speaking with them I could not hold back my tears. What hope is there for those children when

we, the rest of the world, have turned our backs on them?

And yet they are a resilient, intelligent and innovative people. I found even among the desolation and misery of their lives they were welcoming and I could raise a smile.

What next? The immediate problem is malnutrition followed by safety and restructuring. They need food desperately and it is in short supply. We need the world to recognise this is a genocide and act accordingly. In 2017, we must learn from past genocides and ensure action is taken before it's too late and even more lives are affected.

As Parliamentarians we need to put pressure on our governments to do more. The CPA General Assembly passed a statement calling for urgent action. I would urge Parliamentarians across the Commonwealth to not sit and watch this crisis unfold. We all have a duty as Parliamentarians to speak for those without a voice. We need to speak up for the wave of displaced Rohingyas and protect them from this genocide they face."

Parliament of Australia re-joins Commonwealth Parliamentary Association membership at 63rd Commonwealth Parliamentary Conference

It was formally announced that the Commonwealth Parliament of Australia will be rejoining the membership of the Commonwealth Parliamentary Association (CPA) from 1 January 2018. The 63rd CPA General Assembly, meeting in Dhaka, Bangladesh at the 63rd Commonwealth Parliamentary Conference, approved the application from the Parliament of Australia to reconstitute the Commonwealth of Australia Branch of the CPA following their application to re-join the CPA.

The Deputy President of the Senate of Australia, Senator Sue Lines (pictured right with the CPA President in Bangladesh) attended the 63rd CPA General Assembly as an observer on behalf of the Parliament of Australia and said: "We are very pleased that our nomination to re-join the Commonwealth Parliamentary Association has been accepted. Australia was a founding member of the CPA in 1911, we take that legacy seriously and look forward to playing a positive role in the CPA into the future."

The newly elected Chairperson of the CPA International Executive Committee, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of the National Assembly of Cameroon said: "The return of the CPA Commonwealth of Australia Branch will be welcomed by all of the CPA's membership as it demonstrates the CPA's commitment to good governance and parliamentary strengthening in all of its nine regions. As the newly elected CPA Chairperson, I look forward to building new links with the Branch to advance the CPA's parliamentary development goals."

63rd CPC daily bulletins and news:

To catch up on all of the news from the conference – you can access copies of the 63rd CPC daily bulletins produced during the conference online at: www.cpahq.org/cpahq/cpc2017dailybulletin. 63rd CPC conference news is also available on the CPA website at: www.cpahq.org/cpahq/cpc2017news and Twitter at hashtag #63CPC.



The Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan welcomed the return of the Commonwealth of Australia Branch of the CPA and said: "The return of the Commonwealth of Australia Branch of the CPA strengthens our network and serves as a testament to the success of the CPA as a leader in the field of parliamentary development. I look forward to working with Parliamentarians from the CPA Australia Federal Branch to further the work of the CPA in promoting our shared values of democracy, rule of law and human rights."

The Commonwealth of Australia Branch withdrew from the Commonwealth Parliamentary Association on 31 December 2012 and following extensive consultations between the Parliament of Australia and the CPA Headquarters Secretariat, the Parliament of Australia submitted their application to re-constitute the Commonwealth of Australia Branch of the CPA.

63rd CPC 2017 Conference Concluding Statement: The main conference theme for the 63rd Commonwealth Parliamentary Conference for 2017 was: Continuing to enhance the high standards of performance of Parliamentarians. Workshops and debates were held during the conference on a wide range of topics linked to this theme. The Conference Concluding Statement containing all of the outcomes and recommendations from the conference is available online at: www.cpahq.org/cpahq/cpc2017concludingstatement.



**63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh
1 to 8 November 2017**

Youth Roundtable - 6 November 2017

YOUTH ROUNDTABLE: 'THE IMPORTANCE OF PARTICIPATORY GOVERNANCE TO PEACEFUL, DEMOCRATIC SOCIETIES'

Moderator: Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of Parliament (Bangladesh) and Chairperson of the CPA Executive Committee

8th Commonwealth Youth Parliament: Mr Danish Ali Bhutto (Pakistan) and Ms Elise Delpiano (New South Wales, Australia)

Discussion Leaders:

- Mr Chris Steel, MLA (Australian Capital Territory)
- Hon. Matt Jeneroux, MP (Canada)
- Ms Clare Bettison, MHK (Isle of Man)
- Hon. Ernest Hilaire, MP (St Lucia)
- Shri Subhash Patel, MP (India)

Rapporteur:
Ms Lisa Hart (Jersey)



A youth roundtable event was hosted by the CPA Bangladesh Branch and CPA Headquarters Secretariat in the margins of the 63rd CPC with discussions between Commonwealth Parliamentarians and young people from a range of youth groups in Bangladesh. The inaugural youth roundtable was chaired by the CPA President and Chairperson of the CPA International Executive Committee, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of the Parliament of Bangladesh and the topic for the discussions was 'The importance of participatory governance to peaceful, democratic societies'.

Eighteen Law Faculty students from Dhaka University and two of the young people who had attended the 8th CPA Commonwealth Youth Parliament in British Columbia, Canada exchanged views with Commonwealth Parliamentarians representing the CPA Regions.

In welcoming delegates to the youth roundtable, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of Parliament (Bangladesh) noted that youth engagement had been a particular focus of her tenure as Chairperson of the CPA and she had worked alongside the

CPA Secretary-General, Mr Akbar Khan to ensure that youth voices were heard. She highlighted the CPA Youth Roadshows initiative and explained that the 18 Law students present at this youth roundtable had been amongst the participants at that event when it was first held in Bangladesh.

Mr Danish Ali Bhutto (Pakistan) outlined his experiences as a delegate at the 8th Commonwealth Youth Parliament (CYP) which had been held in British Columbia, Canada in 2016. Mr Bhutto had worked at the Federal Parliament in Pakistan since 2013 and expressed his gratitude for the opportunity of participating in the CYP in the guise of Minister for Culture and Indigenous Affairs. He considered that the experience had been very enriching and had emphasised the power of young people and the important role they could have in supporting the parliamentary decision making process. Given that 60% of the Commonwealth population was under 30, it seemed unfair that young people's views were not routinely sought. Mr Bhutto opined that Parliaments should be inclusive, seek young people's views and establish youth initiatives such as parliamentary studies

programmes in order to empower young people and engage them in decision making processes.

Miss Elise Delpiano (New South Wales, Australia) had also attended the 8th Commonwealth Youth Parliament. She explained that 66 youth delegates had spent a week learning about parliamentary procedures and processes at the CYP. She had been elected as the Leader of the Opposition and had experienced debates and question time. Miss Delpiano, who was currently studying Law and International Relations, had been very proud to participate in the first CYP at which all the major roles (Speaker, Prime Minister, Leader of the Opposition) had been occupied by women. She believed that, contrary to popular thought, young people were very interested in politics, but it was difficult to find a platform for their views to be heard. Events such as the CYP allowed young people a forum in which they could express their opinions. She advised that her own Youth Parliament in New South Wales presented a report to all MPs after the event, in order to highlight the decisions made by the young Parliamentarians. Young people were neither inexperienced nor disengaged.

The discussion at the youth roundtable turned to the question before delegates - What does a peaceful, democratic society look like? Many young people gave their views as part of the discussion.

Tahseen Lubaba considered that a peaceful, democratic society was a society where everyone was able to live in harmony and achieve their full potential; a healthy sustainable way of life in a society which was tolerant and accepting of differences.

Md. Younus Ali was of the opinion that it was a politically stable environment where everyone was equal and had access to sufficient food, clean water and shelter.

Chyan Bala maintained that it was a stress free and calm environment where justice prevailed and people could live without fear or violence, where there was tolerance and conflicts were resolved amicably.

Amir Hamja echoed this

view and emphasised that there needed to be good laws which protected the interests and rights of everyone equally.

A Member from India advised that he was proud to participate in this event and advised that India was an example of a multi-cultural peaceful society in which young people had the freedom to express their opinions.

Ms Nontembeko Nothemba Boyce, MP (KwaZulu-Natal, South Africa) agreed that tolerance, respect for human rights and being law abiding were important factors. She reminded the workshop that dialogue was a vital tool in resolving issues and achieving peace.

The discussion turned to another question regarding youth - what is participatory governance and how can youth participation be extended?

Mahera Binte Rafiq contended that people should be part of the parliamentary process and there

should be interactive consultative sessions before a law came into force in order to fully explore and appreciate its potential impact.

Sharima Tanjina Arni considered that it was important that any representation of youth was proportionate and sufficiently diverse in terms of gender, religion, ethnic and economic backgrounds to ensure that everyone was adequately represented.

Md. Younus Ali was of the view that your voice should be heard via the Parliamentarian elected to serve your district.

Sabiha Sharmi opined that decision makers should include constituents in the decision making process. There needed to be mutual trust, honesty and an open forum so that views could be expressed. She highlighted that this should be at all stages of the process from planning, budget and implementation through to monitoring and evaluation.

Hon. Matt Jeneroux, MP (Canada) congratulated the hosts on putting on such a wonderful event for young people. He questioned whether the solution was to have younger elected officials and advised that in Canada each Parliamentarian was connected with a youth engagement council which met monthly to discuss key issues due for debate.

Hon. Ernest Hilaire, MP (St Lucia) advised that he had started his political career as a member

of the Commonwealth Youth Parliament. He had chaired a CPA task force relating to the restructuring of the youth forum, which aimed to ensure that young people's voices were heard. He cautioned that often such forums were elitist and did not always represent young people from a variety of social backgrounds and he urged the inclusion of youth from clubs and projects to ensure a diverse range of views were heard.

Ms Clare Bettison, MHK (Isle of Man) explained that Parliamentarians were very accessible in her jurisdiction and were held to account by the electorate. Only 12 signatures were needed in order to call a public meeting. Social media was an important tool which allowed speedy communication by Parliamentarians, but it also exposed Members to personal criticism at times and it was therefore vital that this engagement medium was used constructively. The Isle of Man scrutinised legislation before it was debated and lay people were included on these panels. However it was often the same people who volunteered to participate. She considered that any motions which were passed by youth Parliaments should automatically be tabled for discussion by Parliamentarians.

The final question considered was - why is participatory governance important and how can it bring peace? How can





young people participate?

Sabina Akter Tuhin from Bangladesh advised that her country had a population where 70% were under the age of 35. It was therefore vital that young people were part of driving the country forward. Great advances were being made in the world of IT and young people would play an important part in creating a digital future for the Bangladesh economy.

V. G. Thapi (South Africa) agreed that it was essential that the Parliament went to the people and she informed the meeting that in South Africa they held public meetings to ensure youth engagement. Her parliament used social media to note issues which were of interest to young people and encouraged the youth to be part of public meetings.

Dr Pramod Sawant, Speaker of the Legislative Assembly (Goa, India) advised that his Parliament had an initiative at council level, in order that young people were able to actively participate in policy making.

Another Member from India agreed that youth participation sets an example. If people felt that their views were heard then violence was reduced. He advised that his Parliament was very diverse, with all key Members coming from some of the poorest backgrounds and some 25% of Members were youth leaders.

Shakhawat Hossain opined that access to information was imperative. Involvement in student politics was important as a way of developing the skills of future leaders, but there had to be policy changes to allow people from different social backgrounds to have their views considered. It was also important for there to be younger Parliamentarians involved in the policy making process.

Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of Parliament (Bangladesh) agreed that dialogue with young people was essential and she highlighted the CPA Parliamentary Roadshows as a very useful tool for such engagement. She recognised that young people needed access to sufficient information on key issues under discussion by Parliaments. She suggested that the implementation of a quota could be one way of ensuring sufficient youth representation in Parliaments.

Ms Nontembeko Nothemba Boyce, MP (KwaZulu-Natal, South Africa) expressed the view that it was important to build a sense of accountability by governments to young people – otherwise Parliamentarians were not representing their electorate fully and were disenfranchising a large proportion of the population as a consequence. She advised that in

South Africa they used a slogan 'Nothing about us without us' and she considered that engagement fostered a greater sense of patriotism whilst disengagement resulted in a disconnect from the country. It was important that young people had a sense of ownership of their country as they were the nation's future.

Following a lively session debating the democratic importance of parliaments engaging with young people to ensure that the views of the youth contributed to policy making decisions by governments, the workshop divided into two groups to agree a series of recommendations to be presented to conference delegates attending the 63rd CPC Workshop G - Giving voice to the youth: mechanisms for ensuring effective participation of youth in the governance process.

Group one, led by Tahseen Lubaba, put forward the following recommendations:

- Introduce compulsory classes in schools to educate students about politics and the parliamentary process.
- Establish apprenticeship or internship schemes within parliamentary organisations in order to provide training for those with an interest in joining the world of politics.
- Invite youth representatives

to participate on policy-making bodies/establish youth advisory boards to ensure inclusivity.

- Allow candidates to stand for election at the same age as they can vote.

Group two, led by Sharima Tanjina Arni, suggested the following:

- Encourage greater use of social media by Parliamentarians, whilst ensuring traditional forms of communication continue for those without internet access.
- Introduce quotas for youth representation within parliaments.
- Establish special training courses in parliamentary processes for graduates.
- Consult with youth representatives when drafting legislation, particularly when there is a direct impact on young people (for example in relation to education, sport and culture).
- Ensure that every CPA conference includes a proportionate number of young delegates, especially when youth issues are under discussion.
- Expand access to student politics by electing rather than selecting candidates.

Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of Parliament (Bangladesh) thanked all of the participants for their input. She considered that the views of young people should continue to be a very important focus of the CPA and reiterated that making the youth more visible in democratic Parliaments had been at the core of her tenure as CPA Chairperson. She was certain that the abovementioned recommendations would be a valuable contribution to the discussions later that day.

63rd COMMONWEALTH PARLIAMENTARY CONFERENCE Dhaka, Bangladesh 1 to 8 November 2017

Conference Workshop A - 6 November 2017

DEMOCRACY MUST DELIVER: ROLE OF PARLIAMENT IN ADDRESSING THE CHALLENGES

Moderator:

Hon. Tanveer Imam, MP
(Bangladesh)

Discussion Leaders:

- Hon. Dipu Moni, MP
(Bangladesh)
- Hon. Professor Md. Ali Ashraf, MP
(Bangladesh)
- Hon. Md. Shahiduzzaman Sarker, MP
(Bangladesh)
- Hon. Mr Mayeen Uddin Khan Badal, MP
(Bangladesh)

Rapporteur:

Ms Emma Terribile
(Malta)

Hon. Tanveer Imam, MP (Bangladesh) opened the first workshop of the 63rd Commonwealth Parliamentary Conference with the subject of the workshop chosen by the Host Branch. The Moderator introduced the session by stating that the majority of countries in the world have some form of Parliament: "Not necessarily all are a democracy but democracies must not exist without Parliaments."

The first discussion leader, Hon. Dipu Moni, MP (Bangladesh), focused her presentation on the importance of the Sustainable Development Goals (SDGs) as proposed by the United Nations. She stressed that if the goals' aims are to be achieved, then Parliaments must play an informed role and that all issues that are presented before Parliaments are issues with concern to the day-to-day running of Parliaments.

She also stated that a democracy must adopt law-making oversight and must have correct representation. Through these functions, results are presented and implementation is successful. She stressed that

Parliaments must act with media, civil society and that international standards must be applied. Parliamentarians must not forget that there is the potential to fight inequality and fight climate change.

Hon. Dipu Moni, MP stated that the SDGs must be achieved by 2030. The UN has asked world leaders to make these goals a priority for sustainable development and leave nobody behind. In essence, when one talks about democracy, the SDGs are essential in order to have democracy delivered. In order to implement, Parliaments should intersect with the SDGs and Goal 16 directly deals with this. It is dedicated to 'the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all, and building effective, accountable institutions at all levels.' Through this goal, political parties also need to work on the SDGs for their benefit and thus, capacity must be built for Parliamentarians and their staff members. "We need to build capacity: toolkits, human, financial and technical resources, knowledge, impact of

implementation and partnerships. Parliaments need to ensure that parliamentarians are equipped and enabled to make known decisions to deliver democracy."

She further stated that for representation, public participation must be encouraged, together with public participation and participatory law making.

The second discussion leader, Prof Md. Ali Ashraf, MP (Bangladesh) presented his argument by stating that every democracy is developed differently and according to how best it fits a legislature. "Democracy must deliver and as we understand, you are an intellectual number and the CPA is the oldest expert. Democracy is developed differently – 50 democracies, 50 parliaments. In an ideal world, the role of Parliament shares the need to share good practices. Parliaments and political parties have a significant role to establish different democracies. Parliament is the most important of institutions. We can define democracy as a political system. All people in society have an equal share."

Democratic governments are





those where fundamental rights of citizens are safeguarded and where the population at large are appreciated for their work. In 2005, the UN summit declared democracy as a right. Democracy is the rule of the people. We have an important role to play as people have a right to participate. He summarised his argument by stating that democracy should be by the people, for the people and the rule of people. Prof Md. Ali Ashraf, MP reiterated that the most important role of all is accountability of governments.

The third discussion leader Hon. Md. Shahiduzzaman Sarker, MP (Bangladesh) expressed that Parliaments remain the pivotal force at the centre of all democratic systems through the enactment of law, accountability, representation and oversight to ensure that all obligations are fulfilled. He also stated that all democracies have one thing in common: in the interest of the people who are in power and control, it is important to be democratic.

"Democracy must be embedded into a country through ensuring that human rights are safeguarded. Parliamentarians must be with their constituents to represent them in Parliament as they speak on their behalf. They ensure rights are safeguarded."

Hon. Md. Shahiduzzaman Sarker, MP brought as an example the Bangladeshi Parliament, whereby the leader Sheikh Hasina proved to be a very democratic symbol, in particular in the last nine years. They have taken exemplary measures to ensure people strive and have entitlements through transparent mechanisms such as the Information Act.

Hon. Md. Shahiduzzaman Sarker, MP concluded his intervention by describing democracy as the channel of faith and goodness of man, the main force of participation, giving a feeling of accountability and transparency in one's own country. People are the reflection of democracy. Parliaments must work to ensure people strive and Parliamentarians need to keep constant communication with people by listening to their problems and expectations.

The final discussion Leader, Hon. Mr Mayeen Uddin Khan Badal, MP (Bangladesh) was one of the freedom fighters in 1971 and has very relevant experience in democracy. Human civilisation has witnessed many patterns of democracy and it is the best way to represent people as they can express their wishes, demands, anguish etc. No man is an island

and we are trying to coexist Parliamentarians, at the moment, are facing challenges such as climate change; inequality, where 1% of the world dominates 99% of the world; and nuclear proliferation and threat of nuclear war including terrorism. He concluded his presentation by encouraging the Members present to focus on realising a prosperous, safe Commonwealth for citizens.

In response to the discussion leaders, many Members responded. Speaker Vijay Kumar Chaudhary (Bihar, India) suggested that Parliamentarians must deliver by being equipped for policy-making. He suggested that all Members present agree that democracy is the best form of government and it is the system where sovereignty lies within the people and lies with the Parliamentarians, giving the latter more responsibility; to legislate, sanction budgets and ensure the accountability of governments. Speaker Chaudhary also mentioned the issue of terrorism where all Parliamentarians should stand together to equip legislators.

Deputy Speaker Shri T.N. Thongdok (Arunachal Pradesh, India) stated that the Executive and legislative bodies should be separate and unless they are not separate, they will not be transparent. The

judiciary should also have a system for delivery of democracy.

Deputy Speaker Hon. Catherine Namugala (Zambia) stated that for Parliaments to play their roles, they must enjoy a certain level of independence. The Commonwealth must ensure there is a separation of powers. Is there a country which has experienced a total separation of powers?

Hon. Ryan Callus (Malta) emphasised the importance of establishing strong institutions to avoid public funds being invested in corruption. Public wealth is something which a legislature must strive for. He reiterated that it is important for people elected to lead institutions to have a good reputation and they should have the respect of all Members in the chamber so that when there is a change in government, these people can continue to do their job. They are loyal firstly to the constitution of their country as that is supreme over every other manifesto or legislation. He also commented on the 1% distribution of power argument by responding that a good democratic system must be distributed better to the local government level. Freedom is not a one-time issue but it is a value which must be sought every day. People might not be free

to speak or have access to the judiciary etc.

A Member from North-West Province (South Africa) posed a question as to how does one seek democracy? It is the truest form of government and the Member discussed the extent to which Parliament ensures government is loyal to the people through public participation and oversight.

A Member (Malawi) stated that democracy seems to be founded on everyone who takes part in government – equality, transparency and equality. Democracy has challenges such as corruption. Is there a role model which has created watchdogs or an Auditor General with reports presented to Parliament? The Member

also challenged the participants as to whether any Parliaments have come up with something to detect corruption or whether a fund to manage corruption exists.

Hon. Mavrides Marios, MP (Cyprus) raised a comment that there is no question that democracy is the best system although it is not perfect. Democracy is where everyone should benefit equally. Transparency is a very important principle, especially to government. It is also important that power is given to the people and to the media. Freedom of speech should be taken as given, as it goes with transparency, together with the importance of education. This means that if people respond, it becomes very powerful and effective. All these elements will provide a good framework in a democracy.

Speaker Biman Banerjee (West Bengal, India) made a statement about judicial activism which has reached such an extent that it calls for intervention and denies justice to people. He reiterated that Parliamentarians should be clean and acceptable to the people in a peaceful way. More participation of women should be looked into. Delivering

social security to the people, terrorism may be reduced.

Speaker Niki Rattle (Cook Islands) returned to the SDGs argument by stating that they can act as capacity building among Members of Parliament by moving forward in a development plan which goes beyond what was proposed by the UN, through funds and other methods of support. If the SDGs at the local level are implemented, democracy automatically comes with it, and the SDGs come naturally. It feeds down to where the wealth is equally spread.

Moderator, Hon. Tanveer Imam, MP brought the discussion to a close by putting forward the recommendations as proposed by the discussion leaders.

The discussion leaders put forward four recommendations which were all endorsed by the workshop.

- Parliaments should ensure that Parliamentarians are equipped and enabled to make informed decisions on law-making, budgeting, oversight and public outreach in effectively implementing the SDGs.
- Parliamentarians to proactively play a role in translating the 17 Sustainable Development Goals into legislation and policies for country-specific goals.
- For Parliament to promote democracy and good governance, thereby enhancing people's participation, it should be more transparent and have a separation of power, making it easily accessible to the public.
- A democratic Parliament should reflect the social diversity of the population in terms of gender, geography, language, religion, race, ethnicity and any other politically-significant characteristics.

**VIEW FROM THE CPA SMALL BRANCHES
Hon. Derek Thomas, MLC, St Helena**

"It was a great honour to attend the 63rd Commonwealth Parliamentary Conference in Dhaka, Bangladesh from 1 – 8 November 2017. I was completely impressed with the high level of planning, organisation and hospitality of the Bangladesh Parliament and its people. The conference proved to be of real benefit to CPA Branches and it is clear that the Commonwealth Parliamentary Association (CPA) is going from strength to strength, especially with the establishment of a Small Branches Chairperson designed to provide a voice and platform for Small Branches to develop and address common issues. St Helena, being a CPA Small Branch, will stand to benefit from the strategic objectives and associated thematic priorities.

The focus of the conference on 'Continuing to enhance the high standards of performance of Parliamentarians' through a series of conference workshops with discussion leaders from across the Commonwealth provided a range of experience to Parliamentarians and the agreed recommendations will allow the CPA to develop innovative strategies relevant to the Branches.

My tenure of three years on the CPA Executive Committee which ended at this conference, has been an honour, rewarding and challenging, I have a comprehensive understanding of the workings of the CPA which has developed me as a Parliamentarian. St Helena has benefitted from the CPA through Technical Assistance Programme (TAP) funding streams and we look forward to the CPA's Post-Election Seminar training which will be delivered to Members in St Helena early in 2018 together with a CPA Roadshow for young people. I have built up a network of relationships with fellow Parliamentarians and I am confident that the CPA is going in the right direction under the leadership of the Secretary General, Mr Akbar Khan. I would like to thank the outgoing Chairperson, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of Bangladesh for her support and wish her every success for the future and I would also like to wish the incoming CPA Chairperson, Hon. Emilia Monjowa Lifaka, MP, Deputy Speaker of Cameroon, the very best. I wish CPA every success."



Above: Hon. Derek Thomas, MLC, St Helena (far right) briefs the media in Bangladesh at the 63rd Commonwealth Parliamentary Conference on the outcomes of the conference workshop that he moderated.



**63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh
1 to 8 November 2017**

Conference Workshop B - 6 November 2017

THE ROLE OF PARLIAMENTARIANS IN BUILDING STRONGER TIES WITHIN THE COMMONWEALTH: INCLUDING NEW TRADE ISSUES, VISA ISSUES, TRAVEL RESTRICTIONS AND NON-TARIFF RESTRICTIONS



Moderator:
Hon. Alexandra Mendes,
MP (Canada)

- Discussion Leaders:**
- Senator Eke Ekweremadu, MP (Nigeria)
 - Lord Davies of Stamford (United Kingdom)
 - Hon. Winston Gordon Felix, MP (Guyana)

Rapporteur:
Mr Neil Iddawala
(Sri Lanka)

The conference delegates in this workshop discussed the role of Parliamentarians in building stronger ties within the Commonwealth including new trade issues, visa issues, travel restrictions, non-tariff restrictions. All Members acknowledged that the time is ripe to speak about this topic since it is necessary to identify a common mandate among the Commonwealth on trade and travel issues, especially as the 2013 Commonwealth Charter emphasizes that building stronger ties among members is very important. The Charter declares that *"the special strength of the Commonwealth lies in the combination of our diversity and our shared inheritance."* Therefore, Commonwealth members fully recognize the value of international trade as a powerful means of achieving economic and social progress. With its diverse membership, the Commonwealth has consistently advocated for a global trading system that ensures effective participation of all countries, especially the least-developed countries (LDCs), small states and Sub-Saharan Africa (SSA).

Role of the Commonwealth
In this context, Commonwealth members have to balance the potentially competing claims of national self-interest, their domestic constituencies and the concerns of civil society, while seeking to maximize the benefits of a more liberal world trading system. In this regard, the conference delegates at this workshop urged the Commonwealth to play a major role in the efforts to strengthen relations among the members by affirming the core values and principles of the Commonwealth Charter.
For instance, it encompasses vibrant regional networks such as the African Union (AU); the Caribbean Community (CARICOM); the Pacific Islands Forum (PIF); the Asia-Pacific Economic Cooperation (APEC); South Asian Association for Regional Cooperation (SAARC) and the European Union (EU). These networks provide collective regional efforts to accelerate economic and trade growth, social progress, cultural development and tourism. Moreover, it is possible to negotiate the trade and other

social economic disputes among the members by ratifying trade agreements and implementing their provisions through domestic legislation and appropriate budgetary allocations.
By emphasizing the Commonwealth's contribution to trade expansion, the first discussion leader, Senator Eke Ekweremadu, MP (Nigeria) stated that the use of a common language amongst Commonwealth nations has been identified as a major source of trade expansion and it also led to a reduction in overheads of up to 15% for intra-Commonwealth trade as opposed to trade with equivalent non-Commonwealth nations. He further stated that, the former Commonwealth Secretary-General Mr Kamallesh Sharma had pointed out in 2004, that the Trade Facilitation Agreement of the Commonwealth promised a boost to global trade of between US\$ 400 billion and US\$ 1 trillion, by cutting red tape, and streamlining and simplifying procedures through measures such as new standards for customs' checks and border procedures.
Senator Ekweremadu



further stated that, a Trade Facilitation Agreement was particularly important to resolve trade constraints such as lack of export competitiveness and high transportation cost in least developed countries and many in Sub-Saharan Africa. Apart from the Commonwealth, it is noteworthy that members have entered into trade negotiations with other nations or emerging economies such as India and China. By 2050, a Pricewaterhouse Coopers (PwC) report urged that China will be the world's largest economy, followed by India and the USA in third place. Therefore, to maximize the trade potential of the Commonwealth, he further urged that the members should build trade relations and immigration policies with non-Commonwealth members to improve effective trade facilitation.
Senator Ekweremadu elaborated that leaving the EU would allow Britain to rekindle and re-engage with independent

Commonwealth countries, and strike fairer trade deals which would better reflect Britain's role as a leading pioneer of free market enterprise. As stated by the IMF, it is forecasted that the Commonwealth will overtake the EU in 2019, contributing 17.7% to the world's output compared with the EU's 15.3%. Therefore, for him, this movement has a positive impact on Britain's place in the Commonwealth.
Role of Parliamentarians
Senator Ekweremadu said that Commonwealth Parliamentarians had legislative power to ratify agreements and shape policies through resolutions. The concept of parliamentary diplomacy as key stakeholders and agents in the quest for stronger ties among the Commonwealth is becoming more popular. Moreover, he added that Parliamentarians will be at the centre of building the principles, modalities, legal framework, institutions

and international partnerships for providing and promoting cooperation towards the mutual socio-economic and political development of member nations.
Hon. Winston Gordon Felix, MP (Guyana) described the significant points in relation to the capacity of Parliamentarians. Parliamentarians as lawmakers can influence governments to have better trade agreements between local and foreign companies by reducing the negative impact on tariffs and the volume of trade, he added. On the other hand, Parliamentarians as mediators are in a position to interact on trade regulations in order to get mutual benefits to each country, particularly by reducing barriers and various restrictions in areas of trade and travel.
However, to play a better role in regulating trade agreements, he stated that Parliamentarians must have adequate information on trade agreements. Especially, transparency and accountability are significant in implementing national trade policies. Further he

said that discriminatory practices in trade agreements should be avoided and there should be no bias towards any one country. The WTO embodies the principles of non-discrimination in international trades.
He declared that in order to address the problem of tariffs in trade agreements, Members of Parliament in progressive societies have to ensure the principles of national treatment for equal tariffs for both foreign and locally produced goods. Especially, when foreign goods enter into the local market, there should be equivalent tax systems for every item without charging customs duty on any import items.
He further stated that as Commonwealth members, they could monitor the implementation of rules-based 'free-trade' arrangements pertaining to low trade barriers including both tariff barriers and non-tariff barriers. It would create stability and inclusivity in the trading system, investment promotion, job creation



and exposure to competition, choice and lower prices for the consumers. Moreover, he added that Parliamentarians need to be conscious of the regulatory types of pressure where certain environmental and other considerations have to be met as a precondition for foreign market access. According to him, there should be a protection plan including sheltering domestic industries that are weak. Measures must be taken against anti-dumping in order to protect local products.

He revealed that Intra-Commonwealth trade, including in goods and services, is projected to exceed US\$ 1 trillion by 2020 as stated by Commonwealth Trade Review in 2015. Guyana, as a member of the Caribbean Community and Common Market (CARICOM) maintains a common external tariff system from 5% to 20%. Therefore, Parliamentarians have a major role to play in eliminating non-tariff barriers and this policy should be reflected in a fair, uniform and neutral system for all.

In relation to the visa issue, he urged that Commonwealth

members should re-examine restrictive visa rules by relaxing or totally eliminating those that impede the free movement of Commonwealth citizens. However, this should not be a threat to national security.

He suggested some recommendations on non-tariff barriers which are as follows;

- Import licensing measures should be simple, transparent and predictable with very clear procedures.
- The rules for the valuation of goods should have uniformity systems which prohibit the use of arbitrary or fictitious customs valuation.
- The practice of pre-shipment inspections which is intended as a compensatory measure for inadequacies in administrative infrastructures and ensure non-discrimination, transparency, protection of confidential business information, avoidance of unreasonable delay by using specific guidelines.
- Rule of origin should be transparent and it should not be restrictive, distorting

or disruptive.

To implement these recommendations, he urged that Parliamentarians can play a meaningful role in regulating trade agreements by ensuring uniformity and impartiality, which are harmonized across the member states.

Lord Davies of Stamford (United Kingdom) explained as to how the Second World War had influenced the economy of different continents of the world and the effect of the economic crisis in 1971 with the introduction of a new economic policy by the then President of the United States. He further stressed the importance of establishing the European Union (EU) for the growth of the economy especially in the European region which facilitated trade among EU countries with released customs duties. He commented on the difference in growth of the economy among countries in different regions and was of the view that certain countries have developed their own traditions. Various aspects of international trade were discussed and he highlighted the importance of

maintaining good standards. However, Lord Davies was of the view that the restrictions on visa requirements should remain unchanged.

The first recommendation was *noted* and the second and third recommendations were *endorsed* at the end of the workshop:

- Free movement is key to building stronger ties within the Commonwealth. National Parliaments should therefore champion visa free regimes for Commonwealth citizens.
- To set up a committee charged with arranging a seminar with outside experts to examine the reasons for the decline in momentum in removing obstacles to international trade and to recommend appropriate remedies.
- In the Commonwealth, visa issues and travel restrictions operate against free movement of citizens to promote trade. Parliaments must ensure that immigration reform is enacted.



63rd COMMONWEALTH PARLIAMENTARY CONFERENCE Dhaka, Bangladesh 1 to 8 November 2017

Conference Workshop C - 6 November 2017

THE CLIMATE CHANGE DEBATE: A CHALLENGE FOR THE COMMONWEALTH?



Moderator:
Hon. Derek Thomas, MLC
(St Helena)

Discussion Leaders:

- Hon. Dr Barton Scotland, MP, Speaker of the National Assembly (Guyana)
- Ms Maria Socorro Manguiat, United Nations Environment Programme (UNEP)

Rapporteur:
Ms Bame Letsatle
(Botswana)

This workshop focused on discussions that Commonwealth countries who have signed the COP 21 Paris Agreement should address and deal with climate change. The Commonwealth as a body encourages jurisdictions to address climate change and to look at the implementation of climate change rules. However the financing of these measures result in 'bottlenecks' in terms of how much is to be paid and how the results are to be monitored.

Ms Maria Socorro Manguiat, United Nations Environment Programme (UNEP) started the discussion by emphasising that the Commonwealth agrees that climate change is a challenge to us all and that the question we should be asking is how we address these challenges of climate change. The Commonwealth has an opportunity to reinforce the Paris COP21 Agreement especially as climate change adversely affects vulnerable, smaller Commonwealth countries.

Most Commonwealth countries have not done much in terms of implementation and estimates suggest that one third of the action has been

undertaken; clearly there is much to be done.

Maria Socorro Manguiat further lamented that every country that has subscribed to the agreement is obliged to address and deal with climate change. How can the Commonwealth make an impact? The Commonwealth is a vehicle to deal with global issues like climate change, varying economic responsibilities, domestic leagues and the implementation of climate change rules.

The role of finance for developing countries is often where there are bottlenecks in the decision-making process in terms of how much is to be paid and how it is to be monitored.

In 2020, all nations will revise their action plans on climate change and there was a call for new laws on climate change to provide predictability, legitimacy and autonomy. Various laws and policies impact with each other and it is imperative to see that they are working with each other effectively. The law is important for climate change; we cannot have a modern law that will restrict the developing countries while not addressing the impact of climate change. It is imperative

in this regard that we should explore what other countries are doing in terms of priority assessment tools, what kind of laws they have and what they may need in terms of legislative law to tackle climate change.

Hon. Dr Barton Scotland, MP, Speaker of the National Assembly (Guyana) spoke about the effects of Hurricanes Harvey and Irma on the Caribbean which moved across the Atlantic Ocean and made landfall in a number of CPA Branches in the Region. Delegates were told that they need to deal with the realities of climate change that jurisdictions are being faced with whether they are man-made or natural. The economic impact of climate change also needs to be addressed and nations need to adapt to meet the challenges that climate change will bring.

He then spoke about the impact of climate change on the 8% of Guyana's population on the low lying land near the coast that have been affected by the recent hurricane. Climate change is not a talk show. In Guyana, the rivers overflowed into an extensive area which led to the loss of stock, property and lives. We need to adapt our





lives otherwise this will happen again. He also recommended that Parliaments within the Commonwealth should ensure that they develop and implement a framework for combatting climate change and that this is implemented within each Region and Members are updated at CPA Regional Conferences.

Hon. Fakhru Imam, MP (Bangladesh) suggested that when looking at the problems of climate change, action needs to be taken by all countries. For example Bangladesh contributes less than 1% to the world's climate change totals yet the United States is withdrawing from the Paris Agreement. He asked why climate change action is not implemented globally and that many countries are talking about it but not implementing actions.

Ms Maria Socorro Manguiat (UNEP) responded that this is a fairly difficult matter and action to address climate change is complicated in terms of who should take the responsibility to finance action in other countries and from when. The middle income countries have rapidly developed and their contribution has come to the same level as the developed countries. There are rules that need to be developed and there should be a consensus for

action to take place. There are a lot of sub-regional and national actions that can be undertaken and they should not be held up by the ongoing discussions around international action.

Hon. G. H. Nkaigwa, MP (Botswana) asked what are governments doing to address climate change? There should be compliance with the Paris Agreement and as a legislature, it is our responsibility to ensure that there is implementation and the passing of laws in line with this. It is us who can hold our government accountable.

Hon. Deidre Carter, MP (South Africa) asked how do the volcanic eruptions in the oceans affect climate change? There should be specific research on this as their impact is not widely known.

Hon. Machila Jamba, MP (Zambia) questioned the impact of talking about the problem and suggested that more action was required. He asked how legislators can have a global impact if the laws that they pass in their own jurisdictions are not implemented in other countries.

Hon. Dr Enamur Rahman, MP (Bangladesh) said that the use of petrol and coal products is discouraged and that his government emphasises the use of solar power. Four million solar

panels have been installed and he urged other jurisdictions in the Commonwealth to give more emphasis to the use of solar power.

Hon. Tajul Islam Choudhury, MP (Bangladesh) questioned the impact of the United States of America's withdrawal on the Paris Agreement. What effect would this have on the action plan? He also suggested that if the USA doesn't believe in climate change then is their withdrawal vital or not.

Ms Maria Socorro Manguiat (UNEP) responded that the withdrawal of the USA would take place in 2019 and they would no longer be bound by the agreement. There will be practical consequences as the USA are one of the major contributors and other ways of sourcing funding will need to be explored.

Hon. Paul Flynn, MP (United Kingdom) said that unless we act now our children will suffer. We understand the problems faced by developing countries that are created by richer countries but it does not mean we cannot do anything; we should unite and oppose what the US President is doing.

Hon. Francois Rodgers, MP (KwaZulu-Natal, South Africa) said that if we are not united we are doomed to fail. We need to drive the political agenda on this issue.

Hon. Dr Lynvale Bloomfield, MP (Jamaica) asked how many countries have signed up to the Paris Agreement? The number of capacity building programmes completed in rural areas, the number of adaptations, and the number of strategies to address climate change and policies since 2015 all need to be addressed especially for the Caribbean Region in the light of the recent hurricanes.

Hon. Dr Barton Scotland, MP (Guyana) responded that some action is taking place as this is not the first time this has happened. The recommendation is that we can benefit from the experience of one another. Difficult decision will need to be taken to address climate change problems as forcing people to move is not easy.

Hon. Akello Judith Franca, MP (Uganda) asked about the Guyana national tree day and Hon. Dr Barton Scotland, MP (Guyana) told Members about the national day introduced this year which provides thousands of tree seedlings from the Agricultural Ministry which are planted to offset the impacts of climate change.

At the end of the workshop discussions the two recommendations were **endorsed** as follows:

- Legal reform can make a low carbon and climate resilient development pathway possible by reinforcing policy, strengthening institutions and mobilizing resources towards climate change activities.
- Parliaments within the Commonwealth should ensure a framework for combatting climate change is developed and implemented within each Region and updated at Regional Conferences.



63rd COMMONWEALTH PARLIAMENTARY CONFERENCE Dhaka, Bangladesh 1 to 8 November 2017

Conference Workshop D - 6 November 2017

HOW CAN CPA MEMBERS WORK WITH THEIR OWN GOVERNMENTS IN ENSURING THAT THE SDGS HAVE A PROPER GENDER LENS TO ENSURE SUCCESS IN THE AREAS OF ALLEVIATING POVERTY AND WOMEN'S EMPOWERMENT *Gender Topic*



Moderator:
**Hon. Sagufta Yasmin,
MP, Commonwealth
Women Parliamentarians
President (Bangladesh)**

- Discussion Leaders:**
- **Hon. Yasmin Ratansi,
MP (Canada Federal)**
 - **Hon. Dr Jiko
Luveni, Speaker of
Parliament (Fiji)**
 - **Hon. Dr Nafisa Shah,
MNA (Pakistan)**
 - **Ms Shoko Ishikawa
(UN Women)**

Rapporteurs:
**Mrs Doris Nyirenda
Kapumba (Zambia)**

In September 2015, the United Nations adopted 17 Sustainable Development Goals (SDGs), which would inform the development agenda for states up to 2030. SDG No. 5 specifically relates to gender equality and the empowerment of women and girls. Achieving SDG No. 5 would contribute to the achievement of the other SDGs, particularly SDG No. 1 pertaining to poverty alleviation.

Delegates at this workshop, in this regard, considered how Parliamentarians could work with their respective governments to ensure that the implementation of the SDGs had a proper gender lens.

While most jurisdictions had ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), effected policies and enacted legislation to enhance gender equality and the empowerment of women, the enforcement of these measures had remained a challenge for some Branches. This was largely due to factors such as lack of political will, traditional practices and the stereotyping of gender roles.

Parliamentarians, who were responsible for adopting the budget, enacting legislation and scrutinizing public expenditure, were best placed to ensure a proper gender lens was used in implementing the SDGs.

Hon. Yasmin Ratansi, MP

(Canada Federal) explained that in order to achieve economic growth and alleviate poverty, it was important for development programmes to involve both genders. She pointed out that using a gender lens entailed looking at how funds invested in government programmes benefitted both genders. She explained that in Canada, all policies were now examined with a gender lens.

Hon. Dr Jiko Luveni, Speaker of Parliament (Fiji) stated that the conversion of Millennium Development Goal (MDG) No. 3 to Sustainable Development Goal (SDG) No. 5 showed the importance of gender equality and women's empowerment to global development. She added that the empowerment of women directly impacted the well-being of their families and, therefore, helped in poverty reduction.

Hon. Dr Jiko Luveni pointed out that a government's commitment to achieving the SDGs necessitated policy and legislative reform and Parliament was key to the process. As regards to how Parliaments should work with the government to ensure the SDGs had a proper gender lens, she advised that Parliaments should create initiatives to mainstream the SDGs into its processes. Thereafter, Parliaments should use a gender lens in carrying out its legislative, oversight and representative functions. She explained that, in Fiji, the Standing

Orders made it mandatory for Standing Committees to balance the interests of men and women in the scrutiny of Bills and Reports. To this end, a report tabled on the floor of the House by a Committee had to include a paragraph on its gender perspective. Additionally, in scrutinizing the annual reports tabled by the various government ministries, Standing Committees had to ensure that the data in the reports was disaggregated by gender and showed how many men and women had benefitted from the various programmes implemented by the government. She said that this had resulted in an increase in the number of women benefitting from government programmes.

She further said that the Parliament of Fiji had a Gender Parliamentary Group comprising all Chairpersons and Vice-Chairpersons of Standing Committees. This ensured that the Committees carried out their work using a gender lens. In addition, the Parliament had a Gender Toolkit titled 'Scrutinising Legislation from a Gender Perspective', which it used to train Chairpersons, Vice-Chairpersons and Members of Parliament on how to scrutinize Bills using a gender lens.

Recognising that many women were reluctant to become Parliamentarians, the Fiji Parliament also organised a Mock Parliament for women of



various backgrounds to give them an opportunity to experience Parliament and encourage them to vie for political office.

Hon. Dr Nafisa Shah, MNA (Pakistan) said that the SDGs aimed at achieving equality and poverty reduction by putting women at their centre. She pointed out that women and girls still formed the largest group of people lagging behind in all the SDGs. She said that Parliamentarians were uniquely placed to promote and adopt women-centred policies and laws in the implementation of the SDGs. She added that, as framers of the law with power to allocate resources, Parliamentarians could facilitate the implementation of the SDGs. Further, using their oversight function, they could track the implementation of the SDGs by their respective governments.

As regards Pakistan, she stated that currently the country was lagging behind in the achievement of gender equality. She explained that Pakistan was ranked 143 out of 144 countries in the World Economic Forum's Global Gender Gap Index for 2017. Further, the country was ranked 121 out of 155 in the United Nations Development Programme gender inequality index. In addition, only 19.3% of women in Pakistan reached secondary school in comparison to 46.1% men. Also, the employment rate for women was at 44.1% as opposed to that of men which was at 82.9%. She attributed all this to the war in neighbouring Afghanistan which began in the 1980s, to the lack of a consistent and stable democracy in Pakistan for many years and to radical forms of Islam. She, however, added that after the restoration of democratic rule, the country had taken various measures aimed at achieving gender parity.

To this end, the Constitution now made a strong commitment to gender equality and provided for steps to be taken to ensure the full participation of women in all spheres. The country had, in this regard, introduced a quota system



in which 60 seats in parliament were reserved for women. Political parties had also been convinced to ensure that a minimum of 5% of their elective seats were reserved for women. These measures had resulted in an increase in the number of women in Parliament which had, in turn, resulted in a radical transformation in the character, culture and performance of the Parliament. Due to the presence of women in Parliament, a lot of legislation on women's protection in the work place, anti-domestic violence, anti-honour and anti-asset crimes had been enacted. Additionally, the country had been able to do away with discriminatory provisions in most of its laws.

In addition, a Women's Caucus was formed in Parliament. The caucus ensures effective oversight on the country's implementation of international commitments on women and has played a major role in building consensus on landmark legislation on women's rights. She added that the Pakistan Parliament had adopted the SDG agenda as its own development agenda and had, in this regard, established an SDGs Secretariat. The Secretariat enabled legislators to access the Human Development Index. It also conducted evidenced based research which helped Parliament conduct its oversight function effectively. At a national level, through the legislative reforms, Pakistan established the National Commission on the Status of Women. The Commission examined government policies for women's development and gender equality.

Hon. Dr Nafisa Shah, MNA concluded by stating that Pakistan had one of the largest anti-poverty programmes targeting women with over 5 million women benefitting from it.

Ms Shoko Ishikawa (UN Women) stated that the SDGs had integrated gender by not only providing SDG No. 5 on gender equality and the empowerment of women and girls, but also ensuring that gender was integrated in all the other SDGs. She added that if gender parity was not achieved, it would be difficult to attain the rest of the SDGs. She submitted that while most countries had ratified the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and enacted laws promoting gender parity, they were not implementing them adequately. There was therefore a need to work on changing mindsets in order to do away with the stereotypes regarding gender and gender roles. This could be done through social media campaigns and adopting policies that incorporated gender equality in the education system. Further, there was a need to address discriminatory laws that, for instance, did not allow women to own property or that set different retirement ages for men and women.

She added that gender parity could also be achieved by increasing the voice of women in policy making. She urged Parliamentarians to make more efforts to reach the most 'voiceless' in their constituencies so that their voices were reflected

in the policies.

To further achieve gender parity, there was also a need to ensure that data not only provided national statistics, but was also disaggregated by age, sex, ethnicity and social status. There was a further need to ensure the budget was more gender responsive so that more funds were allocated to programmes intended to benefit both genders. There was also need to put mechanisms in place to analyse whether the budgetary allocations were reaching women.

Hon. Poto Williams, MP (New Zealand) observed that the presence of women in Parliament had resulted in the ability of women to effect positive changes in their lives. She emphasised that a positive change that benefited women and girls had a huge impact on a country's economy, wellbeing and prosperity.

Hon. Fazilatun Nasa Bappy, MP (Bangladesh) stated that Bangladesh was a good example of women's empowerment and was leading in South Asia on gender equality having ranked 47th in the Economic Forum's Global Gender Gap Index for 2017. She illustrated that the Speaker of the Bangladesh Parliament, Leader of the House, Deputy Leader of the House and Leader of the Opposition were all women. In addition, the Parliament had a Standing Committee on Women's Affairs. She added that the country was determined to achieve the SDG targets. She, however, observed that the challenges in achieving the SDGs varied at constituency, country

and regional level. She, therefore, asked how a common standard for identifying and addressing the challenges of achieving the SDGs could be arrived at.

Hon. Yasmin Ratansi, MP (Canada Federal) explained that it was not possible to have a single solution to the issue of gender parity and women's empowerment because the solutions invariably varied among communities, countries and regions. She emphasised that diverse needs resulted in diverse solutions.

Rt Hon. Rebecca Kadaga, MP, Speaker of Parliament (Uganda) applauded the initiatives by the Fiji and Pakistan Parliaments of appointing a Parliamentarian to champion the SDGs in each Committee and establishing a Secretariat for SDGs respectively. She stated that such initiatives would assist Parliaments to track the performance of the SDGs. As regards the use of a gender lens in tracking the SDGs, she stated that Uganda had a requirement for Bills and the budget to have a certificate of compliance in gender and equity. She stated that this helped ensure that the government took into account the gender perspective in the allocation of resources and enactment of legislation.

Hon. Eleni Mavrou, MP (Cyprus) stated that in Cyprus only 18% of the Parliamentarians were women. She asked how other Parliaments had managed to increase the representation of women in decision-making positions including Parliament. She also asked how women could be encouraged to participate more in politics when they were already overburdened by their role. Ms Noxolo Abraham-Ntantiso, MPL (Eastern Cape, South Africa) asked what was contained in the gender toolkit that the Fiji Parliament used and if this could be shared amongst the CPA membership as an example of best practice.

Hon. Devendra Singh Bhole, MP (India) stated that India was

implementing several development programmes aimed at meeting the SDG targets, especially for women. These included a programme for the empowerment of women and girls in the age group of 11 to 18 and a programme to reduce the maternal and infant mortality rates. Baroness Uddin (United Kingdom) commended the Bangladesh Parliament on its efforts to empower women in both urban and rural communities. She noted that many women in conflict situations were victims of rape and asked what measures UN Women and the CPA were taking to ensure rape was not used in war and that the perpetrators of such crimes were punished and the victims compensated.

Ms Shoko Ishikawa (UN Women) stated that the UN was documenting cases of sexual violence against women in conflict areas. In addition, the UN Security Council had passed a resolution to mandate peace-keeper training and advocate for more women to be deployed as peace-keepers.

Hon. Lechesa Tsenoli, Deputy Speaker (South Africa) asked whether Parliamentarians were doing enough to ensure that the SDGs were achieved.

Hon. Paul Lehloeny, MP, Deputy Speaker (Lesotho) stated that countries appeared to be performing well in gender equality at the school level. However, they needed to do more at the employment level so that women and men could compete favourably. He said that it was at that level that women were overburdened with other activities such as childcare. He recommended that to resolve this problem, daycare facilities should be made available at places of work.

Hon. Jesmine Di'ane, MP (Rwanda) said that Rwanda had 64% women representation in Parliament. She explained that this was due to the government's high political will to empower women and its recognition of women's role in development. She asked what mechanisms were in place

to ensure the resolutions made at various fora on gender equality were implemented.

Dr Sitasharan Sharma, MPA, Speaker of the Legislative Assembly (Madhya Pradesh, India) suggested some measures that Parliamentarians could take to help their governments attain the SDG targets. He stated that Parliamentarians could carry out oversight on government sponsored programmes aimed at meeting the SDGs. In addition, Parliamentarians could embark on infrastructure development in their constituencies. Further, Parliamentarians, through their scrutiny of the budget, could ascertain whether funds were being allocated towards meeting the SDG targets. He added that Parliamentarians could also embark on innovative partnerships with civil society organisations. Also at international conferences, they could raise concerns about the SDGs. Finally, Parliamentarians could create public awareness about the SDGs by organising workshops and seminars for members of the public.

Hon. Virendra Sharma, MP (United Kingdom) asked how best Parliamentarians could challenge the traditions and practices that impeded the implementation of women's empowerment policies.

Hon. Dr Nafisa Shah, MNA (Pakistan) stated that it was not easy to respond to retrogressive traditions, especially since traditions could re-emerge in a new context.

Deputy Montfort Tadier (Jersey) asked how women in politics could deal with not only gender discrimination, but all forms of discrimination, including racism and discrimination against the LGBT community and the disabled.

Hon. Yasmin Ratansi, MP (Canada Federal) stated that while some countries had strict LGBT laws other countries did not. She emphasised that values or solutions could not be imposed on anyone and that the CWP's policy was to help each country achieve its goals in relation to the SDGs.

Hon. Elizabeth Phiri, MP (Zambia) stated that there was no affirmative action in Zambia to increase the number of women in Parliament. As such, women had to compete on the same platform as men to be elected to the House. She further stated that to achieve women's empowerment, there was need for male and female Parliamentarians to work together. She, therefore, asked how this could be done.

Hon. Dr Nafisa Shah, MNA (Pakistan) stated that while affirmative action was good as it increased the number of women in Parliament, it created another category of Parliamentarians which was perceived in a derogatory manner by both other Parliamentarians and by constituents. Thus, the quota system had, in essence, created a new form of discrimination.

The workshop delegates endorsed the following recommendations:

- CPA members should ensure that, as their parliament works towards the SDGs, it meaningfully consults and incorporates perspectives from women across a variety of demographics.
- Empower the Committees of Parliament to champion gender consideration of all budgets and Bills and promote gender sensitive Annual Reports that are tabled in Parliament.
- Parliaments vested with powers to make laws, allocate resources and represent the people are best placed to ensure promotion of gender equality and empowerment of women, and women's representation in the parliament is central to ensuring that no women or girls are left behind as we set ourselves new targets to achieve the SDG goals critical to human development and indeed human survival.





**63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh
1 to 8 November 2017**

Conference Workshop E - 6 November 2017

**SMALL JURISDICTIONS AND BIG PROBLEMS:
LOGISTICS AND INFRASTRUCTURE
CHALLENGES TO MEET SMALL JURISDICTION
EXPECTATIONS *Small Branches Topic***

Moderator:
Hon. Lim Biow Chuan,
MP (Singapore)

Discussion Leaders:

- Mrs Robyn Lambley, MLA (Northern Territory, Australia)
- Mr Charles Chauvel, (United Nations Development Programme)

Rapporteur:
Mr Roger Phillips
(Isle of Man)

This conference workshop focused on the issues and challenges surrounding logistics and infrastructure in the smaller jurisdictions of the CPA membership and was the topic proposed by the CPA Small Branches.

The delegates noted that there was a large variety between jurisdictions within the CPA, both in size and the level of development. There were problems in some jurisdictions in coping with a high demand for infrastructure but with a low national income.

Mrs Robyn Lambley, MLA (Northern Territory, Australia) explained that the Northern Territory was a large area with a small population. The Northern Territory was about ten times larger than Bangladesh but with a small population. One of the biggest challenges was providing good roads especially in tropical areas. There was a high demand for infrastructure with a small population. The main point of her presentation was that there was a high demand for infrastructure with a low Government income. The gap was bridged by Australian Federal Government support. This was done by way of the Goods and Services Tax (GST), which was pooled between the Australian States and then shared out on the basis of need, using horizontal fiscal equalization. The problem was how

to generate more revenue and ease the burden on the Federal Government.

There were limited options to deal with these issues including: raising taxes; seeking private funding; seeking partnerships with private enterprise; selling off assets; using economic development; lowering expectations and spending less.

These all had their problems, but the last one was probably the trickiest. The size of a jurisdiction was not an indicator of service level delivery. Some small jurisdictions had a very high level of development. On the other hand, there were some large jurisdictions with lower levels of service delivery.

Charles Chauvel (UNDP) asked whether size was an indicator of service level delivery. Some small jurisdictions have a high level of development and in some cases, a very high level of service delivery. On the other hand, there were some large jurisdictions with lower levels of service delivery. In fact, there was no correlation between size and service level delivery. Only four small jurisdictions had low service delivery: Swaziland; Papua New Guinea; the Solomon Islands; and Lesotho.

The United Nations had a twelve year aim to eliminate poverty via development and the UNDP. Charles Chauvel (UNDP) noted that Parliamentarians had to consider ways of creating

solutions to development challenges and the following possible actions were suggested:

- Recognizing that Overseas Development Assistance was very badly coordinated. Doubling-up was common and the selection of aid recipient was often irrational. Silo programming was an issue: if interventions were limited in subject then results were less good, so for example general sexual health aid was better for outcomes than focusing on HIV or other single issues.
- Recognizing that the Commonwealth and similar organizations could better coordinate aid. They could act as knowledge clearing houses for donors.
- Promoting knowledge using IT to enable better collaboration.
- Encouraging better developed jurisdictions to share benefits at the margins to people from less developed jurisdictions.

Hon. Catherine Namugala, MP, Deputy Speaker (Zambia) said that Zambia shared in these infrastructure problems and she asked about the use of public/private partnerships (PPP) in different Commonwealth jurisdictions and which model of PPP was the Northern Territory using?

Mrs Robyn Lambley, MLA (Northern Territory, Australia) replied that PPP had not been

used in the most recent big financial project in the Northern Territory but another financial route had been used. The PPP were not used because it would have taken a lot more time than the alternatives. In Australia, there has been a big push to use PPP and to use other partnership models with private enterprise. However there was a lot of public suspicion about PPP and the Australian Federal Government had said to Northern Territory that it had to find more alternative models.

Moderator Hon. Lim Biow Chuan MP (Singapore) said that Singapore had used PPP for different projects and a large sports stadium had been built in return for the right to operate the sports stadium. Part of the agreement was for the investors to come up with ideas for recouping the money invested. This saved on construction costs and also ensured that the stadium was used more often in order to get a return on the investment.

Charles Chauvel said that the UNDP had created a website www.agora-parl.org which had a finance model based on extractive industries and it discussed whether a PPP contract was good from the public perspective.

Dr Pramod Sawant, MLA, Speaker of the Legislative Assembly (Goa, India) described the initiative taken in various investment projects in their region which had reduced the logistic costs.

Shri Hitendra Nath Goswami, MLA, Speaker of the Legislative Assembly (Assam, India) noted that the use of PPP depended on the economic position of the people. A PPP created higher usage costs for the poor. There were practical difficulties in Assam because of the number of different languages and the size of the state. It relied on support from central Government and it needed considerable external support.

Rt Hon. Rebecca Kadaga, MP, Speaker of Parliament (Uganda) referred to the horizontal

equalization programme in Australia and asked what progress had been made and what it was used for.

Mrs Robyn Lambley, MLA (Northern Territory, Australia) replied that the horizontal equalization programme was used for a wide purpose. It had been used since 1933 and it was aspirational. It was not perfect but it was an attempt to ensure that all Australians had a fair access to services.

Mohammad Asghar (Oscar), AM (Wales) said that Wales was becoming more devolved and that PPP had been tried. Wales was semi-independent from the United Kingdom and there was an aim to bring justice closer to the people. Welsh law was being consolidated to create a greater identity for Wales. He asked about the disparity between legal systems in the Commonwealth and asked whether the systems should be brought closer together.

Hon. Angelo Farrugia, MP, Speaker of Parliament (Malta) pointed out that this had been dealt with in the CPA Small Branches Conference and that Small Branches can have useful experience in infrastructure and this can be shared successfully. He said that Branches can learn from each other and he gave as an example the modernization of the power station and building a new Parliament House in Malta, which had maximized European Union funding mechanisms.

Charles Chauvel (UNDP) said that the Commonwealth was the only organization other than the United Nations with such a variety of countries. There was a powerful opportunity to use the Commonwealth to organize the recipients' voices collectively. This was enabling the partnership of nations with donors acting in concert with recipients. Members of Parliament needed to stand up and speak about the organization of aid through oversight committees and other mechanisms.

Hon. Patrick Nsamba, MP (Uganda) agreed that recipients



needed a better say in what was done and what was needed to be done but the reality of the situation was that many recipients at present could not do this.

Hon. Dr Sorefan Mohamud Raffick, MP (Mauritius) noted that there was give and take in aid. Sometimes there were onerous conditions which were to the advantage of donors. He noted that India had given a large loan to Mauritius without conditions.

Mohammad Asghar (Oscar), AM (Wales) asked to what extent the CPA agreed that there was a need for legal coordination?

Moderator Hon. Lim Biow Chuan MP (Singapore) said that there was a wide variety of challenges because of the difference in conditions in various member countries. The discussion was aimed at helping to create awareness of the scope for exchanging ideas.

Hon. Fa'aulusau Rosa Duffy-Stowers, MP (Samoa) thought that it was interesting to hear about donor funding. She asked whether Parliamentarians could find out where aid was coming from and what it was for? Would the UNDP be able to identify problems which arose to enable Parliamentarians to scrutinize issues?

Charles Chauvel (UNDP) replied that it was essential for Members of Parliament to know how aid was being spent in their own countries. If that did not happen it was a problem with the national Parliament. Government should publish what it gets paid in aid. It was important that the budget should include all sources of finance.

Hon. Sussana Rebecca Tsebe Dantjie, MP (North West Provincial Legislature, South Africa) thought that it was necessary to note the conditions attached to aid by some donors. Power relations were important.

Charles Chauvel (UNDP) commented that it should not be assumed that donor partners were always powerful. They were sometimes required to spend the money and usually development partners were inclined to negotiate. Recipient nations should take advantage of this where possible.

The four recommendations at the workshop were endorsed as follows:

- **Parliaments must ensure that governments enhance the policy and regulatory framework for market-led growth, whilst strengthening the financial sector to expand and better manage infrastructure.**
- **Small jurisdictions with limited funding and resources must be strategic, creative and competitive in addressing their unique logistic and infrastructure challenges.**
- **Knowledge and good practice sharing by Commonwealth parliaments at national and sub-national levels should wherever practicable be facilitated to help overcome resource gaps.**
- **The CPA should facilitate better knowledge sharing between Branches and be an advocate for better coordination of assistance from development partners to its Members.**



**63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh
1 to 8 November 2017**

Conference Workshop F - 6 November 2017

CPA BENCHMARKS FOR DEMOCRATIC LEGISLATURES: PROGRESS IN THE PAST 10 YEARS



Moderator:
**Senator Binta Masi Garba
(Nigeria)**

Discussion Leaders:

- Mr Chris Steel, MLA (Australian Capital Territory)
- Hon. Zairil Khir Johari, MP (Malaysia)
- Hon. Thomas Mulcair, MP (Canada)
- Mr Anthony Smith (Westminster Foundation for Democracy)

Rapporteur:
**Mr Todd Buttsworth
(Tasmania)**

Delegates in the conference workshop discussed the CPA's 'Recommended Benchmarks for Democratic Legislatures' ('the Benchmarks') developed by the Commonwealth Parliamentary Association in 2006.

The benchmarks were developed and drafted by a Study Group of CPA Parliamentarians representing the nine different Commonwealth Regions with support provided by the World Bank Institute and the United Nations Development Programme.

The benchmarks are intended to be a guide for Parliaments and Legislatures to undertake self-assessments based upon a Commonwealth standard designed to specifically help institutions identify improved ways to function effectively and strengthen their democratic performance.

Discussion leaders from Australia, Canada and Malaysia discussed their perspectives and experiences of using the CPA Benchmarks to conduct self-assessments of their institutions. The workshop also heard from an expert in international affairs and development discuss the value of the benchmarks for both individual

jurisdictions and for achieving international goals.

Outside expert, Mr Anthony Smith of the Westminster Foundation for Democracy (WFD) spoke to the development of the benchmarks. The CPA Benchmarks were developed to provide minimum standards of how Parliaments should act, behave and function to be met by all Commonwealth Parliaments. The benchmarks cover a wide-range of areas including elections, parliamentary procedure, constituent representation, accessibility (by both the public and the press), diplomacy, ethical governance and parliamentary staff.

He stressed the importance of ensuring that the benchmarks are regularly updated. The benchmarks had been recently updated to address some technical issues, language hindrances and requirements that are not working in some jurisdictions. Regular revisiting of the benchmarks will ensure that they work at their best and are relevant to all jurisdictions.

Mr Anthony Smith also spoke to how the use of the CPA Benchmarks can assist in progressing the United Nations

Sustainable Development Goals, specifically Sustainable Development Goal 16 (SDG 16): 'Peace, Justice and Strong Institutions'. He argued that whilst the goal did not specifically state the word 'Parliaments', the institution was implied as the outcome sought is to "build effective, accountable and inclusive institutions at all levels" and that this cannot be achieved without our Parliaments being strong, functioning and transparent institutions of democracy.

Discussion leader, Mr Chris Steel, MLA (Australian Capital Territory) discussed the use of CPA Benchmarks by Parliaments to conduct self-assessment. He promoted the use of self-assessments by Parliaments to demonstrate their performance and to highlight areas in which the organisation can improve.

Mr Steel discussed how his jurisdiction, the Australian Capital Territory Legislative Assembly, had utilised the benchmarks to conduct a self-assessment of their institution. In doing so, the ACT Legislative Assembly became one of the first legislatures to use the benchmarks to perform such an assessment.

Whilst the ACT Legislative Assembly managed to achieve a very good score of A minus, he noted that the use of the assessment had discovered areas in which the Legislature was lacking. The Legislature did fail in some areas, including the absence of a Code of Conduct for all staff.

Hon. Zairil Khir Johari, MP (Malaysia) discussed how the benchmarks allow for comparison between legislatures. He outlined the experience of the Parliament of Malaysia. As it is a younger Parliament compared to other jurisdictions, it was still in its formative stage and he highlighted that in 2008, for the first time, the Government did not have a two-thirds majority. He argued that the Parliament of Malaysia utilises the benchmarks for self-assessment and whilst they may not be at 100% performance, they are performing well.

Outcomes from their self-assessment have been:

- Shortened duration for the notice of submitted questions from 14 days to 10 days.
- Establishment of a Special Chamber for dealing with

urgent public matters.

- Introducing the permission for questions to be submitted with a days' notice for Ministerial Questions.

Hon. Thomas Mulcair, MP (Canada) discussed how the CPA Benchmarks are a positive process for Parliaments. He argued that the benchmarks are not about shaming Parliaments as there is no grading system. The benchmarks allow Parliaments to take into account their own culture and history in development points to improve upon their processes.

He argued that there is significant value in utilising external parties, including academic and independent parties, to conduct and assist in assessments as an individual can never be truly objective in regards to themselves as is true for an organisation. The inclusion of the input of external groups also adds to the confidence in the assessment.

He provided an overview of when the Canadian House of Commons and Senate undertook a self-assessment utilising the benchmarks and that where they achieved less than full compliance

provided a checklist for reform. A number of delegates participated in the discussion that took place following the presentations by the discussion leaders. Participants discussed their experiences and challenges using the benchmarks in their own jurisdictions.

The workshop delegates as a whole were strongly in favour of the use of the CPA Benchmarks by Parliaments to conduct self-assessments, however there was some disagreement as to what methods should be used.

The discussions centred on the use of external persons and organisations to provide objective assistance and input as part of the assessment, as was suggested by one of the discussion leaders. A number of delegates expressed concern that the inclusion of third parties may infringe upon a Parliament's sovereignty.

However as Hon. Thomas Mulcair, MP stressed, such use is only to occur 'where relevant' and should not be taken as mandatory. This discussion demonstrated the theme which was present throughout the presentations - the importance of ensuring that the benchmarks are flexible enough

to be culturally relevant to each institution. The four recommendations at the workshop were endorsed as follows:

- Branch President/ Clerks to assess their legislatures against the CPA Benchmarks to identify improvements and enhancements and to report on progress at future conferences.
- Where relevant, citizens, civil society and academia should be consulted when Parliaments conduct self-assessments with the CPA Benchmarks to promote transparency and accountability.
- Parliaments should use the updated CPA Benchmarks on Democratic Legislatures as a tool to ensure their contribution to SDG 16 (on inclusive and accountable governance).
- To conduct a regular meeting to review and enhance the CPA Benchmarks to suit the current developments.



**63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh
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Conference Workshop G - 6 November 2017

**GIVING VOICE TO THE YOUTH:
MECHANISMS FOR ENSURING EFFECTIVE
PARTICIPATION OF YOUTH IN THE GOVERNANCE PROCESS**



Moderator:

Hon. Juan Watterson,
SHK, Speaker of the
House of Keys (Isle of
Man)

Discussion Leaders:

- Hon. Dr Tulia Ackson
Mwansasu, MP,
Deputy Speaker
(Tanzania)
- Hon. Smt Sumitra
Mahajan, Speaker
of Lok Sabha (India
Union)
- Hon. Kazi Nabil
Ahmed, MP
(Bangladesh)

Rapporteur:

Mr Al Davies (Wales)

Delegates gathered for this workshop in which stimulating presentations and a vibrant discussion focused on the importance of giving a voice to the youth and the mechanisms for ensuring the effective participation of youth in the governance process.

The discussion leaders began the session with formal presentations outlining the current situation in relation to engaging young people in the democratic process in their respective jurisdictions of Tanzania, India and Bangladesh.

Hon. Dr Tulia Ackson Mwansasu, MP (Tanzania) opened the workshop proceedings by posing, for consideration, the question as to what constituted 'youth' and that the definition of this demographic varied greatly, both internationally and across the Commonwealth.

The UN, for instance, defined this for people within the 14-25 age range whilst in Africa alone the definition was as young as 12 (Botswana) and as old as 35 in several countries where the voting/majority age ranged from 18-21. It was stressed that the thinking about the youth being the leaders of tomorrow had to change and that the young had too much to offer not to be thought of, and to have the opportunities to be the leaders of today! Young people offered the

societies they lived in innovation, creativity and new thinking. Their participation in decision-making promoted active citizenship, strengthened social responsibility and enhanced the strength and credibility of democratic processes and institutions.

The youth could learn much from the women's movement. Women were now largely engaged in all decision making and this was of course to be welcomed – now was the time to ensure that young people also were fully engaged and represented in decision-making positions in Parliament.

Much was made of the great importance of good governance, and that inexperience could be a barrier to this; however the youth of today were more than capable of executing and considering the importance of effective governance. Hon. Dr Tulia Ackson Mwansasu, MP argued that given that young people (particularly within the African continent) made up the majority of the population, it was imperative that their voices be heard so that they had a stake in their country's future. She closed her presentation by congratulating Jacinda Ardern who had recently been elected as the Prime Minister of New Zealand. At the age of 37, she was one of the world's youngest leaders, the youngest female head of government and

was an inspirational role model for the young people of today.

Hon. Smt Sumitra Mahajan, Speaker of Lok Sabha (India Union) suggested that the effective participation of young people needed to happen in an organic manner by ensuring the facilitation of practices that would lead to the natural outcome of developing young people into capable Parliamentarians.

It was imperative that young people be aware of and fully familiarise themselves with the reality of 'life on the ground' within the country and the communities they wished to represent. All citizens should explore their own culture and challenges before embarking on a parliamentary career.

Reference was made to the great Mahatma Gandhi who, having returned from South Africa as a young man, asked to tour India to enrich his understanding of his own people.

Hon. Smt Sumitra Mahajan discussed how human life was considered in India in four main stages and that young people should be nurtured appropriately. It was noted that up to 65% of Indians were under 35 years old. The workshop delegates were given an insight into the numerous positive measures undertaken in India to encourage youth participation through grassroots development in order



to promote and enrich young people's lives which included a National Youth Day. Government endorsed youth programmes on both a local and national level to ensure young people were economically empowered. The recently launched 'Speakers Fellowship Programme' in the Parliament of India had led to over 100 interns in Parliaments across India. Making the election process more attractive was important in order to encourage the active participation of young people and the CPA had a role to play in the sharing of best practice across the Commonwealth.

Hon. Kazi Nabil Ahmed, MP (Bangladesh) discussed the notion that we live in a changing and unpredictable world. Who could really have foreseen the election of US President Donald Trump and the people of the United Kingdom deciding to leave the European Union?

Brexit could be used as a good

example of the importance of youth participation in the democratic process – many had suggested that the referendum result had prompted a sense of 'buyer's remorse'; whereby the future interests of the youth had been 'sold out' and that there was now a high price to pay by the youth for a decision made by the older generation.

The USA was used as an example of a country which could be seen to have inconsistent values when it came to age – with very different restrictions in place for being able to purchase firearms, alcohol or vote in elections.

It was considered important that young people be interested in, and allowed to develop, participation in all aspects of governance; such as the judiciary and civil service etc. as well as in Parliament.

The election of a new 37 year old Prime Minister in New Zealand had been discussed; however this was not an isolated phenomenon – there were examples of new and

dynamic young political leaders to be seen internationally in many countries, including in Austria, Canada and France.

Hon. Kazi Nabil Ahmed, MP quoted George Bernard Shaw by saying that "Youth is wasted on the young." He also posed the question that perhaps, rather than the sole focus being on older people deciding at what age it be appropriate for young people to vote – that maybe it was also timely for young people to have a say on at what the maximum age of voting should be too?

Workshop delegates heard from two young people from Bangladesh - Shahrina Tanjin Areni and Tahseen Lubaba - who had participated in the Youth Roundtable at the 63rd CPC earlier in the day and spoke passionately about the need to engage and encourage young people's participation through numerous measures including:

- quotas of young people both

on a party basis and at a legislature level.

- encouraging the participation of young people not to be restricted to 'youth issues' but to full engagement on all global issues.
- analysis of data to identify the best international practices of youth engagement throughout the Commonwealth to share with different jurisdictions.
- to consider and address barriers preventing political and parliamentary participation by young people, such as offering training to develop the necessary skills through apprenticeships and civic education in schools.
- ensuring youth representation on all statutory bodies.
- promoting youth participation through digital democracy and social media.



Workshop Moderator, Speaker Juan Watterson, SHK (Isle of Man) opened the floor to questions and comments.

Hon. H. N. Dixit, MP, Speaker of the Legislative Assembly (Uttar Pradesh, India) stated that India had enacted effective legislation to support its 15-24 age group and that this had resulted in tangible outcomes, which could be seen in the young people coming through as elected representatives in Parliament.

Hon. Nontembeko Nothemba Boyce, MP (KwaZulu-Natal, South Africa) made the observation that in South Africa, the age at which people were eligible to vote was the same as it was to stand for political office; however this was rarely reflected in reality.

Hon. Byron Camilleri, MP (Malta) cited his country of Malta as an exemplar of youth participation working – indeed all three of the Maltese delegates present in the workshop were under 35 years of age. Hon. Joseph Muscat, MP had served as the Prime Minister of Malta since 2013 and was considered a role model for young people. There were many young representatives in Parliament and their election was not seen as surprising but rather in response to initiatives such as the youth wings of political parties. The voting age for local councils was 16 and the country was now assessing whether this should also be the age at which people should be able to stand. Consideration was also being taken for lowering the voting age for EU and national elections from 18 to 16 year old.

Hon. Santaram Baboo, MP (Mauritius) stated that political conditions in many countries were not necessarily conducive for promoting youth participation in the governance process and that education was the foundation and the way forward to address this.

Md Mahub Ali, MP (Bangladesh) questioned what mechanisms there were to ensure

that the youth be reached and suggested that this could be achieved by working with sports academies – cricket for instance.

Hon. Haskins Ngaigwa, MP (Botswana) suggested that if we were serious about demonstrating interest in promoting youth into the democratic structures that use the 'First Past the Post' electoral system, then this should be looked at, as this was a barrier to participation. It was extremely difficult for young Parliamentarians to compete with politicians who had been well established for numerous electoral terms. Quotas would therefore be welcomed in developing a youth presence in Parliaments and giving a fairer chance to young people to enter Parliament.

Hon. Dr Pramod Sawant, Speaker of the Legislative Assembly (Goa, India) spoke of the need for education to focus on appropriate training for young people and that this needed to be gender sensitive. He suggested that the CPA had a role in identifying best practice and that a uniformed approach should be adopted across the Commonwealth.

Hon. Kerry Finch, MLC (Tasmania, Australia) stated that he had been inspired by these discussions. Positive measures had been taken in his legislature of Tasmania, such as a youth parliament; however he was also concerned that this good work could be lost unless the 'old guard' were aware of the new generation coming through and shaking up the established parliamentary system.

Miss Clare Bettison, MHK (Isle of Man) suggested that the way to know what young people want was to ask them! The voting age needed to be addressed – it was noted that here in Bangladesh, for instance, young people able to vote at 18 were, under its constitution, not eligible to stand for election until they were 25

years of age. The idea of quotas could be seen as attractive but should be approached with caution and were unlikely to prove an effective long term solution in attracting a target audience.

Workshop Moderator, Speaker Juan Watterson, SHK (Isle of Man) wished to note for the record the very positive work that the Commonwealth Parliamentary Association itself was doing to promote the participation of young people in the democratic process. The Commonwealth Youth Parliament for example was an excellent programme to encourage youth participation across the Commonwealth and it was something that Speaker Watterson had himself benefitted from attending in the past as a youth Parliamentarian. Speaker Watterson encouraged delegates to spread the word about the CPA's Commonwealth Youth Parliament and other positive youth-focused programmes within their respective legislatures.

The workshop discussion leaders offered a round of final comments in response to the workshop discussions. These included:

- That, where practical, young people should take advantage of the opportunity to meet with their peers to learn of different experiences, perspectives and best practice across the Commonwealth.
- Responsibility should also be shared by the young people themselves.
- It was good for those interested in a career as a Parliamentarian to be able to start early. However, young people should also consider the challenges that this might pose - such as having to sacrifice a university education - and also of having to consider that a career in politics could often be a short one 'voted in today, out tomorrow' with no

guarantees offered of a long-term position.

The last word of the workshop went to Hon. Kazi Nabil Ahmed, MP from the conference host Parliament of Bangladesh who reaffirmed that the *"The only debt we should leave to next generation is a debt of gratitude."*

The following five recommendations were endorsed by the workshop delegates. Recommendations four and five were presented by the two young people from Bangladesh as an outcome of the Youth Roundtable event at the conference:

- **Parliaments must ensure that the youth Parliamentarians are given a voice in all parliamentary, national, regional and international representative bodies.**
- **Parliament needs to give a voice to the youth by making sure the policies close to their hearts are actively considered.**
- **Parliaments and Parliamentarians should ceaselessly endeavour to ensure the mainstreaming of the youth in governance and nation building so as to equip and empower them to shape the destinies of democracies the world over.**
- **Introduction of youth quotas in Parliament and youth quotas at the party level in the case of choosing candidates.**
- **Youth must be mentored through internships and apprenticeships in statutory bodies and parliamentary functions should be taught within mainstream education.**

63rd COMMONWEALTH PARLIAMENTARY CONFERENCE Dhaka, Bangladesh 1 to 8 November 2017

Conference Workshop H - 6 November 2017

WHAT FACTORS FUEL THE RISE OF DIFFERENT KINDS OF NATIONALISM?

**Moderator/Discussion
Leader: Hon. James
Dornan, MSP (Scotland)**

**Rapporteur:
Mr Jeffrey Joswa
(Zambia)**

Hon. James Dornan, MSP (Scotland), acting as both Moderator and discussion leader (due to a Member's, sudden illness) suggested to the workshop delegates that before they could start discussing factors that fuel the rise of different kinds of nationalism, there was need to talk about different types of nationalism.

He informed the workshop that there could be both positive and negative nationalism. He went on further describing nationalism as something that stems from internal or external forces pressuring unity and cohesion among native individuals of societies. This in turn produces wide-ranging effects from a distinct but peaceful nationalism and national identity to mobilization from warfare and hostility towards a certain group. Furthermore, Hon. James Dornan, MSP was quick to inform the meeting that for the purpose of this discussion he would confine himself to two types of nationalism namely; civic and ethnic or patriotism.

Workshop delegates were informed on one hand that civic nationalism implied people considering the wellbeing of the nation to be more important. Hon. James Dornan, MSP quoted US President John F. Kennedy who said, *"Ask not what your country can do for you; instead ask what you can do for your country."*

Civic nationalism is also exemplified in both the American

and French revolutions. This was democratic in that it took into account the wellbeing of the citizens of both countries and hence civic nationalism. This can further be exemplified in the civic movement of 1966 in the USA.

On the other hand ethnic or patriotic nationalism emphasizes common roots, common inheritance and other things that are of ethnic orientation. It defends cultural, religious and other practices that bring about ethnic unity or patriotism.

Hon. James Dornan, MSP was able to exemplify the concept of nationalism by an instance of Africa. He said nationalism with regards to Africa is the protection of Africa's social, economic and political activities from foreign influence. This is where Africa seeks to control its own affairs and expresses its nationalism by protecting its resources. He gave examples where Africans were displaced in countries like Zimbabwe, Kenya, Tanzania, South Africa and many African countries by European settlers. This caused the destruction of African culture, hunger and other forms of oppression and that brought about the need to seek political freedom and self-determination.

He further contrasted civic and ethnic nationalism by underscoring the fact that civic nationalism emphasizes law, choice, unity of consent, democratic pluralism and liberty. On the other hand, ethnic nationalism emphasizes common

roots, inheritance, emotional attachment, ethnic majority rule of which individuals create nationals. Of the two, civic nationalism is a more realistic in terms of belonging.

Hon. James Dornan, MSP then delved into factors that fuel the rise of different kinds of nationalisms. In the context of Africa, he pointed out some of the factors that created an environment such as education. The few educated Africans then became the leaders of a number of African countries. The leaders played a pivotal role in the mobilization of fellow Africans to seek independence. This move exhibited the spirit of nationalism both from a civic and ethnic perspective. Hon. James Dornan, MSP also highlighted the rise in Scottish nationalism as another example.

He concluded his presentation to the workshop delegates with three things that he felt underpins nationalism and these include among others: self-determination, religion and historical ill treatment which brought about a feeling of being ignored.

Lord Davies of Stamford (United Kingdom) informed the workshop that from the discussion he was able to bring in the aspect of patriotism as a form of nationalism. He, however, contrasted patriotism with nationalism by indicating that nationalism may imply persons that are protecting the common good of all for the sake of the nation whilst patriotism may imply a person or a group of persons that protect the interest of an ethnic group.





Hon. Santosh Kalyan, MP (South Africa) questioned whether there is such a thing as good or bad nationalism. However, Hon. James Dorman, MSP clarified that as long as you can differentiate between the two there is a possibility of nationalism being either good or bad.

Hon. Tenzing Norbu Thongdok, MLA, Speaker of the Legislative Assembly (Arunachal Pradesh, India) questioned as to what can be done to solve the issue of Al-Shabaab (militant group), a Somalia-based militant Islamist group aligned with Al-Qaeda.

Hon. Fazilatun Nasa Bappy, MP (Bangladesh) raised a concern relating to the issue of the Rohingya people of Myanmar who has fled to Bangladesh. She particularly wanted to find out what could be done about them in light of their suffering from a terrible ethnic cleansing. She noted that this matter was raised even during the 137th Inter-Parliamentary Union (IPU) Assembly which was held in St. Petersburg in Russia. She informed the workshop delegates of the IPU resolution adopted by the 137th Assembly on 'Ending the human crisis, persecution and violent attacks on the Rohingyas as a threat to international peace and security and ensuring their unconditional and safe return to their homeland in Myanmar.'

Hon. Paul Teboho Lehloeny, MP (Lesotho) pointed out that good nationalism refers to patriotism whilst bad nationalism can be likened to what is currently happening in Myanmar State with the issue of the Rohingya people. He went on to seek clarification on the categorization of what is happening in Myanmar with the Rohingya people whether that is apartheid which was experienced in other parts of the world.

Hon. David Davies, MP (Victoria, Australia) drew the attention of the workshop into considering the economic effect that nationalism has on a given nation. He informed

delegates of the negative effect that nationalism has when mishandled. Further, he informed the workshop that nationalism when used for selfish motives can have its negative repercussions on both the economy and the nation therein.

Senator Susan Lines attending the conference as an observer (Australia Federal) pointed out that the existence of inequalities in society also fuels various forms of nationalism. She observed that if we all embrace the values of democracy we can stand against the various negative effects of nationalism.

Hon. Vijay Kumar Chaudhary, MLA, Speaker of the Legislative Assembly (Bihar, India) on the other hand observed that there is neither bad nor good nationalism from the Indian perspective. He pointed out that nationalism is a concept that involves one's development of integrity and patriotism. He likened the subject of discussion to discussing good or bad terrorism and therefore emphasized that there is no good terrorism but good nationalism.

Hon. Joseph Banadzem, MP (Cameroon) observed that having listened to the previous delegates in the workshop, he was quick to mention that nationalism affects several aspects of the economy and the general governance of a nation. He stated that the issue of nationalism culminates in poorer economies especially among developing nations. He further posed the question regarding what CPA can do in influencing the management of resources of the various member states in order that there is no rise of negative nationalism.

Hon. James Dorman, MSP suggested that there is a lot that CPA needed to do in order to achieve the much needed desire as expressed in the previous question. One way through which CPA can help member states is through engaging heads of states and governments in their policy



formulation and implementation. This can be achieved through the creation of an enabling environment that will enable member states to interact and exchange views regarding issues of governance and accountability among others.

Hon. Roopa Ganguly, MP (India Union) informed the workshop that nationalism from India is a feeling. She further pointed out that people can define nationalism in different ways and expressions. She likened nationalism to a feeling that one has when he or she was away from their country and are now back. That feeling expresses both civic and ethnic elements of nationalism.

Hon. Phoebe Noxolo Abraham Ntantiso, MP (Eastern Cape, South Africa) agreed with the delegate from Cameroon and emphasized that in this international space we need each other. The Member further informed the meeting that nationalism underpins freedom and in the absence of freedom there is no nationalism. The issue of nationalism encapsulates many issues such as gender and equality to mention but a few.

Hon. Margaret Quirk, MLA (Western Australia) shared with delegates the idea of identity. She was quick to point out that identity brings about a sense of belonging and oneness. She cited the case of the Rohingya and observed that denying someone of their sense of identity is such a devastating thing.

Hon. Jennifer Rankine, MP (South Australia) observed

that the term nationalism has different definitions depending on the background and history of individuals, ethnic groups and nations. This is clear even from a global perspective as highlighted by previous delegates in this workshop.

Hon. Bintu Lukumu Ngonzi Abwoli Jalia, MP (Uganda) informed the meeting that they were inspired by the topic of discussion to think on the contrary about factors that fuel the decline of nationalism.

In summary, delegates at the workshop noted that nationalism could arise at personal, ethnic or national levels. Secondly, delegates stated that there were two types of nationalism; civic and ethnic. They also observed that nationalism could have the positive effect of igniting economic, political and social emancipation. To this end, the delegates noted that when unity is embraced, nationalism can be a tool that can be used to promote national growth and good neighbourliness, thereby strengthening the international community.

The workshop *endorsed* the following recommendation unanimously:

- This CPC workshop recognizes that different factors, history, political systems and geography can influence different types of nationalism across different countries of the world.

Significance of the Commonwealth in 21st century highlighted at first Asia Region Commonwealth Parliamentary Association Lecture

Professor Dr Gowher Rizvi, International Affairs Advisor to the Prime Minister of Bangladesh highlighted the significant role that the Commonwealth has played in international affairs at the first Asia Region Commonwealth Parliamentary Association Lecture which took place in the margins of the 63rd Commonwealth Parliamentary Conference (CPC) in Dhaka, Bangladesh.

Professor Rizvi spoke of the Commonwealth's enduring political values that bring challenges and opportunities for Commonwealth Parliamentarians. Professor Rizvi is a Bangladeshi historian, scholar and academic and he has taught at several British and American universities, including Oxford University, the University of Warwick, Harvard Kennedy School and the University of Virginia. His many publications cover the disciplines of history, international relations, and public policy.

The CPA President and Chairperson of the CPA International Executive Committee, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of the Parliament of Bangladesh introduced the guest speaker and chaired the Q&A



session afterwards. The Commonwealth Parliamentary Association Lecture was attended by over 100 guests including Members of Parliament, parliamentary staff, members of the diplomatic corps and representatives of many international organisations.

The Secretary-General of the Commonwealth Parliamentary Association, Mr Akbar Khan also attended the lecture and said: "The Commonwealth Parliamentary Association Lecture Series offers CPA Members a

unique opportunity to hear from distinguished Parliamentarians and experts in the field, who have made an outstanding contribution to their nation's democracy and to the institution of Parliament. Collectively, this series of lectures will contribute not only to the CPA's continuing dialogue within its membership, but also to reach out beyond to other stakeholders such as members of the international community, the diplomatic corps, civil society and the wider public."

The CPA Lecture for the Asia Region will be available to view on the CPA YouTube channel www.cpahq.org/cpahq/youtube.



Links from the 63rd Commonwealth Parliamentary Conference: CPA Flickr Images Albums: For images of the 63rd Commonwealth Parliamentary Conference please visit: www.cpahq.org/cpahq/flickr.



Equal representation for women in Parliaments and gender empowerment focus for Commonwealth Women Parliamentarians at 63rd Commonwealth Parliamentary Conference

The Commonwealth Women Parliamentarians (CWP) network meeting at the 63rd Commonwealth Parliamentary Conference in Dhaka, Bangladesh have focused on the equal representation for women in Parliaments and gender empowerment.

The annual CPA conference hosted the meeting of the CWP Steering Committee chaired by the CWP Chairperson, Hon. Dr Noraini Ahmad, MP (Malaysia) and attended by the CWP President, Hon. Sagufta Yasmin, MP (Bangladesh) and representatives from the CPA Regions: CWP Africa Region – Hon. Thoko Didiza, MP (South Africa); CWP Australia Region – Hon. Jennifer Aitchison, MP (New South Wales); CWP BIM Region – Hon. Samantha Sacramento, MP (Gibraltar); CWP Caribbean, Americas and Atlantic Region – Hon. Shirley Osborne, MLA (Montserrat); CWP Canada Region – Hon. Yasmin Ratansi, MP (Canada); CWP South East Asia Region – Hon. Datuk Hajah Normala bintj Abdul Samad, MP (Malaysia); and CWP Pacific Region and CWP Vice-Chairperson – Hon. Poto Williams, MP (New Zealand).

At the subsequent CWP Business meeting attended by nearly 100 women Parliamentarians from across the Commonwealth, the CWP Chairperson presented the CWP Strategic Plan 2017-2019 on gender equality which outlines the work of the CWP.

This was followed by the CWP gender workshop which was held on the topic of: If we want genuine positive change in the world, we need more women leaders. How can we persuade the world that the future is dependent on gender equality? The CWP workshop discussed how a society with greater equality of opportunity is a more economically dynamic society. It was noted that this needs to be more widely known, with more data collection and



sharing. Societies benefit from equality of opportunity and the focus should be on 'preaching to the convertible'. Some delegates referred to young males as those who might most benefit from engagement on this topic. It was highlighted that girls and young women most need mentors. Successful female legislators have a responsibility to be visible and to make themselves available to those would benefit from their experiences.

In a first for the CWP, a discussion was held at the 63rd CPC on the role of male Parliamentarians in championing gender equality which was attended by both male and female Parliamentarians at the conference. The discussion covered a wide range of views and experiences from different jurisdictions.

The recommendations from the CWP gender workshop and the discussion on male champions were included in the overall Conference Concluding Statement for the 63rd CPC at www.cpahq.org/cpahq/cpc2017concludingstatement.



63rd COMMONWEALTH PARLIAMENTARY CONFERENCE Dhaka, Bangladesh 1 to 8 November 2017

Commonwealth Women Parliamentarians: Gender session - 6 November 2017



IF WE WANT GENUINE POSITIVE CHANGE IN THE WORLD, WE NEED MORE WOMEN LEADERS. HOW CAN WE PERSUADE THE WORLD THAT THE FUTURE IS DEPENDENT ON GENDER EQUALITY?

Moderator:
Hon. Dato' Dr Noraini
Ahmad, MP (Malaysia),
Commonwealth Women
Parliamentarians
Chairperson

Discussion Leaders:

- Hon. Sagufta Yasmin, MP (Bangladesh), Commonwealth Women Parliamentarians President
- Hon. Kezia Purick, MLA, Speaker of the Legislative Assembly (Northern Territory)
- Hon. Meenakshi Lekhi, MP (India)
- Ms Shoko Ishikawa (UN Women)

Rapporteur:
Mr Peter McGrath
(Scotland)

This workshop for the Commonwealth Women Parliamentarians (CWP) network discussed how a society with greater equality of opportunity is a more economically dynamic society. It was noted that this needs to be more widely known, with more data collection and sharing. Societies benefit from equality of opportunity and the focus should be on 'preaching to the convertible'. Some delegates referred to young males as those who might most benefit from engagement on this topic.

It was highlighted that girls and young women usually most need mentors. Successful female legislators have a responsibility to be visible and to make themselves available to those would benefit from their experiences.

Equality of opportunity is not equality of outcome. Some delegates referred to 'gender equity' as the goal. In terms of parliamentary representation, there should be as much attention to women being in leadership positions and positions of influence where they can help determine the policy agenda as on the actual numbers of women Members.

The cultural context is fundamental but in many jurisdictions with high levels of female representation in public

and parliamentary life, it is often legislation that has given the crucial 'nudge' towards gender equality.

Hon. Sagufta Yasmin, MP (Bangladesh) Commonwealth Women Parliamentarians President opened the discussion. Gender equality, she said, means a greater and more diverse use of human capital: a gender-neutral economy is more dynamic and sustainable. She talked of the importance of gathering and sharing data that shows how society as a whole benefits when there is greater gender equality. There is an evidenced correlation between getting more women into work and increased GDP. Economically marginalised women, many of whom, she said, are naturally entrepreneurial, need to be brought into the mainstream.

Hon. Sagufta Yasmin, MP said that examples speak louder than words. Young women and girls need female role models to help give them courage. Bangladesh provides such strong role models in its political leadership. Legal and policy reform can also provide the necessary 'fast push' to break the status quo. For instance, a change in the law had helped to increase the number of female lawmakers tenfold in Bangladesh since 2001. Political parties too must be agents for change.

Hon. Kezia Purick, MLA, Speaker of the Legislative Assembly (Northern Territory) said it was her starting point that women and men are equal and must be viewed as equal. 'Equal' does not mean 'same'. Coming from an ordinary stable, middle-class family, she and her siblings had enjoyed good healthcare and education and all of them (boys and girls) been encouraged to live up to their potential. However, for many girls growing up in Australia and around the world, there would be nothing 'ordinary' about such an upbringing.

Hon. Kezia Purick, MLA explained that in Australia, males and females share broadly similar outcomes in health and education. But in many other areas – pay, leadership, economic security and representation in Parliament – women continue to lag behind men. There is an economic and political gap. It is still assumed that it is women's role to be carers, and this helps explain why the gap stubbornly persists.

Closing the gender gap in politics requires an attitudinal shift. More women must be selected for winnable seats. Mentorship is also crucial. Sometimes it simply means opening women's and girl's eyes to what their options are. Where necessary, there



should be legislative interventions: for instance to stipulate minimum female membership of public boards. As for the media, it should be viewed as a partner, not as 'the enemy'. But there is a need to take it on where, as it often does in Australia, it perpetuates negative stereotypes and focuses on the trivial (for instance an obsession with the image and fashion choices of female politicians). Stereotypes are made by people, she said, so they can be changed.

Hon. Meenakshi Lekhi, MP (India) noted the persistence of patriarchal attitudes in many parts of the world. The Nordic countries, she said, serve as an example to the rest of us: an example it would pay to study. In India, concrete benefits have been achieved through constitutional changes. The 74th and 75th amendments have led to a far more proportionate gender balance in local government and party candidatures. Legal interventions therefore have a definite role.

Hon. Meenakshi Lekhi, MP called for a pragmatic and targeted approach to achieving gender equality. Some people are not interested in being persuaded,

whilst others (most young women, for example) are already converted to the cause. The focus on winning hearts and minds, she suggested, should be especially on young men. There should be a data-driven approach to picking strategies shown to be effective in changing mind-sets.

She described negative media stereotypes about female politicians as a pervasive problem in India. It is common for male candidates in elections to play along, using the media to denigrate their female opponents not for their ideas, their work-rate, or what they have done for their constituents, but for their image.

Ms Shoko Ishikawa (UN Women) said that female empowerment means, in the first place, recognising the dignity and worth of all women, and enabling them to achieve their potential whatever their role in life. Advancing gender equality is not just about having more high-profile female political and business leaders: it should start at the grassroots. For instance, working to give women greater access to agricultural resources not only reduces their economic

marginalisation, but measurably increases productivity overall. It is a fact that educated women have smaller families and better educated children. She said that it should be a priority to bring marginalised women into the policy-making process.

Ms Ishikawa said that politics demonstrably benefits from female involvement. For instance, there is a 20% increase in the probability of peace agreements holding if women are in leadership roles.

How do we make progress? First, she said, work to combat gender stereotypes. Many of these have been institutionalised, and written into laws. Here, MPs have an important role. There is also a need to address inequality practised in the news media. Only one in four people heard or read about in the media are women; around the same proportion of media managers are male. Measures are needed to bolster women's confidence as leaders, which is sometimes lacking. Women need mentors and role models.

The workshop discussion opened to contributions from delegates. Hon. Poto Williams, MP (New Zealand) said it was

important to get the language right, referring to gender 'equity' rather than 'neutrality' or 'equality' as the goal. This involves recognising that, all other things being equal, women will still not be truly equal. Equal representation for women in Parliament does not translate directly into equal outcomes for males and females.

Hon. Bernice Heloo, MP (Ghana) said it was the duty of women who had carved out a successful public role to be a mentor to the next generation. If every such woman did this, it could be potentially transformative. Female, male and societal attitudes should be dealt with in that order. The latter may mean taking on some traditional practices.

Hon. Sarah Adwoa Safo, MP (Ghana) referred to the need for legislative intervention, highlighting an affirmative action Bill currently being considered in Ghana. She said that it was time to shift from advocacy to pragmatism; to focus on making positive change. Political parties must be made into vehicles for change, particularly in candidate selection. She referred to the appalling treatment female politicians can sometimes receive

from traditional and social media. Ultimately, she said, women in public life need each other's support.

Hon. Butewa Tunyiswa, MP (Eastern Cape, South Africa) said that Heads of State must ratify the UN Convention on Non-Discrimination and that there should be a focus on using existing instruments to promote gender equality. Women must work within their own parties to change the culture.

Hon. Joanne Aiarc, MP (Rwanda) outlined how, in the years following the 1994 genocide, Rwanda had changed its political culture to such an extent that it now had the highest percentage of female legislators in the world, comprising 64% of the lower house. Elsewhere in public life, women are well-represented.

Hon. Nurjahan Begum, MP (Bangladesh) focussed on unpaid work. It is women who carry out the vast majority of unpaid work in the world, unseen and unrecognised. Until this changes, many women will remain economically and politically marginalised.

Hon. Bundu Songowa Hannah (Sierra Leone) sought clarification from the CWP as to its response



to a global report on countries holding elections in 2017-18 and its impact on gender representation.

Hon. Jenny Aitchison, MP (New South Wales, Australia) said that it was important for female Parliamentarians to seek out male colleagues in championing change. Male politicians are potential partners in fighting for gender equality but women should not be slow to call out disrespectful behaviour by their male colleagues.

Hon. Elizabeth Phiri, MP

(Zambia) said that there were no affirmative action laws in Zambia. It is only strong women who can thrive in Zambian politics. Electoral rules requiring a minimum level of education and for candidates to be able to finance their campaigns in effect amount to strong indirect discrimination against women in politics. She said it was crucial to move beyond just talking: we need workable solutions to the problem of gender inequality.

Hon. Mary Muyali Boya, MP (Cameroon) referred to the unrealised potential in many

countries of women encountering barriers to public and political life. She asked how the world could be convinced that everyone benefits from increased female participation.

Hon. Fa'aulusau Rosa Duffy-Stowers, MP (Samoa) clarified a point raised in the earlier discussion that it is now possible for women to become MPs in Samoa, provided their family bestow a title name on them.

The following three recommendations were *endorsed* by the workshop delegates:

- Using data driven strategies to increase women's political participation, allow women Parliamentarians to serve as role models, and better support policies that promote gender equality.
- Women are born equal and, to strive and achieve equity and equality, the playing field should be made even to enable and provide equal opportunities for all. Parliaments have a key role in how we make this happen.
- We ask world leaders to create a conducive environment in their countries for women to enter politics and positions of leadership to achieve the goal of gender equality.





CONTINUING TO ENHANCE
HIGH STANDARDS OF
PERFORMANCE OF
PARLIAMENTARIANS

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63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh - 1 to 8 November 2017

Continuing to enhance high standards of performance of Parliamentarians

Hosted by the CPA Bangladesh Branch and Parliament of
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Bangladesh Parliament





**63rd COMMONWEALTH PARLIAMENTARY CONFERENCE
Dhaka, Bangladesh
1 to 8 November 2017**

**Commonwealth Women Parliamentarians - 'Male Champions' session
6 November 2017**

**THE ROLE OF MALE PARLIAMENTARIANS
IN CHAMPIONING GENDER EQUALITY**

Moderator:
**Hon. Mutimura Zeno MP
(Rwanda)**

Discussion Leaders:

- **Hon. James Dornan, MSP (Scotland)**
- **Hon. Mataiasi Akauola Niumataiwalu, MP (Fiji)**

Rapporteur:
**Mr Peter McGrath
(Scotland)**

In a first for the Commonwealth Women Parliamentarians (CWP) at the CPA annual conference, a workshop session was held on the role of male Parliamentarians in championing gender equality.

The discussion leaders noted that self-sustaining patriarchal power relations have held back women from making progress in parliamentary representation. The problem is not just getting women into Parliament, but ensuring that they stay there. Male Parliamentarians have often been part of the problem.

In different parts of the Commonwealth, there are encouraging signs of change. As the two workshop discussion leaders illustrated, with for instance, male Parliamentarians adding their voice and political weight to what were seen as more typically 'female' campaigns, such as the eradication of male domestic abuse of women, or in taking concrete steps in male dominated legislatures to increase the participation and visibility of women in political and public life, through both legislative reform and practical measures.

Nonetheless, it was noted that there are still huge challenges. In particular, female Parliamentarians may face

scorn and disapproval in the mass media to an extent not experienced by their male counterparts. This is not an issue restricted only to a few parts of the Commonwealth - it is practically universal - and the rise in social media use has in some respects exacerbated these issues. The delegates noted that jurisdictions must consider practical examples of how this has been addressed and to see how they can be applied in different cultures and contexts.

In his opening remarks as Moderator, Hon. Mutimura Zeno MP (Rwanda) outlined three 'bottom line issues'. Firstly, that gender equality is an issue of basic human rights to which men are beholden; secondly, that countries that have made significant progress in gender equality (such as Rwanda) tend to be those for whom it is a constitutional issue; and thirdly, that for real advancement in gender equality there must be political will at the top.

Gender equality, he said, also makes economic sense. Former President Ellen Johnson Sirleaf of Liberia had described a country's failure to make use of the resources of the female half of the population as 'economic self-sabotage'.

Hon. James Dornan, MSP (Scotland) outlined the Scottish

Parliament's strong record in promoting gender equality. Equalities impact assessments are mainstreamed into most important aspects of the Parliament's scrutiny work. Strong female leadership in Scottish politics also serves as a strong example. Major challenges remain. Talented women must still endure scorn and disapproval and in a way that men typically do not; judged often on superficialities rather than on what they get done. Prejudiced views of women expressed in the media represent the perpetuation of outdated patriarchal views. It was his view that there was a need for more support for women in politics to ensure that when they enter political life they are encouraged to stay.

He said that sexual harassment allegations currently besetting UK politics are symptomatic of deeply ingrained cultural elements. A change in the culture is needed, and male politicians must make themselves prominently part of the solution. They should be visibly part of campaigns to address current and past injustices against women (for instance male domestic violence).

Hon. James Dornan, MSP said that achieving this cultural



change may mean male politicians sometimes losing out: losing a role to a woman where in the past it might have gone to them. Male politicians must accept this. He said his first lessons in politics had come from female family members. Thanks to them, he was now a politician, but in a different generation, they might have become politicians too. It was time, he said, for male politicians to pay back what they owe to the women who made them.

Hon. Mataiasi Akauola Niumataiwalu, MP (Fiji) began by referring to his own background in the media and in freedom of speech campaigning. He had worked for over two decades to promote gender equality and mainstreaming in the Pacific Region. His main theme was that achieving gender equality required a focus on both men and women, on dialogue, on an acceptance of some differences between men and women in the way they communicate, and on a philosophy of 'dual responsibility' to achieve equality. He said this was an inherently non-confrontational approach that sought to achieve a win-win for both men and women.

Hon. Mataiasi Akauola Niumataiwalu, MP remarked on the continuing gender gap in Fiji, with, for instance, 90% of domestic violence carried out by males. Only eight of 50 MPs are female in the Fiji Parliament. Overall, there is a lack of special measures in law to promote equality.

Against this, there are positives. In Fiji, family structures remain largely intact and international accords that protect women's position within families have been adopted. The existence of women in public roles in now generally accepted - for much of last century, this would have been unthinkable. Fiji's predominantly male Parliament has in recent years agreed various changes



to promote and mainstream women's rights and equality. However, getting traditional chiefs more involved is a challenge.

Hon. Mataiasi Akauola Niumataiwalu, MP said it was his view that strong shared moral values are a key foundation of gender equality. He said that in Fiji it was a bonus that family structures remained largely intact. The state should, and did, have a role in promoting healthy relationships, he said, for instance in making relationship guidance available to young couples.

The discussion was opened to delegates at the workshop. Hon. Lydia Johnson, MP, Speaker of the Legislature (KwaZulu-Natal, South Africa) said it was encouraging to hear the discussion leaders' views that male Parliamentarians are increasingly coming to recognise their role in promoting gender equality. She asked what specific programmes could be used to address patriarchal power relations, particularly amongst young people.

Hon. Kerry Finch, MLC (Tasmania) remarked on

changing attitudes in Tasmania, once seen as one of the worst places to be a female Parliamentarian. Six out of 15 upper house Members are female, as is the President. He said that male politicians now generally got the message that they needed to change their tone in order to encourage and enable female participation in political life.

Rt Hon. Maria Miller, MP (United Kingdom) queried some of the tone of the discussion, noting that it was important to get the language right when discussing this issue.

Hon. Prem Singh, MP (Fiji) referred to the distinctive cultures and traditions of the Pacific Region. In addition, the Fijian constitution does not permit affirmative action. This calls for a pragmatic approach to the issue of gender equality.

Hon. Catherine Namugala, MP, Deputy Speaker (Zambia) remarked on her frustration that the media so often obsessed over irrelevancies when it came to female politicians and invited views from the delegates on how best to tackle this.

Hon. Lazarous Bwalya

Chungu, MP (Zambia) said that it was imperative to include women within governance systems.

A Member from Ghana said that there was a need for male champions of female financial autonomy. She said that in Ghana the requirement for any financial backing to any election campaign left women potentially vulnerable to abuse from predatory men. She asked for views on how this could best be addressed.

The following two recommendations were endorsed by the workshop delegates:

- **For too long, Parliaments have been male dominated. For real change, male Parliamentarians must work in equal partnership with women in championing gender equality.**
- **The male-dominated mindset and personnel of the media must change and the reportage should promote gender equality objectives and sensitivities.**



Parliamentarians from CPA Small Branches focus on the unique challenges affecting small parliaments and legislatures across the Commonwealth at 36th annual conference

With the increased logistical, financial and infrastructure demands facing small jurisdictions in the Commonwealth, Parliamentarians meet to examine the unique challenges they face. The 36th Commonwealth Parliamentary Association (CPA) Small Branches Conference has been held in Dhaka, Bangladesh with Members of Parliaments and Legislatures from CPA Small Branches attending the conference. The conference discussed a new CPA Small Branches Strategy which for the first time in the CPA's 106 year history will seek to meet the unique developmental needs of its smallest legislatures through key thematic areas and development activities that will build parliamentary capacity for CPA Small Branches and create greater opportunities for the sharing of knowledge, parliamentary strengthening and cooperation across the network.

The CPA President and Chairperson of the CPA International Executive Committee, Hon. Dr Shirin Sharmin Chaudhury MP, Speaker of the Parliament of Bangladesh said at the opening of the Small Branches Conference: "I am honoured to be here today. The CPA works with the Small Branches in all the regions and we extend full cooperation in strengthening parliamentary democracy. The CPA's priorities include supporting all of our Small Branches in meeting their challenges." The CPA President also sent her thoughts to the CPA Small Branches in the Caribbean, Americas and Atlantic Region affected by recent hurricanes who were not able to attend the conference.

The CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the House of Representatives of the Parliament of Malta said: "The CPA Small Branches Conference will help to build capacities for the small parliaments and legislatures of the Commonwealth and create greater and more constant opportunities for the sharing of knowledge and cooperation across the CPA

network. The CPA Small Branches need to come together to address their common difficulties, common strengths and their shared experiences."

The CPA Secretary-General, Mr Akbar Khan said: "The smallest of the CPA's legislatures seek to meet the same expectations of service delivery as larger legislatures and in doing so, they recognise the importance of constantly innovating in the face of fiscal and human resource constraints; they recognise the central role of parliament in meeting the challenges of combatting corruption; and the threats in the face of climate change to some of the Commonwealth's most vulnerable." To read the full speech by the CPA Secretary-General please visit www.cpahq.org/cpahq/speeches.

The conference included four plenary sessions exploring key themes proposed by the Membership: *Logistics and Infrastructure challenges facing small jurisdictions; Parliamentary innovations in small jurisdictions in the face of financial and human resource challenges; The role of Parliament in Combating Corruption; The role of Parliament in meeting the challenges of protecting territorial waters.*

Of the over 180 Branches of the CPA, forty-three Branches are classified as 'Small Branches' which are defined as jurisdictions having a population below 500,000 people. Examples of CPA Small Branches include Commonwealth countries such as Barbados and St. Lucia, as well UK Overseas Territories such as Montserrat or states or provinces within larger countries like Northwest Territories in Canada. The CPA Headquarters Secretariat works closely with Small Branches in all Regions of the CPA to identify their unique needs and requirements in parliamentary strengthening, development and cooperation.

The 36th CPA Small Branches Conference took place as part of the wider 63rd Commonwealth Parliamentary Conference in Dhaka, Bangladesh from 1 to 8 November 2017.

36th CPA Small Branches Conference 2 to 3 November 2017

Small Branches opening ceremony - 2 November 2017

CPA SMALL BRANCHES CHAIRPERSON SAYS 'CPA SMALL BRANCHES CONFERENCE WILL HELP TO BUILD CAPACITIES FOR THE SMALL PARLIAMENTS AND LEGISLATURES OF THE COMMONWEALTH'

The CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the House of Representatives of the Parliament of Malta gave the opening address at the 36th CPA Small Branches Conference.

Good morning to you all and welcome to the 36th CPA Small Branches Conference. As you may be aware, the Commonwealth Parliamentary Association was the first organisation to give Parliaments of Small Branches adequate recognition and space in an international forum, notably through its annual Small Branches Conference which commenced in 1981 for Commonwealth members with populations of then less than 250,000 persons.

The CPA Small Branches Conference is held in the margins of the CPA annual conference to enable small jurisdictions to discuss matters of relevance to them with larger branches, giving Small Branches a voice and rights equivalent to those of larger Branches. A country which inspires confidence through robust democratic institutions and processes is more likely to reach sustainable development. Yet

democratic institutions are costlier to develop and maintain in small countries because of their size and resources.

For the first time in its 106-year history, the Commonwealth Parliamentary Association started to meet the unique developmental needs of its smallest legislatures through a newly devised 'CPA Small Branches Strategy'. The smallest of the CPA's legislatures seek to meet the same expectations of service delivery as larger legislatures and in doing so, they recognise the importance of constantly innovating in the face of fiscal and human resource constraints; they recognise the central role of parliament in meeting the challenges of combatting corruption; and the threats in the face of climate change to some of the Commonwealth's most vulnerable.

The new strategy, as I will break down in this session, will focus on key thematic areas and development activities with measurable outcomes; this will build parliamentary capacity for

CPA Small Branches and create greater opportunities for the sharing of knowledge, parliamentary strengthening and cooperation across the network. Of the over 180 Branches of the CPA, 43 Branches are classified as 'Small Branches' which are defined as jurisdictions having a population below 500,000 people. A strategy consultation meeting was held in Malta a couple of weeks ago with representatives of each CPA Region where there are Small Branches (seven of the nine CPA Regions) to facilitate discussion and develop the plan.

We have a pressing need for the small parliaments and legislatures within the Commonwealth Parliamentary Association to come together, within their smallness, to address the common difficulties and strengths and the shared experiences of their assemblies to enhance good governance and parliamentary democracy for our citizens. All CPA Small Branches need to learn to appreciate their strengths as a small legislature; being flexible enough to be able to work with other Parliaments, yet being influential within their regions. The new CPA Small Branches Strategic Plan will focus on the key areas of work to

achieve these objectives and will strengthen and promote the CPA Small Branches network for the benefit of its Members.

The strategic planning meeting, which took place at the Parliament of Malta, was attended by: Africa Region: Hon. Ahmed Afif, MP and Hon. Churchill Gill, MP (Seychelles); Australia Region: Mrs Joy Burch, MLA, Speaker of the Australian Capital Territory Legislative Assembly; British Islands and Mediterranean (BIM) Region: Hon. Samantha Sacramento, MP, Minister for Housing and Equality (Gibraltar); Caribbean, Americas and Atlantic (CAA) Region: Hon. Michael Carrington, MP, Speaker of the Barbados House of Assembly; South-East Asia Region: Hon. Hamdan Bahari, MP, Speaker of the Legislative Assembly of The State of Perlis, Malaysia; Pacific Region: Hon. Simon Pentanu, Speaker of the House of Representatives of Bougainville, Papua New Guinea.

Thus, this marks the opening of the 36th Small Branches Conference. I am hereby launching the new CPA Small Branches Strategic Plan during this 36th CPA Small Branches Conference and ahead of the wider 63rd Commonwealth Parliamentary Conference (CPC).





**36th CPA Small Branches Conference
2 to 3 November 2017**

Small Branches Session 1 - 2 November 2017

CRITICAL MASS: SMALL JURISDICTIONS AND BIG PROBLEMS – LOGISTICS AND INFRASTRUCTURE CHALLENGES TO MEET SMALL JURISDICTIONS EXPECTATIONS TO ACHIEVE THE SAME LEVELS AS LARGER PARLIAMENTS



Moderator:
Hon. Angelo Farrugia, MP, Speaker of the House of Representatives and CPA Small Branches Chairperson (Malta)

- Discussion Leaders:**
- Hon. Byron Camilleri, MP (Malta)
 - Hon. Edmund Hinkson, MP (Barbados)
 - Mrs Robyn Lambley, MLA (Northern Territory)
 - Mr Dyfan Jones (United Nations Development Programme Pacific)

Rapporteur:
CPA Headquarters Secretariat

Discussion leaders briefed delegates on the challenges of becoming self-sufficient for the Small Branches in terms of funding and legislating for infrastructure growth. The discussion leaders also spoke about the necessity to identify and focus upon niche areas for engaging others in development regardless of the size of the jurisdiction.

The session heard a diverse range of views on how individual jurisdictions could engage citizens and partners in infrastructure development as well as creating a legislative framework for good governance and transparency. It was commonly accepted by the majority of delegates that although each Branch has differing challenges, there were common areas of focus and opportunities to maximize on their own localities. There are unique issues in the Small Branches in terms of infrastructure and many innovations in the manner in how they could meet the challenges of big problems in small jurisdictions were discussed.

Hon. Byron Camilleri, MP (Malta) explained that Malta was a small, densely populated country but highly recognized for its economy and it also faced a

lot of environmental challenges and climate change problems. He explained that Malta had undertaken many initiatives to address climate change issues however a lack of monitoring was one of the reasons why they are unable to better record improvements in their efforts. Smaller jurisdictions were far more vulnerable to the impact of climatic events affecting their economies, more than four times of their GDP than larger populations, with the average cost to a smaller branch nearly 2% of their overall GDP.

Hon. Byron Camilleri, MP also expressed that Small Branches needed a range of approaches, from administrative support to risk reductions, in dealing with climatic events. Infrastructure remained an important area as Small Branches also faced a negative impact on their economy due to the high cost of infrastructure projects. He explained that Malta had found a way to focus on how it wishes to build human expertise and manage its resources better. Malta will continue to look to be competitive and invest in technological development to reduce reliance on the human expertise costs and to increase technical accessibility. He

concluded by expressing that CPA Small Branches should collaborate in sharing best practice, expertise and success stories in risk reduction of climatic impact.

Hon. Edmund Hinkson, MP (Barbados) felt that although the topic under consideration was broad, he had to address it from the point of best governance practices and accountability, and transparency in terms of the governance of small island jurisdiction. He was clear that these practices ought to be in place in terms of the legislation that the parliament passes and the size of the nation had nothing to do with the ability or capacity of Parliament to pass rules, regulations and laws which lead to best government practices and accountability and transparency. He also explained that that was an absolute necessity that, Parliaments in all nations, no matter their territorial size or demographics to strictly enforce legislation providing for accountability and transparency in the governance system in their respective countries/Parliaments.

Hon. Edmund Hinkson, MP felt that those persons in positions of responsibilities, whether from the political class or the commercial

sectors should equally held be liable and accountable. For the Parliaments' fiscal responsibilities, legislation ought to exist so that these jurisdictions could ensure their best practices in terms of fiscal management for government. He concluded by expressing that small jurisdictions, while they may not have the resources available in comparison to developed countries, must still enact and enforce legislation establishing accountability and transparency.

Hon. Robyn Lambley, MLA (Northern Territory) explained as background the geographical size of the Northern Territory and that they were currently experiencing a period of zero population growth. She also explained that 30% of the population were aboriginal people. She went onto explain that when we talk about expectations, the people of the Northern Territory have high expectations about what infrastructure will be provided to them and that legislature's budget was quite small, of which, a third was allocated to territorial development.

The Northern Territory is dependent upon the Australian Federal Government for 80% of their funding, which remained as a matter of tension for all of the states in Australia. In 2000, the Australian Federal Government introduced the redistribution of taxes through Horizontal Fiscal Equalization. The objective of Horizontal Fiscal Equalization is that each of six states would have the capacity to provide service and associated infrastructure at the same standard and calculated upon a range of factors, including population growth. Future Federal funding for the Northern Territory is uncertain and there is a need to be more competitive and for the territory to pull its weight in its approach to funding infrastructure projects.

Hon. Robyn Lambley, MLA concluded by explaining that CPA



Small Branches need to look creatively as to how infrastructure projects can be developed, such as public-private (funding) partnerships (PPP). Being a small jurisdiction, the Northern Territory has to be creative, to be mindful and has to ensure that they have enough resources. They also have to generate their own source of additional revenue and, whilst they also need funding, not to be fully dependent on the Federal government for all requirements.

Mr Dyfan Jones (United Nations Development Programme Pacific) wished to focus on two aspects relating to the topic - service delivery expectations and the role of Parliament in meeting those expectations. Often in the categorization and measure of human development, the UN look at the wealth of a country and their GDP. He suggested that rather than looking at just the wealth of country, the UNDP also looks at a range of factors such as the education system, mortality and many other indicators to measure how a country is developing.

The size of a country is not necessarily the issue. The issue is the level of human development and then its impact on service delivery. The UNDP is and has been working with small islands facing disasters and they

recognize the possible challenges that Small Branches may face, such as: building and space; equipment and connectivity; knowledge and time to innovate; absorption capacity; budgets; staffing and resources.

Mr Dyfan Jones pointed out that small jurisdictions/Parliaments could actually reach out to people more easily than the larger ones, with smaller jurisdictions really holding an advantage over larger jurisdictions. Smaller Parliaments could also respond to the needs of its citizens more personally than the larger ones. He cited the example of Turkey's Parliament which had ten thousand staff and over twelve thousand registered NGOs many of whom wanted to be a part of their Committees, something that remains practically impossible. In comparison, there are parts of the Cook Islands in the Pacific Ocean that have less than a hundred voters so it's very easy for them to reach citizens.

Mr Dyfan Jones concluded by expressing that whilst Small Branches may not always necessarily face disproportionately different service delivery challenges to larger Branches, co-operation in the process across jurisdictions and geography can assist in

improving and innovating in meeting the expectations on service delivery.

The Small Branches delegates endorsed the following recommendations:

- Small Branches should collaborate in sharing best practices, expertise and success stories in order to learn and assist one another. This forum should unite us in becoming more effective.
- Small jurisdictions, while not having the resources available to developed countries, must enact and enforce legislation establishing accountability and transparency in their governance systems.
- Small jurisdictions with limited funding and resources must be strategic, creative and competitive in addressing their unique logistic and infrastructure challenges.
- Whilst Small Branches may not necessarily always face disproportionately different service delivery challenges to larger branches, cooperation between jurisdictions can assist in improving service delivery.



**36th CPA Small Branches Conference
2 to 3 November 2017**

Small Branches Session 2 - 3 November 2017

**PARLIAMENTARY INNOVATIONS IN
SMALL JURISDICTIONS IN THE FACE OF
FINANCIAL AND HUMAN RESOURCE
CHALLENGES**



Moderator:
Mr Chris Steel, MLA
(Australian Capital Territory)

- Discussion Leaders:**
- **Hon. Juan Watterson, SHK, Speaker of the House of Keys (Isle of Man)**
 - **Hon. Taka Hagai, MP (Cook Islands)**
 - **Hon. Maluelue Tafua, MP (Samoa)**
 - **Mr Dyfan Jones, (United Nations Development Programme Pacific Region)**

Rapporteur:
Mr Michael Tatham
(Northern Territory)

CPA Small Branches consistently face the challenge of financial and human resource limitations. The participants at this session benefitted from recent experiences in Small Branches which have focused on innovations and sharing and yielded significant results for those Branches.

The work of the UNDP in the Pacific Region was also a focus of the session as the UN works to assist in parliamentary capacity building and democratic fundamentals for small jurisdictions with very limited resources.

The discussion leaders covered aspects of their own Branch experiences and how these have evolved over time to include more collaboration and partnerships, some of which have moved outside of their regions.

Hon. Juan Watterson, SHK, Speaker of the House of Keys (Isle of Man) described the innovative engagement the Isle of Man has entered into with overseas jurisdictions to deliver shared services such as parliamentary recording and transcription services (Hansard) with other jurisdictions.

The opportunity exists to engage in enhanced cooperation through

the CPA Small Branches network which allows for meaningful exchange between geographically large jurisdictions like the Northern Territory and small island Branches like Jersey and Guernsey.

There is more scope for sharing between Branches outside of and not limited to those just in the same region. Small Branches should look to each other for help and advice.

Hon. Juan Watterson, SHK (Isle of Man) briefed delegates on the Clerk's engagement derived from a recent visit to Sierra Leone about how to provide Hansard editing expertise training and skills to assist Sierra Leone. While this is not a near neighbour, it is an example of looking beyond those closest and meeting the needs of other Parliaments other than your own through agencies and networks. As a consequence of these arrangements the Parliament of Sierra Leone has sent staff to the Tynwald (Isle of Man Parliament) and then in turn Sierra Leone's parliamentary staff were upskilled and could then provide assistance to another Parliament in The Gambia, and so a cycle continues where Parliaments benefit themselves and continue to assist each other.

The access that the Cook Islands has had to parliamentary strengthening programmes through assistance from the New Zealand Government and Parliament and from the UNDP Pacific Region has enabled capacity building and empowerment programmes for Cook Island Members. This has also been supported by the participation of former Members and Clerks

The Isle of Man also has a memorandum of understanding and joint programme with another CPA Branch, the Provincial Assembly of Khyber Pakhtunkhwa in northern Pakistan, which has 124 Members and all of them are visiting the Tynwald as part of the programme. This demonstrates that even numerically large jurisdictions can benefit and learn from the expertise of another jurisdiction which is smaller but has expertise and capacity in a specific area.

Hon. Taka Hagai, MP (Cook Islands) emphasised that the lack of resources and a small pool of human resources continues to be a challenge to smaller jurisdictions, however he believes that sharing will lead to assistance and enhance the high standards in line with the overall conference theme.

A helpful manual for new MPs has been published to assist understanding of the procedures and programmes available for Members. Some twenty-nine parliamentary staff in Samoa have graduated with a certificate in parliamentary law and seventeen Members will graduate with a certificate in law early next year.

from New Zealand and Australia through the Pacific Partnerships programme administered through Fiji to share their expertise.

The long-term twinning relationship between the Western Australia and Cook Islands Parliaments has greatly benefitted and assisted the Cook Islands Parliament through significant financial and technical assistance.

Women Parliamentarians in the Pacific Region have also benefitted from the Pacific Women's Project arranged through the CPA Headquarters and Pacific Regional Secretariats to provide a forum for all women MPs and speakers to interact and be empowered to improve their capability.

The subject of empowering and building capacity for women and more representation for women in Parliament in the Pacific Region was also presented by the next discussion leader.

Hon. Maluelue Tafua, MP (Samoa) defined innovation as a process which provides added value and a degree of freshness to develop new procedure solutions, products and services. Innovation must develop new ways to enhance the work of Parliament. Innovations in Samoa include the Samoa Parliamentary Support Programme delivered through UNDP Pacific with AusAID funding (Australian Government) to work with Members to strengthen capacity and to more effectively engage with development matters and the Millennium Development Goals.

The Samoan Parliament has a minimum of forty-nine seats which can now expand up to fifty-four seats with five reserved for women if there are no other women Members and the first forty-nine seats are all occupied by male Members. As a consequence of this innovation, there were twenty-four women candidates compared to only seven at the previous election, and only one quota seat had to be activated, resulting in a Parliament with 50 seats.

Mr Dyfan Jones (UNDP Pacific) advised that the UNDP is trying to be more innovative to provide assistance with limited resources and build on experiences in the Pacific Region. The high cost of outreach with



democratic strengthening, sharing and transferring skills and in the identification of best practices.

Many Pacific countries don't have many women in their Parliaments and Samoa has developed an innovative solution to ensure a minimum level of women Members. The introduction of legislation in 2013 resulted in a significant increase in the participation of women candidates at the 2016 election.

However, the sharing of resources is more controversial, in some cases there is a situation where receiving is expected but it can be a challenge to encourage and facilitate sharing.

To overcome this, the UNDP is focusing on what they call 'South – South' collaborations so that the small island jurisdictions are sharing more and finding commonalities to learn more from each other.

Examples of this include the regional twinning programmes where the Clerks of Tonga and Fiji have come together to share to work between and across Parliaments. However the constant challenges include the cost of travel and lack of donors.

Mr Jones briefed the session on overcoming the need for small jurisdictions to have their own capacity to provide detailed and in depth budget analysis,

as is available in larger well-funded jurisdictions which have a Parliament Budget Office to provide analysis and assistance for Members and the public. Some timeframes for scrutiny are very tight with budgets not able to be looked at with expertise particularly where there is no budget office.

One project is trying out a 'Floating Budget Office' to provide services to Pacific Members as needed and move on to the next one. The Floating Budget Office has worked in assisting Fiji on nine sectoral issues and is planned to be available for the Solomon Islands in mid to late November 2017.

The challenges of this type of project include the logistics; the different times of the year for when Parliaments consider their Government's budgets; and language can be a barrier if the debate is not in English as the budget experts are English speakers.

The twinning arrangements can also yield significant results such as when the Parliament of Tonga was willing to send an officer to Fiji to assist once Fiji had agreed to send one back when they had their budget process taking place.



The session was opened to questions from delegates. Hon. Kerry Finch, MLC (Tasmania) inquired about the logistics on the Isle of Man with regards to the Hansard services and how the Hansard services are shared with the other jurisdictions.

Mr Roger Phillips, Clerk (Isle of Man) advised that it was a fairly simple process using the internet. The data files are delivered and processed on the Isle of Man. A team in the Isle of Man is large enough to cope with various jurisdictions and there aren't any down times. The staff are engaged and have an accumulated expertise and can potentially share the output with anyone in the world who can send the material to be processed and returned.

Hon Asterio Appi, MP (Nauru) questioned the UNDP Pacific about an App launched by the Fiji Government and how it works. Mr Jones advised an outreach strategy with young people using social media as a medium instead of traditional media such as radio and TV is being used there for further engagement.

Hon. Edmund Hickson, MP (Barbados) advised that no Caribbean countries have a quota system for women MPs like Samoa and was curious if there was any impact on outcomes if there are multiple parties contesting a seat. The session was advised that the women with the most votes will be elected as the second representative for that division if a man has won the most votes. The best placed runner up is added, not replacing the winner. In Samoa in 2016, this resulted in just one additional seat being added to the minimum of 49 taking the total number to 50. Mr Dyfan Jones (UNDP) advised that the Samoan model is being looked at by a number of countries. It is not seen as a threat to male Members.

The fiftieth Parliamentarian through this system, Hon. Fa'aulusau Rosa Duffy-Stowers,

MP (Samoa) advised the session that she considered herself a fortunate pioneer as the first Member to take such a seat in the quota. With two Members serving the same constituency she advised that it was just like being another MP like her constituency colleague and did not feel that she was discriminated against because of how she was elected.

Hon. Michael Carrington, MP, Speaker of Parliament (Barbados) raised the matter of regularity of parliamentary meetings and the tension between a Parliament and the Government's agenda. There can be difficulties if a legislature doesn't meet regularly.

Mr Dyfan Jones (UNDP) agreed that in many smaller jurisdictions they cannot afford to meet due to financial reasons so the government's legislative agenda prevails over everything else. There was discussion as to whether there was scope for more innovation for Committees to take up the slack for legislative scrutiny and oversight.

Hon. Michael Carrington, MP (Barbados) asked the session to consider whether private sector sponsorship was worth the risk of compromise.

Mr Dyfan Jones advised that this is a potential difficulty in some Parliaments which have cross party groups financed by lobby groups and the private sector. The UNDP is a source of financial support for parliamentary activities. For example, a consultation on a Crimes Bill in the Cook Islands is being funded by the UNDP.

Hon. Chris Steel, MLA (Australian Capital Territory) indicated that increasing capacity with more Members can also create financial challenges, citing the increase of the Australian Capital Territory Assembly from 17 to 25 seats in recent years resulting in more costs, particularly for Committee work.

Hon. Michael Carrington, MP (Barbados) proposed that limits to the size of the Cabinet

is beneficial so there are enough Backbench Members for Committee work.

Hon. Chris Steel, MLA (Australian Capital Territory) advised that adapted Benchmarks for the Pacific Region have recommended no more than one third of the Parliament should make up the Executive as there is a need for Backbenchers to hold the Executive accountable. If all the Government Members are Ministers, it limits the work of the Parliament. He also sought further information from UNDP about the 'floating' budget office used in Fiji and proposed for the Solomon Islands and the challenge of tracking of the budget in expenditure areas over a couple of years.

Mr Dyfan Jones (UNDP) advised that the role of the budget office is to explain the technical aspects about budget policy and expenditure but not to comment or critique it – that is for the people who receive the information. However it will make Members better informed in budget debates. Examples of the tasks of the budget office were an attempted gender analysis which took place in a one day session and a session for civil society organisations so people can understand their budget.

Hon. Juan Watterson, SHK (Isle of Man) advised that in his jurisdiction there has been the ability of Members to scrutinise content for two weeks but for the public to only have one day before it is debated.

Hon. Robyn Lambley, MLA (Northern Territory) indicated that in her jurisdiction the Committee system is ineffective and not suitable for a unicameral parliament and described a study visit by the Committees to look at another Australian unicameral jurisdiction and questioned the process of routinely looking at familiar and similar jurisdictions rather than being more innovative and looking beyond familiar experiences.

Hon. Juan Watterson, SHK (Isle of Man) advised that this

is the practice most Branches follow to look firstly within their Region and for the Isle of Man, they routinely look to Jersey and Guernsey as similar jurisdictions but he acknowledged that the CPA Small Branches network is the place where more exchange and sharing across the CPA Regions can occur.

Deputy Emilie Yerby (Guernsey) suggested that archaic practices can prevail in many jurisdictions and the advantage of looking further afield is to let in more light on processes and procedure.

The Small Branches delegates *endorsed* the following recommendations:

- CPA should encourage greater cooperation between Small Branches within and outside their Regions by way of internships and exchanges of technical assistance.
- To overcome capacity and resource challenges, Commonwealth Parliaments in small jurisdictions should, wherever practicable, share knowledge and resources in order to function more effectively.
- Continued support of the CPA to all Small Branches and larger jurisdictions to collaborate with aid agencies and foreign affairs ministries in assisting small jurisdictions.
- Strongly encourage other small parliaments to follow Samoa's example of considering twinning arrangements as an initiative to create benefits for both.

36th CPA Small Branches Conference 2 to 3 November 2017

Small Branches Session 3 - 3 November 2017

THE ROLE OF PARLIAMENT IN COMBATING CORRUPTION

Moderator:

**Hon. Juan Watterson,
SHK, Speaker of the
House of Keys (Isle of
Man)**

Discussion Leaders:

- Hon. Kerry Finch, MLC (Tasmania)
- Deputy Emilie Yerby (Guernsey)
- Mr Anthony Staddon (University of Westminster)

Rapporteur:

**Mr Pedro Eastmond
(Barbados)**

There was broad agreement that for Parliament to effectively target corruption there was need for:

1. a legal framework for the establishment and functioning of an adequately resourced anti-corruption institution;
2. provision of legislative resources and institutional tools to strike at the heart of corruption; and
3. that Parliamentarians should take to the forefront in role-modeling the high standards of integrity and personal conduct that engender transparency and accountability across Government and usher in an architectural culture that was anti-corruption driven.

Hon. Kerry Finch, MLC (Tasmania) led off on the discussions on this topic by reiterating that Parliament must provide the legislation, resources and institutional tools to enable the removal of any tolerance for corruption in the community, government and politics. He opined that all invested anticorruption models had as their goal the target of systemic corruption, misconduct and the eschewing of corrupt practices.

One such body given as an example was the Integrity Commission of Tasmania: an independent arbiter which would receive complaints of corruption, ascertain the merits of those

complaints and determine the appropriate place for such complaints to be dealt with. The Commission provided a place to ascertain the merit of a complaint and a determination of the appropriate place for the matter to be addressed. He suggested that rather than attempt to root out corruption which he viewed as a not so easy task, a culture of education and cultural change is what was needed.

Hon. Kerry Finch, MLC emphasized that a three-pronged approach was needed to combat corruption – namely education, a culture change and the establishment of standards. This approach was embraced by the Tasmanian Integrity Commission. This Commission established by the Integrity Commission Act, 2010 and instituted a five year review to ensure that it remained relevant.

The Commission adopted a four pronged approach:

1. compulsory participation in misconduct workshops
2. mandatory reporting of corruption
3. authority to monitor the progress of all reports and to bring inaction to Parliament's attention
4. the reporting of any suspected criminality to the Director of Public Prosecution or the police.

The process involved sought to root out corruption but also to educate and engender standards

and a culture of change.

Deputy Emilie Yerby (Guernsey) addressed the issue from the viewpoint of personal conduct; an across-government approach and law and policy making. She argued that as a result of the very close connections in small societies and jurisdictions, a system of transparency and accountability in relation to personal conduct was absolutely critical. This would prevent the diversion of funds for personal gain and would preclude persons being motivated by factors not in the public interest.

There was she felt a strong case to be made for a code of conduct for Parliaments and that one should reclus oneself from decisions where an interest was declared.

She strongly believed that diversity of membership was an effective tool in combating corruption.

In order to tackle corruption across Government effective procurement systems were required as well as effective training for the civil service. There was, in her view, a clear role for law and policy making and that the effective rule of law was a sine qua non to ensure transparency and accountability.

Mr Anthony Staddon (University of Westminster) asserted in his contribution that corruption hinders development and that Parliamentary oversight was an important determinant of corruption. To that





end, resources needed to be made available to Parliament to efficiently carry out this role and to avail themselves of the oversight tools.

He sought to juxtapose internal factors against external. With regard to the external factors the setting up of Committees was fundamental but equally important was the concept of administrative and financial autonomy. Externally the gain of public trust was key, achieved through effective communication, declaration of assets and the adoption of a code of conduct.

By way of comparative analysis, he examined the jurisdictions of Trinidad and Tobago and Grenada. In Trinidad and Tobago's case, a higher level of public trust was evidenced from 2010-2014; this was achieved in part by an effective communication system of the Parliament, a declaration of assets, a code of conduct and greater transparency. He also suggested that the long experience of the Clerk of Parliament had engendered parliamentary strengthening.

Mr Anthony Staddon suggested that both Grenada and Trinidad and Tobago had the full suite of oversight tools, but the issue, however, was in making these tools effective. There

was, he believed, an increased importance of the Senate in oversight and the political will and institutional effectiveness was limited by the lack of the political will of MPs to hold the government to account.

Hon. Ryan Callus, MP (Malta) emphasized the importance of the topic to his country. He drew the session's attention to an investigative journalist who had recently been assassinated for trying to expose corruption. He stated that corruption tarnishes the reputation of a country and increased the vulnerability of small states. He was strident in his call to bring the perpetration of corruption to justice and implored delegates to work harder to root out corruption. He added that the recommendation should be amended to allow for the protection of investigative journalism.

Deputy Montfort Tadier (Jersey) stressed the importance of journalists shining light on issues and the increase of women in Parliament which he felt would lead to less corruption and higher standards.

In response, Hon. Kerry Finch, MLC (Tasmania) revealed that many cases of investigative journalism agree that female

Parliamentarians will equal lesser levels of corruption.

Deputy Emilie Yerby (Guernsey) however, suggested that women were no more inherently moral than men but diversity played a critical role in ensuring reduced levels of corruption and she again reiterated a system of fair and open elections.

Mr Anthony Staddon noted that the absence of investigative journalism in some smaller jurisdictions as highlighting issues of corruption and that institutions charged with that function are hampered by the absence of access to legislation relating to freedom of information. He argued that the party system, especially at Westminster, could stand in the way of full access to information.

Hon. Maluelue Tafua, MP (Samoa) supported the call for more women in Parliament. He also pointed to the effective rule of law and a strong police force as factors in reducing corruption.

Hon. Eduardo Reyes, MP (Gibraltar) expressed his disappointment that the session was unable to support the amendment proffered by the delegate from Malta to the recommendation before the

delegates. He strongly felt that the rules should be amended to take account of issues that arise suddenly.

Moderator, Hon. Juan Watterson, SHK reiterated the rule that the recommendation could not be amended in the way proposed. He however sought and achieved the agreement of the delegates present that every Member would stand for a moment's silence in recognition of the death of the investigative journalist in Malta.

Ms Clare Bettison, MHK (Isle of Man) stated that as a woman Parliamentarian, she doubted whether the way that all politicians are perceived in relation to corruption had to do with women rather than a general perception. She went from being a nurse, one of the most trusted professions, to being a politician, one of the least trusted. She felt it was important to provide Members with the tools required to prevent corruption and that there should be induction training of all new Members.

The Small Branches delegates *endorsed* the following recommendations:

- **Parliament must provide legislation, resources and institutional tools to enable the removal of any tolerance for corruption in the community, government and politics.**
- **To agree that Parliamentarians should role-model high standards of integrity in personal conduct; maximise transparency across government; and recognise how policy-making can counter cultures of corruption.**
- **The Legislature should set the legal framework for the establishment and functioning of anti-corruption institutions, including the provision of adequate resources and proper follow-up.**

36th CPA Small Branches Conference 2 to 3 November 2017

Small Branches Session 4 - 3 November 2017

THE ROLE OF PARLIAMENT IN MEETING THE CHALLENGES OF PROTECTING TERRITORIAL WATERS

Moderator:
**Hon. Michael Carrington,
MP, Speaker of
Parliament (Barbados)**

Discussion Leaders:

- **Hon. Kylie Hercules,
MLC (St Helena)**
- **Deputy Barry Brehaut
(Guernsey)**

Rapporteur:
**Ms Emma Terribile
(Malta)**

"Sometimes, territorial waters are fairly close to each other, however, it is normally up to international law mechanisms which cover and define a jurisdiction's border in order to ensure fair, maximum economic benefit and protection from drug dealing, abuses and the like." These were the opening remarks of Hon. Michael Carrington (Barbados), Moderator for the fourth plenary session of the 36th Small Branches Conference.

The discussion took a marine environmental approach as the first discussion leader, Hon. Kylie Hercules, MLC (St Helena) gave a background information brief on St Helena, explaining that territorial waters in St Helena triggered the enactment of environment marine protection plan and fisheries management sectors by the St Helena Government, which although still in its development stages, monitors foreign activity within protected waters.

Hon. Kylie Hercules, MLC also bring threats of oceans and rivers due to a number of issues including overfishing, poor fisheries management, poaching, habitat destruction, offshore development, pollution and climate change, harmful contaminants pesticides, fertilisers and detergents, among many forces which cause significant harm to the environment. It is a growing concern, in many jurisdictions that due to overfishing, fish stocks are reduced to low

levels. Marine species can become extinct as a result of poor fisheries management. She further suggested that a sound marine management plan aids in the management of strategies resulting in the conservation of rich biodiversity to protect rare endangered and precious species.

The second discussion leader, Deputy Barry Brehaut (Guernsey) echoed the opinions of the first discussion leader, however, he also delved into the fact that those island states, including Guernsey, may be possessive over their territorial waters as the sea surrounding these jurisdictions may at times be larger than land and these may become possessive over territorial waters. He also explained that relations with other countries define territorial waters and that boundaries have been defined and redefined many times. However, to tie in with the proposals put forward by St Helena, he also stated that *"fish do not come with passports."*

Deputy Barry Brehaut reiterated that climate change has defined our relations with the sea due to the decline in its habitat for fish through overfishing. He explained that the water content is an asset, beyond commercial demands and beyond marine life, and that the safeguarding of the natural environment comes before the protection of territorial waters.

Deputy Barry Brehaut explained that Guernsey has made use of tidal and wind turbines

and sought the best assets to maximise environmental progress within Guernsey's limitations of a small island mass of just 27 square miles. Territorial waters provide a security of clean energy.

The floor was then opened to comments and questions of from delegates who participated in the session. Hon. Juan Watterson, SHK (Isle of Man) posed a question to the discussion leader from St Helena as to whether St Helena agree with their UK Overseas Territory neighbours in the south-west Atlantic Ocean, the Falkland Islands, who sell their fishing rights to territorial waters.

Hon. Kylie Hercules, MLC (St Helena) answered that the fishing licences offered to St Helena's vessels have a licence for St Helena's territorial waters as well as for fishing overseas, explaining that there is a revenue stream but there is no visible presence of vessels since they do not register themselves automatically. Although St Helena is able to offer a fishing licence, there is no monitoring mechanism where the government would know what fish the vessels are catching.

Hon. Juan Watterson, SHK (Isle of Man) also asked a question to the Member from Guernsey regarding wind turbines and tidal energy and their advantages.

Deputy Barry Brehaut answered that the small islands of Alderney, situated next to Guernsey, is a good example of lost potential, due to the untapped





tidal energy which gets lost. He also explained that in winter due to strong offshore winds, the turbines cannot always be fully maintained and since the installation comes from a private producer, the cost is expensive and renders development of tidal energy fairly inefficient and not cost effective.

Deputy Kevin Charles Lewis (Jersey) commented that Jersey have many similar issues to Guernsey and although there have been disagreements between the two, they generally work well and have not been affected by 'Brexit'. Deputy Lewis also congratulated the discussion leader from St Helena on the new island airport recently opened as it is now in full use and asked whether there are any limits on the control area for territorial waters in St Helena as well as for fishing boats and factory ships.

Hon. Kylie Hercules, MLC answered that many in St Helena have their own fishing vessels, which are known as devotion fishing, and a system has arisen where these vessels monitor each other's fishing vessels within the 200-mile area of St Helena and any abuse or illegal fishing is reported.

Moderator, Hon. Michael Carrington, MP (Barbados) stated that 200 miles is the national agreement for most states and that similar agreements should be kept that way. He brought in the example of the French commune in relation to small islands and the fact that 'Brexit' may bring a change to this. Whilst the United Kingdom can add competition to this process, it could taint the conditions between the UK and the rest of the nautical region.

Hon. Asterio Appi, MP (Nauru) presented a number of observations where he shared the same understanding of maritime issues, noting that Nauru has only 21 square kilometres. He noted that the Parliaments in small jurisdictions must have the power to ensure that their territorial boundary power rests on existing legislation and that

Parliamentarians are called to protect small island nations and oceans. In terms of resources, he noted that fish is an important part of the economy as well as the rendering of licences. He suggested that Parliamentarians should legislate in favour of looking after fishing and the safeguarding of stock. Nauru do not have military or boats patrol; however, an oceanic programme is established where individuals record the fishing procedures of other vessels called The PNA Vessel Day Scheme (VDS). This sets an overall Total Allowable Effort (TAE) limit on the number of days fishing that vessels can be licensed to fish in PNA Exclusive Economic Zones (EEZs) per year. Each country is allocated a share of the TAE for use in its zone each year. These VDS days can be traded between countries in cases where a country has used up all its days while another has spare days.

Deputy Montfort Tadier (Jersey) noted a familiarity with Guernsey and St Helena. He also noted that it would be interesting to see what will happen with the new airport in order to encourage economic growth. He posed a question to the panel where it is predicted that the seas may be empty of fish in 2048. *"It is great that one talks about territorial waters but does it matter if the seas will be empty?"* Deputy Tadier commented that *"Politicians don't tend to grasp on that, they are more interested in votes."*

Hon. Kylie Hercules, MLC (St. Helena) noted that since the airport opened, there was no significant increase in the economic growth, however this is still in its infancy. She stated that in 2010, in the UN Convention on Biodiversity, St Helena signed up to being more forceful in looking after marine life and although they have limited resources in the monitoring of illegal fishing, research is also being conducted as to how best to protect marine life.

Deputy Barry Brehaut

(Guernsey) commented that fish stocks must be viewed as importantly as ivory trading.

Hon. Juan Watterson, SHK (Isle of Man) asked if most jurisdictions have registered territorial waters as a problem around the world and whether there is legislation in place on power generation in territorial waters.

Hon. Angelo Farrugia, MP, Speaker of Parliament (Malta) stated that island states are committed to their international obligations. He explained that after Malta presented its proposed law of the sea convention to the UN, it took 15 years for the convention to become international law, today known as the United Nations Convention for the Laws of the Sea (UNCLOS, 1983). Hon. Angelo Farrugia, MP stated that we know that we have CPA Small Branches within the Commonwealth whose territorial waters are still not defined. It is important that as a community, we offer support to ensure territorial waters are protected.

Moderator, Hon. Michael Carrington, MP (Barbados) suggested that not all states and jurisdictions are current signatories to UNCLOS, to which Hon. Angelo Farrugia, MP (Malta) stated that all signatories have responsibilities and their reference must not be forgotten and it should be reiterated that we should look after the wealth of the sea also in terms of resources.

Hon. William Heather, Deputy Prime Minister (Cook Islands) shared that the Cook Islands has the largest Pacific Ocean Reserve which spans over 200km. He explained that their country only has 237 square kilometres territory. The entire Cook Island's EEZ is the size of Mexico and is designated as a marine park as part of ocean saving legislation. A local environmentalist came up with a concept of conservation which is now in force. The Cook Islands are trying to address climate change and overfishing in their waters which is beneficial to all the world.

The session discussion then shifted to the reduction of pollution in the world's oceans and the damage that plastics cause to the oceans.

Deputy Kevin Charles Lewis (Jersey) stated that turtles are falling victim to plastics in the oceans as they think they are jellyfish – a source of food. He also stated that facial scrubs and other beauty products contain pieces of plastic which are flushed into to sea, resulting in large numbers of birds dying because they ingest the plastic. He also stated that Jersey has started a campaign to reduce plastic bag consumption in supermarkets which had a drastically positive effect on the environment and its citizens.

Moderator, Hon. Michael Carrington, MP (Barbados) asked whether Parliaments are doing enough. He shared that Barbados also started tackling plastic bag reduction issues, but citizens are rejecting this as they don't want to pay for plastic bags.

Deputy Barry Brehaut (Guernsey) elaborated further on the microbeads issue where manufacturers are to blame – birds are also feeding their young chicks cigarette butts and other plastics.

Hon. Kylie Hercules, MLC (St. Helena) agreed that plastic microbeads should be banned as it poses health hazards to many different wildlife.

Hon. Ryan Callus, MP (Malta) and Hon. Robyn Lambley, MLA (Northern Territory) also shared their experience in measures taken for the reduction of plastic bags in their jurisdictions. Citizens do not like taxes being imposed, however these are measures which are difficult to implement because they require a change in the mentality. This is where Parliamentarians can come into play as they have a commitment in favour of the environment.

Deputy Montfort Tadier (Jersey) shared that Jersey is able to share resources with its near neighbour, France and advocated in favour of wind

turbines which can include wind farms under the sea.

Moderator, Hon. Michael Carrington, MP (Barbados) suggested that Parliaments should take on proper regulation and the government must give incentives to facilitate managing energy companies

Deputy Barry Brehaut (Guernsey) explained that gas consumption is decreasing in Guernsey, thus overheads for

companies are increasing making renewable energy more practicable.

The discussion leaders from Guernsey and St Helena concluded that by sharing problems, solutions are identified and issues regarding sustainability can be dealt with; there is a huge need to safeguard borders – however once a species is extinct is too late – we need to take action and be proactive in protecting natural life. The

enforcement of laws should be undertaken, especially in relation to banning plastic microbeads in products and the use of plastic. Parliamentarians must be proactive for the generations to come. As Parliamentarians, participants need to go back to their respective jurisdictions to commit to improving the marine and land environment

The Small Branches delegates *endorsed* the following recommendations:

- Parliament must ensure that resources are made available to safeguard territorial waters against threats such as overfishing, poaching, habitat destruction, pollution and climate change.
- To recognise the potential within territorial waters to provide a secure form of renewable energy whilst at all times respecting the natural environment.

Parliamentary Clerks from across the Commonwealth gather for SOCATT meetings at 63rd Commonwealth Parliamentary Conference

Nearly sixty Commonwealth clerks and senior parliamentary staff came together for the 53rd annual meeting of the Society-of-Clerks-at-the-Table (SOCATT), as usual held alongside the main Commonwealth Parliamentary Conference (CPC), this year held in Dhaka, Bangladesh. Delegates were very well looked after by the Senior Secretary to the Bangladesh Parliament and CPA Branch Secretary, Dr Md Abdur Rob Howlader, and his efficient and friendly team from the Bangladesh Parliament. The SOCATT meetings started with a presentation from Dr Howlader on the structure and the work of the Bangladeshi Parliament, which was complemented the next day by a guided tour of the magnificent Parliament building, which greatly impressed delegates.

SOCATT delegates then heard presentations on four interesting and varied topics:

- 'The changing the role of the Speaker'* by Sherlock Isaacs, National Assembly, Guyana.
- 'Legislators and their representation role'* by Pradeep Kumar Dubey, Legislative Assembly of Uttar Pradesh, India.
- 'Induction of new Members after a general election'* by Sarah Davies, House of Commons, Parliament of the United Kingdom.
- 'The potential impact of cloud computing on parliamentary privilege'* by David Blunt, Parliament of New South Wales, Australia.

Some lively break-out groups followed, when delegates had the chance to discuss these issues in more detail and take the chance of exchanging experiences from many different Parliaments around the Commonwealth – one of the key benefits of these gatherings.

After feedback from the groups, the first day of meetings drew to a close with a detailed and expert paper from Eric Modibedi Phindela (National Council of Provinces, South Africa) on relations between Parliament and the courts.

The following day, after the visit to the Parliament of Bangladesh, the SOCATT delegates heard from Michael Tatham (Northern Territory Legislative Assembly, Australia) on how he had managed to deal with some very unfair and inaccurate criticism from a local journalist earlier this year. The discussion that followed brought out a range of approaches across different legislatures to handling the media and the media relations of Parliaments.

The session finished, as usual, with oral contributions from the floor. Andrew Simons (Legislative Assembly, Meghalaya) told the meeting about a privilege case in which a civil servant had been summoned to the bar of the House, admonished and made to bow to government and opposition benches, and the Chair; and Blair Armitage (Senate, Canada Federal Parliament) spoke about how proposals to expel a Senator on the grounds of misconduct had led to a debate about whether the Senate actually had the power to expel its Members, an issue on which opinion was divided.

In conclusion, SOCATT would like to thank Mr Akbar Khan, the Secretary-General of the CPA, for hosting a reception for SOCATT members on the eve of the meeting at which he spoke about the importance of Clerks in their support of the CPA's work on parliamentary capacity-building. Events like the annual SOCATT meeting certainly help Commonwealth Clerks to keep in touch, share advice and ideas and generally provide mutual moral support in dealing with the many challenges - and opportunities - which face us on a daily basis.

For more information about the Society-of-Clerks-at-the-Table (SOCATT) please visit www.societyofclerks.org.

Report by Matthew Hamlyn, Principal Clerk, Overseas Office at the UK Parliament and Secretary, SOCATT.



The Commonwealth Parliamentary Association CPA Photo Gallery



Far left and left: The CPA has brought its youth engagement programme to Jersey for the second time with the CPA Roadshows for young people visiting two schools in the Channel Islands. The CPA Secretary-General, Mr Akbar Khan held engaging CPA Roadshow sessions at Jersey



Left: On the 2017 International Day of Democracy, Commonwealth Parliamentary Association Secretary-General, Mr Akbar Khan supports the IPU's online campaign and petition on #StrongerDemocracies.

College for Girls and at Hautlieu School. The CPA Secretary-General also visited the States Assembly of Jersey to meet with Members and held bilateral meetings with the Deputy Bailiff, Tim Le Cocq QC.

Below: The CPA Headquarters Secretariat welcomed the new Editorial Advisory Board member Mr Zafarullah Khan from the Pakistan Institute of Parliamentary Services (PIPS) together with Pakistan parliamentary staff to meet with the CPA Secretary-General Mr Akbar Khan and CPA Secretariat staff.



Above: The CPA Small Branches Chairperson, Hon. Angelo Farrugia, MP, Speaker of the House of Representatives of the Parliament of Malta hosts a consultation meeting with representatives of each CPA Region where there are Small Branches (seven of the nine CPA Regions) to facilitate discussion for a new strategic plan to build capacity for CPA Small Branches and create greater opportunities for the sharing of knowledge, parliamentary strengthening and cooperation across the network.

Below: Members of the Khyber Pakhtunkhwa Provincial Assembly in Pakistan visited the CPA Headquarters Secretariat during a visit to the United Kingdom to meet with the CPA staff to discuss the CPA's parliamentary strengthening opportunities in the CPA Asia Region.



Below and below left: Hon. Arthur Donahoe, QC, former CPA Secretary-General (1993-2001) and former Speaker of the Nova Scotia Legislative Assembly in Canada visited the CPA Headquarters Secretariat in London, United Kingdom where he met with CPA staff and discussed the CPA's ongoing work in strengthening parliamentary democracy across the Commonwealth.



Above: Hon. Rana Mohammad Iqbal Khan, Speaker of the Provincial Assembly of the Punjab, Pakistan visited the CPA Headquarters Secretariat to meet with the CPA Secretary-General, Mr Akbar Khan and the Director of Programmes, Ms Meenakshi Dhar to discuss the CPA's parliamentary strengthening programmes. The Speaker was accompanied by Malik Noshir Khan Anjum Langrial, former Member of the Punjab Assembly and Rai Mumtaz Hussain Babar, Secretary of the Provincial Assembly of Punjab. The CPA provides programmes for national, sub-national, provincial, state and territorial legislatures to network, share good practice and innovative work to strengthen the role of parliament as an institution and the visiting delegation from Pakistan heard about the CPA's work in the Asia Region.



Above: The Speaker of the Balochistan Provincial Assembly, Ms Rahila Hameed Khan Durrani and Members of the Balochistan Provincial Assembly in Pakistan visited the CPA Headquarters Secretariat to meet with the CPA team to discuss the CPA's work in the Commonwealth and parliamentary strengthening opportunities. The delegation were visiting the Parliament of the United Kingdom on a two-day study visit.

Below: The CPA Secretary-General, Mr Akbar Khan met with representatives from the UK Parliament's All-Party Parliamentary Group (APPG) on Trade Out of Poverty (TOP) to discuss the role of the Commonwealth in reducing poverty through trade and investment. Trade



Out of Poverty explores how trade can be a means to reduce poverty and researches ways of enabling developing countries to achieve inclusive growth and prosperity through trade and investment.



Above: The CPA Chairperson, Hon. Dr Shirin Sharmin Chaudhury, MP, Speaker of Bangladesh and the Commonwealth Women Parliamentarians (CWP) Chairperson, Hon. Dr Noraini Ahmad, MP (Malaysia) attended the 2017 Annual Meetings of the World Bank Group (WBG), the International Monetary Fund (IMF) and the Parliamentary Network on the World Bank and IMF in Washington DC, USA. The Annual Meetings bring together Parliamentarians from over 100 countries, leaders from civil society and partner organisations.

Right: The President of the House of Representatives of the Republic of Cyprus, Hon. Demetris Syllouris and his delegation visited the CPA to meet with the CPA Secretary-General, Mr Akbar Khan and the CPA team to discuss the CPA's work in the Commonwealth.



Below right: The CPA Secretary-General Mr Akbar Khan and the United Nations Environmental Programme (UNEP) Executive Director Mr Erik Solheim signed a Memorandum on Climate Change at the CPA Headquarters Secretariat to strengthen mutual cooperation between the two organisations in the area of Climate Change and the role of Parliamentarians.

The CPA is looking forward to delivering further policy and parliamentary training for Commonwealth Parliamentarians in this important policy area in cooperation with UNEP.



Right: The Chairperson of the Commonwealth Women Parliamentarians (CWP), Hon. Dato' Noraini Ahmad, MP (Malaysia) visited the CPA Secretariat to discuss the forthcoming meetings of the CWP to be held at the 63rd Commonwealth Parliamentary Conference in Bangladesh.





Commonwealth Parliamentarians in Africa Region focus on Agenda 2063 at the 48th CPA Africa Regional Conference

The CPA Imo State Branch and the House of Assembly of Imo State has hosted the 48th Commonwealth Parliamentary Association (CPA) Africa Regional Conference from 23 to 25 October 2017 in Owerri, Imo State, Nigeria. Delegates from 18 national Branches and 44 sub-national Branches attended the conference from CPA Branches across the Africa Region and the conference was addressed by Hon. Lindiwe Maseko, MP, Chairperson of the CPA Africa Regional Executive Committee and Dr Hon. Acho Ihim, the Speaker of the Imo State House of Assembly and President of the Commonwealth Parliamentary Association African Region. The 48th CPA Africa Regional Conference was held under the



theme of *'Africa's Agenda 2063 Vision and Master Plan'* and other topics of concern were the Parliamentary Agenda for peace and conflict resolution and the development agenda of new security architecture by the year 2020. At the same time, the CPA Africa Regional Conference hosted the Commonwealth Women Parliamentarians (CWP) Africa Regional Steering Committee and the Regional Society-of-Clerks-at-the-Table (SOCATT) meetings.



Images: Parliament of South Africa.

Former Ghana Minister urges Commonwealth Parliamentarians to uphold fundamental human rights at first CPA Lecture for the Africa Region

During the first Commonwealth Parliamentary Association Lecture for the CPA Africa Region, Dr Benjamin Bewa-Nyog Kunbuor, former Minister for Defence, Justice, Interior, Health and Attorney-General of Ghana has stressed the importance of action by Parliamentarians in the fight to protect citizens' human rights and how Speakers and Members in the Africa Region can take the lead. Dr Benjamin Bewa-Nyog Kunbuor spoke on the topic of *'Parliaments of CPA countries in the Africa Region: Their Role in Human Rights Thought and Action'*.

The protection of human rights is a fundamental principle upon which the Commonwealth is built and is critical to international peace and security. The CPA recognises the role of Parliament and Parliamentarians in the promotion and protection of human rights, which is vital as a marker of good governance. The CPA has played a key role in raising the awareness and understanding of Parliamentarians of the international human rights system and standards necessary to



strengthen their role in rights protection and promotion. The CPA Lecture in the Africa Region celebrated

the ideals of human rights, which inform and deepen democracy across all Commonwealth nations. Recognising that human rights are also a means of creating a fairer and more equitable world order, the Lecture made a valuable contribution to the CPA's efforts in promoting and championing the Commonwealth's political values as outlined in the Commonwealth Charter.

The President of the CPA Africa Region and the Speaker of the Imo House of Assembly, Rt. Hon Acho Ihim welcomed Members and guests to the first CPA Commonwealth Lecture for the CPA Africa Region. The CPA Commonwealth Parliamentary Lecture was delivered in the margins of the 48th CPA Africa Regional Conference hosted by Imo State, Nigeria. The conference was attended by Speakers, Presiding Officers, Members of Parliament and parliamentary staff from across the CPA Africa Region.

The Commonwealth Parliamentary Association Lecture Series is a global programme of Commonwealth lectures that offer Members of Parliament and the parliamentary community a unique opportunity to hear from distinguished former and current Parliamentarians and key policy-makers who have made an outstanding contribution to their nation's democracy and to the institution of Parliament and all that it represents. Collectively, this series of lectures will contribute both to the CPA's continuing dialogue within its membership and to reach out beyond to other stakeholders such as members of the international community, the diplomatic corps, civil society and the wider public.

First CPA Australia and Pacific Regional 'Hot Topic' Forum deliberates climate change at 36th CPA Australia and Pacific Regional Conference

The first CPA Australia and Pacific Regional *'Hot Topic'* Forum has taken place and heard from a number of speakers on the 'hot topic' of the region - *'Deliberating climate change: the role of Parliaments and Parliamentarians'*. With the ever increasing threats in the face of climate change to some of the Commonwealth's most vulnerable and smallest nations especially in the Australia and Pacific Regions, the forum heard from Speakers and Members whose own jurisdictions are affected by climate change and from organisations like the UNDP working in the region to combat its effects.

The CPA Regional *'Hot Topic'* Forums bring together not only Commonwealth Parliamentarians, but also academics, students, civil society organisations and the wider Commonwealth family.



The Regional Forum was opened by Hon. John Ajaka, MLC, President of the New South Wales Legislative Council and Member of the CPA Executive Committee.

Speakers at the forum included: Speaker Hon. Dr Jiko Luveni, MP, (Fiji); Deputy Speaker Hon. Mona Ioane, MP, (Cook Islands); Hon. Mark Parnell, MLC (South Australia); Hon. Ruth Forrest, MLC (Tasmania); Hon. Dr Culwick Togamana, MP (Solomon Islands); Hon. Albert Abel Williams, MP (Vanuatu); Mr Jonathan O'Dea, MP (New South Wales); Dr Kennedy Graham, President of the New Zealand Chapter of the Global Legislators Organization for a Balanced Environment (GLOBE); Nanise Saune, United Nations Development Programme (UNDP).

The CPA Regional *'Hot Topic'* Forum was held in the margins of the 36th CPA Australia and Pacific Regional Conference in New South Wales where public engagement was on the agenda for Parliamentarians. The CPA New South Wales Branch and the Parliament of New South Wales hosted the 36th CPA Australia and Pacific Regional Conference in Sydney, Australia and Members of Parliament and parliamentary staff attended the conference from CPA Branches across the two regions.

New South Wales Parliament inaugurates new parents' room

Earlier this year the Parliament of New South Wales opened a dedicated parents' room, providing a quiet haven for parents, carers and children amidst the bustle of the Parliament. The room provides much-needed facilities for the care of babies and young children and is a welcome addition for both Members and staff.

The parents' room is located in a repurposed office space with three adjoining and has been equipped with the facilities, equipment and services to make the space suitable and safe for children of all ages. This includes two cots, a day bed, a change table, microwave, a kitchenette with kettle and sink, two rocking chairs, toys, books, play mat, television and DVD player with a selection of children's movies. Towels and linen are provided and the room is checked daily by staff. So as to not disturb sleeping children the division bells have been disabled in the room and blinds installed to block out the midday sun.

Members are able to keep an eye on the proceedings of both chambers, which is broadcast internally. A workstation has also been set up in the room, with a phone and computer with the intention of allowing parents to work whilst their young ones sleep.

The parents' room is not the first measure taken by the Parliament to accommodate the needs of working parents. The New South Wales Parliament was the first state Parliament in Australia to be accredited by the Australian Breastfeeding Association, as well as the relaxing of protocols concerning young children on the floor of both Chambers

introducing family friendly sitting hours and installing publicly accessible change facilities on the general access level.

The changes follow an increase in the number of young female Members and nursing mothers within the building and are designed to encourage greater participation of women in parliamentary and political life. The introduction of the parents' room is one step towards ensuring the Parliament of New South Wales is family friendly and accommodating to Members with young families, helping them meet their responsibilities more easily.

Hon. Shelley Hancock, MP, Speaker of the New South Wales Legislative Assembly and Member for South Coast said: *"As the first female Speaker of the Legislative Assembly, I am determined to remove the barriers to female participation that exist within the parliamentary precinct. I thank the former President, Hon. Don Harwin, MLC, the current President and parliamentary staff who have supported me in this endeavour."*

For further information on the Parliament's parents' room please contact speaker@parliament.nsw.gov.au.





14th CPA Canadian Parliamentary Seminar focuses on strengthening democracy and the role of Parliamentarians

Commonwealth Parliamentarians from across the CPA membership have looked at the challenges and solutions to strengthening democracy at the 14th CPA Canadian Parliamentary Seminar held in Ottawa, Canada from 15 to 21 October 2017. The annual seminar, organised by the CPA Canada Federal Branch with funding support from the CPA Headquarters Secretariat, saw the participation of over twenty-five delegates from eight of the nine regions of the Commonwealth Parliamentary Association (CPA).

Delegates were welcomed by Hon. Yasmin Ratansi, MP, Chair of the CPA Canada Federal Branch and Canada Federal Member of Parliament who said: *"Many of you have travelled great distances to be here and we are grateful for your participation. It is a privilege to gather with our friends from across the Commonwealth in order to promote democratic governance and to support greater understanding of parliamentary systems. For 14 years, the annual CPA Canadian Parliamentary Seminar has proven to be a forum that encourages collaboration. In working together to build an informed parliamentary community, we are, at the same time, building goodwill among our countries."*

The 14th CPA Canadian Parliamentary Seminar is an opportunity to share good practice with Members on key issues such as the importance of the CPA Codes of Conduct as a tool to help address the trust deficit in Parliaments; the



importance of gender equality in parliament; and the essential role that an effective Committee can play. The Commonwealth Parliamentary Association (CPA) Headquarters Secretariat assisted in the funding of the seminar.

The CPA Branches attending the 14th CPA Canadian Parliamentary Seminar were: Zambia; Northern Territory; South Australia; New South Wales; Scotland; Wales; Newfoundland and Labrador; New Brunswick; Canada Federal; Tamil Nadu; India Union (Lok Sabha); Gujarat; Guyana; Jamaica; Saint-Lucia; Trinidad and Tobago; Singapore; Sri Lanka; Pakistan; Balochistan.

Image: Parliament of Canada.

Increasing young people's political participation is highlighted at the first CPA Roadshow in Canada Region

The Commonwealth Parliamentary Association (CPA) has brought its youth engagement programme, the CPA Roadshow, to Canada for the first time at an event for university students in the Canadian capital city of Ottawa. The CPA Roadshows highlight the importance of encouraging youth engagement in the political process and the sharing of Commonwealth political values, especially with the 60% of the 2.4 billion population of the Commonwealth who are aged under 30. The CPA Roadshows also provided an opportunity to raise awareness of the 150th anniversary of the Canadian Confederation in 2017 and the Commonwealth Summit due

to be held in the UK in April 2018 on the theme of 'Towards a Common Future'.

The Chair of the CPA Canada Federal Branch and Canada Federal Member of Parliament, Hon. Yasmin Ratansi, MP held an engaging CPA Roadshow session at Carleton University for students and alumni from the National Student Commonwealth Forum (NSCF), Carleton University and the University of Ottawa. The CPA Canada Chair was accompanied by Ms Lucy Pickles from the CPA Headquarters Secretariat who spoke about the work of the CPA and of the Commonwealth Women Parliamentarians (CWP) in promoting gender equality.

The Chair of the CPA Canada Federal Branch, Hon. Yasmin Ratansi, MP said: *"I am delighted to launch the first CPA Roadshow in the Canada Region during our 14th CPA Canadian Parliamentary Seminar. The purpose of the CPA Roadshow for young people is to engage with Canadian university students on the values that unite the Commonwealth. The CPA's public engagement work across the Commonwealth in engaging young people in the democratic process by discussing the importance of the Commonwealth is a key objective and this first CPA Roadshow in Canada has emphasised these values."*

The CPA Roadshow was organised by the CPA Canada Federal Branch in partnership with the Royal Commonwealth Society (RCS) Ottawa Branch. Mr Gregory



Evanik, President, the Royal Commonwealth Society of Ottawa said: *"This CPA and RCS Ottawa event reaffirmed our joint commitment to developing youth in order to ensure an enlightened and prosperous future for both the Commonwealth and Canada. This commitment to youth has been a long-standing priority in Canada. RCS Ottawa with the CPA have run annually a major youth development programme for high school and university students since the*

second CHOGM held in Ottawa, Canada, in 1972. The CPA Canadian Branch, is the central partner with RCS Ottawa in developing leaders for the future of the Commonwealth within Canada. This model for partnership for youth is one which RCS Ottawa would be delighted to share with other Commonwealth countries and their CPA Branches in a spirit of collaboration and sustainability of our Commonwealth values."

Commonwealth Women Parliamentarians (CWP) from Australia and Pacific Regions focus on eliminating political violence against women at regional conference in Melbourne, Australia

The 2nd Commonwealth Women Parliamentarians (CWP) Australian Region Conference was hosted by the Victorian Parliament from 28-30 August 2017, and was attended by 60 delegates from the Parliaments of Tasmania, South Australia, Western Australia, Queensland, Victoria, New South Wales, the Australian Capital Territory Parliament and the Federal Parliament. Members from the Parliaments of Samoa, Tonga, Niue, Cook Island and Nauru also attended, with support from the Australian Federal Government's Pacific Women's Parliamentary Partnerships programme.

Hosting the 2nd CWP Australian Region Conference was identified as one of the key activities the region would undertake during the year in order to fulfil its aims outlined in the CWP Australian Region Action Plan for 2017. The key themes for the conference were:

- Eliminating political violence against women;
- Empowering women in leadership and political participation; and
- The need for balancing work and life through the implementation of family friendly policies and practices in Parliaments.

These themes were developed by the CWP Australian Region Steering Committee, during its Annual Planning Meeting, held in Tasmania in November 2016. As a result, the conference provided an opportunity to explore, discuss and analyse these themes via a series of presentations, panel discussions, professional development courses, and networking opportunities.

Presentations were given by guest speakers including Natasha Stott Despoja, Chair of Our Watch, former Senator, former Australian Ambassador for Women and Girls and the youngest woman ever to enter the Australian Federal Parliament, at 26; Jacqui True, Professor of International Relations and Director of Monash University's Centre for Gender, Peace and Security spoke about Political violence against women; and Hon. Mary Delahunty, former Member of Parliament and award winning journalist spoke about transitioning to life post-politics and potential opportunities for former female MPs.

Panel sessions were held on: *Empowering women in Leadership and Political Participation and Family friendly practices in Parliaments and achieving a work/life balance.* Two professional development courses on were delivered by Melbourne based

university RMIT and focused on the topics of Social Media and Public Speaking, Speech Writing and Media Performance.

The Public Speaking, Speech Writing and Media Performance session's emphasis was on encouraging the participants to see that speeches are more than words on a page and participants will also explore the elements of their 'total communication' package and the difference between writing to be read and writing to be heard. The Social Media session encouraged participants to evaluate their own social media use, and consider what they could or should be doing in the future. It focused on areas such as defining the demographics of their audiences, producing a content strategy which is both engaging and informative, and the importance of the tone of voice for Members of Parliament.

The 2017 Conference was jointly organised by the CWP Australian Region Secretariat based at the Parliament of Tasmania, and staff from the Parliament of Victoria. The CWP Australian Region Conference was supported with funding by the Commonwealth Parliamentary Association Headquarters Secretariat through the CWP Regional Strengthening Funds.

Michelle O'Byrne, MP, Chair, CWP Australia Region said: *"I extend my sincere thanks to the Parliament of Victoria for hosting the event, in particular Deputy Speaker of the Legislative Assembly, Maree Edwards MP for hosting the Welcome Reception and to all the staff of the Victorian Parliament for all their hard work putting in place all the arrangements for the Conference. Overall, the conference provided a valuable opportunity for women Members of Parliament to get together and undertake professional development and networking opportunities, and I thank all those who attend and participated."*





Commonwealth Parliamentarians with Disabilities call for more inclusive and fully accessible Legislatures



Images: Nova Scotia Legislature/Kelly Clarke.

The unique challenges faced every day by disabled Parliamentarians from across the Commonwealth have been highlighted at a gathering of Members of Parliament in Nova Scotia, Canada. The Commonwealth Parliamentary Association (CPA) in partnership with the Nova Scotia House of Assembly has held the first conference of its kind, bringing together over 30 Commonwealth Parliamentarians with disabilities, carers and parliamentary officials from eight of the nine regions of the CPA from 30 August to 2 September 2017.

The conference enabled Members of Parliament to network and share experiences, good practice and innovations from Commonwealth jurisdictions that are designed to support their full participation in political and public life. Ensuring a disability perspective in all aspects of policy and legislation formulation, effective implementation and enforcement of existing accessibility and disability laws and policies, as well as providing for equal employment opportunities and training, are among the measures that contribute to the greater inclusion of people with disabilities.

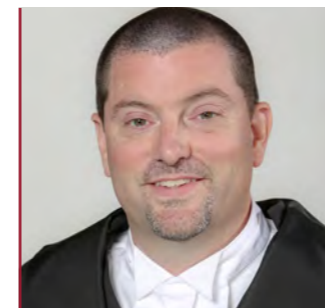
Members pledged to continue to advocate for more people with disabilities to stand for public office and improved access in legislatures across the Commonwealth. Recognizing their individual responsibilities as role models, Members discussed how they could use their positions to promote and work towards more representative and inclusive legislatures across the Commonwealth. The important role of political parties in candidate selection was recognized as critical to increasing the numbers of people with disabilities in Parliaments.

At the opening of the conference, Hon. Kevin S. Murphy

MLA, Speaker of the Nova Scotia House of Assembly said: *"It is a privilege to welcome my fellow Parliamentarians with disabilities to Halifax, Nova Scotia for this unique Commonwealth Parliamentarians with Disabilities Conference. Nova Scotia became the 3rd province in Canada to pass accessibility legislation that ensures fair and equal access for all citizens. It is my hope that we will collaborate to develop and make recommendations to the CPA to create a formal network of Parliamentarians with disabilities within the Association."*

Hon. Jackson Lafferty, MLA, Speaker of the Legislative Assembly of the Northwest Territories and CPA Executive Committee Representative for the Canada Region, said: *"The World Health Organisation reports that around 15% of the world's population, or an estimated 1 billion people live with some form of disability or different ability. Persons with disabilities have a great deal to contribute to our society and democracies and must be given equal opportunities and the right support. The CPA recognises the importance of creating inclusive Parliaments and has supported the inclusion of special interest groups recognizing their importance in strengthening parliamentary democracy across the Commonwealth. To be reflective of the societies we serve it is important that persons with disabilities are given opportunities to be represented in Parliament. However, despite constituting 15% of the world's population, Parliamentarians with disabilities are in the minority or non-existent in most Commonwealth Legislatures, and significantly underrepresented in governance and other levels of decision-making."*

COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES: VIEW FROM NOVA SCOTIA, CANADA



Hon. Kevin S. Murphy, MLA is the Speaker of the Nova Scotia House of Assembly and Member of the Legislative Assembly for Eastern Shore. He is the first Speaker in any Canadian jurisdiction to have a permanent long term physical disability. He is a spinal cord injured quadriplegic as a result of a hockey accident in 1985. He attended Saint Mary's University and has operated several successful small businesses over the past three decades. He has also worked for the Canadian Paraplegic Association in Nova Scotia and the Rick Hansen Foundation.

For a democracy to adequately represent and serve its people, it stands to reason that the elected officials within that democracy would need to be as diverse in background as the people they serve. When done correctly, this allows for the wide range of experiences and expertise found within a community to have a place at the table where policy is made, leading to the development of policy that better reflects the needs of the community.

Through my experiences as a person with a disability, both as a private citizen and as an elected official, I have witnessed firsthand how a diverse government can have a significant impact not only on what policy is put forward, but on the procedures and practises of government itself, leading it to become more inclusive. This has led me and many others to the conclusion that the path forward for improving the representation and services for persons with disabilities is through their greater participation in our parliaments. It was with this goal in mind that I sought to organize the first conference for Commonwealth Parliamentarians with Disabilities (CPwD), which was held from 30 August to 2 September 2017, in Halifax, Nova Scotia, Canada.

The conference served as an opportunity to share our

experiences from across the different Parliaments of the Commonwealth, establishing what our common challenges are and sharing what practises our Members have found to be successful. Additionally, we discussed a proposal submitted by the Nova Scotia Branch to the Commonwealth Parliamentary Association's (CPA) governing bodies to establish a network of Commonwealth Parliamentarians with disabilities within the CPA organization. This proposal was submitted with the goal of creating a framework with which discussions that took place at this conference could continue, furthering the goal of greater participation of persons with disabilities.

As a Member of the CPA International Executive Committee, Hon. Jackson Lafferty, Speaker of the Legislative Assembly of the Northwest Territories, Canada asked the delegates three questions to contemplate over the course of the conference.

- What can you do as an individual Member of Parliament to advance the understanding and involvement of persons with disabilities in democratic institutions?
- What Parliaments should be doing to encourage persons with disabilities to take part in parliamentary democracy?

- What international organizations such as the Commonwealth Parliamentary Association can do to encourage Parliaments to be more inclusive of persons with disabilities?

To Mr. Lafferty's first question posed, the most valuable asset we have to offer as individuals is our own experience in becoming elected or appointed to positions within public office. Through the course of the conference, there were many different perspectives expressed as to what the challenges were for getting persons with disabilities to run for elected office, and though not a uniform experience, a common issue shared amongst delegates was whether or not political parties were willing to run them as candidates. Every country's political parties have their own traditions and culture when it comes to seeking political office, but in many cases, there is an expectation of grunt work that is required by the party brass. In my own experience, being a person who uses a wheelchair, I spent many years volunteering my time to propose and help draft policy resolutions through my riding association, as opposed to the more traditional task of canvassing and door-knocking. In this way I was both able to demonstrate my strengths as an individual and meet



those sometimes-unspoken requirements that might have been held by the party brass. However, such opportunities do not always exist within the structure of a party and it falls to us Members who have succeeded to seek out, mentor and support the young, capable, driven persons with disabilities living in our communities. It also falls on us to do our part to change the thinking of 'party elders' who may still hold outdated views, depriving our political organizations of talented individuals without even necessarily realizing it.

The second point raised speaks to the need for our institutions, and the very buildings that they occupy to be made inclusive and accommodating for persons with disabilities. From our discussions, it would be fair to say that this is a challenge across the board for the member Branches of the CPA. Many of our parliamentary buildings are old, in some cases by hundreds of years, filled with history and traditions that began at a time when accessibility was not in the forefront of the architect's mind. As I can attest, my own jurisdiction's legislature is nearly

200 years old and in no way, was there any form of accessible entrance ways or lifts included in its original design. It was the election of a former Member of our house, Jerry Lawrence, in 1978, that led to the installation of an elevator in our building, an important first step to making the legislature inclusive. Upon my own election in 2013, and my subsequent election as the Speaker of the Nova Scotia House of Assembly, renovations were made within the chamber to allow me to serve just as ably as anyone else in my position, and was done so in a way that was respectful to the design of the legislature floor, despite some initial concerns. Though it may initially seem costly, such renovations demonstrate to the public leadership when it comes to enabling persons with disabilities. This leads to not only the creation of more inclusive public facilities, but goes further by highlighting the significant contributions that persons with disabilities make in our society when given an equal opportunity to participate.

The final question for our consideration put forward by Hon. Lafferty was perhaps the most important question

of the conference. What can organizations, such as the CPA, do to encourage Parliamentarians to be more inclusive of persons with disabilities? The answer would appear to lie in the great work that has previously been undertaken by the Commonwealth Women Parliamentarians (CWP). Since 1989, the CWP has been a force for positive change in improving the representation of women in Parliaments across the Commonwealth. With the support of the CPA's governing bodies, the CWP's organizational framework could serve as a template for the proposed Commonwealth Parliamentarians with Disabilities (CPwD) network. It could operate in a similar fashion, providing better outreach, promotion and research for increasing the representation of persons with disabilities in our Parliaments.

To conclude the conference, our delegation put forward a formal list of recommendations for the CPA Branch membership to consider at the 63rd annual Commonwealth Parliamentary Conference in Dhaka, Bangladesh. I was pleased to

learn that upon review of these recommendations, the Executive Committee agreed that the CPA should move forward in establishing the proposed CPwD. The recommendations will be circulated to the CPA membership, and a report will be completed by the CPA Headquarters Secretariat on the associated costs required to implement the proposals. The report and further discussion are expected to be presented at the CPA Executive Committee's mid-year meeting being held in Mauritius in March 2018.

As one delegate at the conference, Stephanie Cadieux, of British Columbia stated: *"When we're in public service and when we're in positions of leadership, I think we have an obligation to do better. If we're going to insist that employers make their workplaces accessible and follow inclusive hiring practices then we need to be leading by example."*

I would like to thank all those who took part in developing and bringing forward this proposal thus far, and for their ongoing support and contributions as we develop this vision for a more inclusive Commonwealth.



Left: At the opening of the conference, Hon. Kevin S. Murphy MLA, Speaker of the Nova Scotia House of Assembly (centre) with the CPA representative, Hon. Jackson Lafferty, MLA, Speaker of the Legislative Assembly of the Northwest Territories and CPA Executive Committee Representative for the Canada Region (left) and Ms Meenakshi Dhar, CPA Director of Programmes (right).

COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES: VIEW FROM WALES



Hon. Ann Jones, AM has been a member of the National Assembly for Wales since its creation in 1999 and Deputy Presiding Officer since 2016. Ann worked for over 30 years in the Fire Service emergency call-handling centre and was a national official of the Fire Brigades Union. She has chaired a number of Committees including Communities, Equalities and Local Government, Children and Young People Committee and the Cross Party Group on Deaf Issues. Ann's political interests include education, disability issues and women in public life.

As a long life campaigner for disability rights, I was delighted to receive an invitation to attend the Inaugural CPA Conference for Commonwealth Parliamentarians with Disabilities, led by the Speaker from the Nova Scotia Assembly, Hon. Kevin Murphy. The conference provided an opportunity for participants to share best practice and personal experiences. Attendees from across twelve Commonwealth countries were present at the conference and discussed how Parliamentarians with disabilities can play a full and equal role within the parliamentary environment, and how physical and mental barriers must be overcome to entice greater numbers of people with a disability into politics. Many examples were shared in relation to discrimination, stigma and unfair treatment due to a disability. Delegates were unanimous in agreeing that breaking through these barriers is an essential focal point in moving forward.

The Senedd – Wales' Parliament building

I was pleased to learn through our discussions how forward thinking the National Assembly for Wales is in regard to accessibility and inclusiveness. It became clear that many Commonwealth countries have struggled with adapting their Parliament buildings to ensure that they are fully accessible. This is mostly due to the nature of the building and the fact that they are steeped in history. Wales however, unlike many other Commonwealth countries, has had the luxury of designing a brand new Senedd, with the design brief clearly

stating that it should be a building exemplar in terms of accessibility for all. This was achieved in consultation with representatives of disability interest groups from across Wales, and has resulted in a completely accessible building. Some of the access features include external access ramps, internal and external lifts, a range of toilet facilities including a bed and a hoist for adult changing and accessible signage.

In addition to the Equality Act 2010, an Equality and Access fund has been made available to Members and support staff. This supports Members in communicating and engaging with a diverse range of constituents, provides reasonable physical adjustments to improve access to offices, and support for Members and their staff with, or associated with any of the protected characteristics to ensure that they are not disadvantaged. Accessible information may also be provided, such as the use of different formats, British Sign Language Interpretation and the availability of a suite of information for visitors with autism. All staff members at the National Assembly for Wales have received training on diversity and inclusion in the workplace, with the Front of House and Security teams receiving additional Disability Confidence training to support positive interactions with disabled visitors. A wide range of training is also available to all staff. As part of our continuous commitment to involving all of the people in Wales in the Assembly's

work, the Outreach team engage with disabled people and interest groups across Wales. Further to this, the National Assembly for Wales promotes Disabled Access Day and International day of Disabled People.

Official recognition has been given to the National Assembly for Wales' commitment to accessibility including achieving the Action on Hearing Loss charter mark, and Excellence Wales Awards for provision of services to people who are deaf or have a hearing loss. Further to this we have been named an Autism Friendly organisation by the National Autistic Society and have been rewarded the title of a Disability Confident Employer by the UK Government.

As Deputy Presiding Officer, and Vice-President of the CPA Wales Branch, I am very supportive of the creation of a network for Commonwealth Parliamentarians with Disabilities. This will provide a much needed platform to learn from legislatures from all over the Commonwealth and to create meaningful and lasting working relationships. It will also provide support to ensure that everybody has access to parliament and to respect their democracies.

I would like to extend my great thanks to Hon. Kevin Murphy from Nova Scotia for taking the initiative to create this network, and also to the CPA Headquarters Secretariat. I hope that Parliamentarians across the CPA, disabled or not, join the participants that were present in Nova Scotia, to support the formal creation of Commonwealth Parliamentarians with Disabilities (CPwD).





ADVANCING WOMEN AND GIRLS WITH DISABILITIES



Hon. Dato' Dr Noraini Ahmad, MP, Commonwealth Women Parliamentarians Chairperson is a Member of the Federal Parliament of Malaysia and Chair of the Malaysia External Trade Development Corporation (MATRADE). The CWP Chairperson was elected for a three-year term in 2016. Elected to Parliament for the first time in 2008, she has held various Ministerial positions whilst also leading various federal agencies including the Malaysian Network Information Centre, Astronautic Technology, and the Investment Agency for People's Trust Fund.

In most parts of the world, the number of women with disabilities is likely to be higher than the number of men with disabilities. This is in large part a result of the longer life expectancy of women compared to their male counterparts. The 2011 World Report on Disability highlights that the percentage of women experiencing a disability which causes significant difficulties to their everyday lives is 19.2%, whereas it is 12% for men. Additionally, amongst those experiencing severe difficulties in their everyday lives, the prevalence rates between men and women are 1.4% and 2.7% respectively, a ratio of nearly 1:2.

In terms of employment, the World Bank (2011) has further revealed that in 51 countries, only 20% of women with disabilities are employed compared with 53% of men with disabilities and 30% of non-disabled women. These figures indicate that persons with disabilities, and especially women and girls with disabilities, are amongst the most vulnerable and most disadvantaged minorities in our societies.

Disability, gender inequality, and discrimination are closely intertwined, however, women

and girls around the world with disabilities have been invisible both in advocacy for gender equality and disability rights. This has only served to further increase their vulnerability and caused them to be left with multiple impediments to fully realizing their rights. Women and girls with disabilities notably have the potential to face 'double discrimination', which may involve social, economic and political marginalization, gender-based violence and exploitation. Consequently, in many parts of the world they often have little to no hope of going to school, getting a job, purchasing and owning their own home and property, raising a family, or exercising their political rights.

To empower women and girls with disabilities, effective legal mechanisms to end inequality, discrimination and the violation of rights that threaten them must be strengthened, and their needs must be not only considered but mainstreamed and incorporated into development of policies, plans and strategies for effective implementation in all levels across the Commonwealth. This is in line with the principles of non-discrimination and equality of opportunity as enshrined in

articles 3 (b), 3 (e) and 5 (2) of the Convention on the Rights of Person with Disabilities (CRPD), as well as paragraph II of the Commonwealth Charter, which reaffirms the commitment to "equality and respect for the protection and promotion of civil, political, economic, social and cultural rights." It must be noted, however, that the Commonwealth Charter does not directly mention those with disabilities, instead opposing "all forms of discrimination, whether rooted in gender, race, colour, creed, political belief or other grounds." Instead it must be assumed that the other grounds cover disability.

Similarly, while the word 'disability' is only briefly mentioned directly in the Sustainable Development Goals (SDGs), all seventeen goals are pertinent to ensuring the protection of the rights of persons with disabilities. In line with the principle of 'leaving no one behind', various goals in the SDGs are related to disability, particularly with regard to: poverty and hunger (Goal 1), health and well-being (Goal 3), quality education (Goal 4), gender equality (Goal 5), economic growth and employment (Goal 8), accessibility of human



Above: Delegates at the CPA Conference for Commonwealth Parliamentarians with disabilities in Nova Scotia, Canada.

settlements (Goal 11) and on data collection and monitoring of the SDGs (Goal 17). Hence, it is critical to include the rights of women and girls with disabilities in development policies, programmes and monitoring and evaluation frameworks with gender-based budgeting at all levels, including the highest level of international cooperation.

The role of Parliamentarians

The participation of women and girls with disabilities and their empowerment are significant factors in political, economic, social, and cultural development. Parliamentarians can play significant roles to empower women and girls with disabilities, which will in turn serve to create a stable society which generates a fully developed nation.

Parliamentarians should be more sensitive and continue to champion the rights of persons with disabilities, including women

and girls. It is fundamental for Parliamentarians to ensure that all policies and legal reforms, financing, programmes and other resources are inline with their needs and aspiration. Parliaments should also push the government to mainstream the rights of persons with disabilities in the national and local strategies, budgets, plans and strengthen their data system.

In looking to my own Parliament in Malaysia, I can proudly say that the rights of persons with disabilities had been recognized by the introduction of the Persons with Disabilities Act 2008, which came into effect on 7 July 2008, during the five-year National Plan of Action for Persons with Disabilities (2007-2012). This act recognizes the rights-based approach to persons with disabilities and looks to promote the quality of life and wellbeing of disabled people in Malaysia, notably through

providing a number of 'access rights' including rights of access to employment, education, public facilities, information, and recreation leisure and sport.

In order for persons with disabilities, including women and girls, to be properly integrated as full and equal citizens in the country's development, it requires a consistent approach to integrate equality and non-discrimination as normative standards across the government's agenda through legal mechanisms, policies and programmes. In undertaking this approach, women and girls with disabilities must be positioned at the heart of the development policy, and no one should be left behind. In addition, Parliamentarians should encourage the participation of their colleagues and fellow Parliamentarians in national, regional and inter-regional conferences, which can serve to foster the exchange of

information and expertise on the rights of women and girls with disabilities, and to share instances of best practice.

In conclusion, the CWP calls for the strong commitment and cooperation of all Parliamentarians and all political parties to bridge the gap of inequality and ultimately empower women and girls with disabilities. Additionally, in my position as Chairperson of the Commonwealth Women Parliamentarians (CWP), it gives me great pleasure to congratulate Hon. Kevin Murphy, Speaker of the House of Assembly of Nova Scotia for the successful hosting of the Commonwealth Parliamentarians with Disabilities Conference in Nova Scotia, Canada earlier this year.



COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES: BE VIGILANT, BE PERSISTENT: VIEW FROM TRINIDAD AND TOBAGO



Senator Hugh Russell Ian Roach is currently an Independent Senator in the Parliament of Trinidad and Tobago, having first entered Parliament in 2013. He is an attorney at law with over 28 years of experience and has practiced internationally with emphasis on negotiation, mediation and lobbying on behalf of international firms and governments. He has presided over several courts-martials as a Judge Advocate in the Trinidad and Tobago Defence Force and was also the Honorary Consul of Trinidad and Tobago to South Africa during the presidency of Nelson Mandela and later that of Thabo Mbeki.

Raising awareness of the challenges that Parliamentarians with disabilities face is timely on the heels of the recently-concluded inaugural CPA Conference for Commonwealth Parliamentarians with Disabilities held in Halifax, Nova Scotia, Canada. It is truly commendable that the Commonwealth Parliamentary Association (CPA) and the House of Assembly of Nova Scotia took the initiative to host such a conference, it being a momentous step in securing a rightful place in democracy for disabled Parliamentarians. It is my hope that it will spur on a new sense of urgency in all Commonwealth Parliaments to ensure more participation of persons living with disabilities. For my part, I hope to incite the Parliament of Trinidad and Tobago to be a model of progressive action, in order for disabled members of society to feel eager and able to fully participate.

Over the past few decades in Trinidad and Tobago, there have been significant allocations in successive budgets to education and skills training. The country has a large pool of highly-educated people. Yet I remain a solitary presence as a disabled Member of Parliament. This situation raises the obvious question of, 'How come?'

Firstly, like many other countries, people living with disabilities face hurdles of accessibility which restrict their movement and therefore participation in public life. These challenges can also result in insufficient visibility

and public awareness of the good work done across a range of fields by persons living with disabilities such that they do not come to the notice of those who are responsible for nominating persons to be Parliamentarians via the Senate. Greater engagement in political processes would require affirmative and enabling actions by political parties including in their outreach to persons living with disabilities as candidates. And even where participation is secured, it has not been a priority for the able-bodied majority of our successive Parliaments to provide adequate physical infrastructure and amenities to accommodate the participation of disabled members of society, who have all paid lip service but yet remain lethargic action-wise.

Although not the same as institutional responses, individual conduct does matter. With diminished resources in an oil and gas economy beset by sustained internationally low prices, the Government is under fiscal constraints, with reduced allocations to Parliament. Notwithstanding this, the parliamentary staff remains highly efficient and attentive, making arrangements time and again to facilitate my presence in the chambers. But this is not enough. The ability of Parliamentarians living with disabilities to participate equally should not depend on the kindness and attention of individuals. The apathy of successive administrations of government must end with actions to outfit the Parliament

precincts to be differently-abled friendly. To begin, parking spots suitable in size and close proximity to the Parliament precincts should be provided. There should also be designated places within the Parliament Chambers for disabled ones to be easily accommodated. The chambers' floor plan should be so laid out to facilitate our free movement to all areas, including ramps to access the podiums of the Speaker and President of the Houses. Wherever possible, the use of carpet should be avoided, as it makes for the easier maneuvering of wheelchairs. Attention should also be placed on the appropriate height of tables, desk tops and other counter surfaces, as they are often too low to sit behind or use comfortably.

More importantly, as it is a well-known fire services advisory that stairs and not elevators are to be used in the case of fire and other emergencies, there should be a clearly articulated and well-known evacuation plan for the emergency extraction of disabled ones. Our Parliament and a number of its offices are located on the second to ninth floors, making this an item for immediate attention and implementation.

I was the first wheelchair-bound MP in 2013. Most of the MPs sitting today are the same since I started, although the incumbents changed sides with the Opposition in the 2015 general elections. And notwithstanding my often articulated concerns and recommendations, the fact that no adjustments have been made demonstrates lack of urgency in

addressing the obvious inequality of treatment for its differently-abled Members. This can only be indicative by extension of the State's disregard of members of the public who are similarly circumstanced.

Parliamentary staff complain that they lack a budget to execute the necessary changes required to fully accommodate my physical independence in the chambers. I have time and again been placated with promises of a better tomorrow, when the restoration of our historical seat of Parliament, called 'The Red House', would be completed and which, it is promised, will incorporate specific recommendations made by me along with some made by the Canadian Government. Restoration has been in progress for more than a decade. In other words, as we 'Trinbagonians' like to say, 'hold strain'. That cannot be a reasonable response to demands for inclusiveness and equality of treatment. It is a violation of equal treatment guarantees.

I have on two separate occasions invited able-bodied MPs to try coming to the chambers in a wheelchair so as to experience firsthand the plight of some differently-abled ones when attending sessions. To date, only one has taken me up on my invitation. I imagine it would be too much of an inconvenience for the other Honourable Members.

I was a bit heartened, though, to learn recently that the present administration in Trinidad and Tobago is in the process of revising the National Policy on Persons with Disabilities. In my capacity as an advocate for the disabled community and a sitting Member of Parliament in the Senate, I was approached by the Permanent Secretary of the Ministry of Social Development and Family Services to assist in the finalization of same, as it is the Government's expressed desire to comprehensively prescribe for the multifaceted needs of

the disabled based on national consultations and the consensus derived therefrom.

The recommendations hereinbefore proposed regarding changes that can be made to the Trinidad and Tobago Parliament and its precincts may just help in its transformation in the short term to be disabled-friendly while a more comprehensive policy is being reviewed for presentation to the Parliament for debate and later adoption.

As the highest institution of the State, it is entirely reasonable to expect that adequate provisions are made for the disabled, an obligation that ought not to be sidelined on the basis of reduced Government income. For far too long, the disabled community has been marginalized in the process of parliamentary democracy and treated as an inconvenient sector of our society.

Parliamentarians must honour their critical leadership role in charting the course for positive actions towards a necessary user-friendly space in and out of Parliament and for members of the public wishing to witness and participate in our parliamentary democracy. There ought not to be any further delay of this

imperative role by any member of the CPA to provide adequate facilities for the differently-abled of our democracies.

Talk is cheap and actions speak louder than words. Consideration could be given to placing an obligation on all CPA member Branches to put in motion a clearly identified code of conduct for adoption and implementation, which will ensure that appropriate measures are taken to remedy the neglect attending the plight of the differently-abled in our parliamentary democracy. This can be monitored by a CPA peer review on an annual basis, which may name and shame accordingly or even impose sanctions on its members and suspend after a set number of warnings to remedy have been ignored.

What is to happen, when it should happen and who should make it happen for the differently-abled ones in all of our Parliaments will depend on the priority placed on same by our various governments. The Parliamentarian's role is to be vigilant and persistent in demanding appropriate policy changes and implementation of a new order to make Parliament

accessibility for disabled members a standard requirement in our parliamentary democracy.

Since my appointment to the Senate in Trinidad and Tobago, I have used our annual occasion of the budget presentation and the debate thereon to highlight the concerns and neglect that continue to be a blot on the democratic aspirations of disabled members of our society, which effort I have repeated at every opportunity during the course of other debates in the Senate to make a plea for positive action in this regard. Many Members express their sincere desire to assist in moving the necessary legislation forward. My strategy is to keep trying to get same to the forefront of the Government's legislative agenda whilst continuing to sensitize my fellow MPs so that they can lend not only their verbal support but also their vote when it becomes necessary. Hopefully, the aforementioned revised National Policy on Persons with Disabilities would be completed soon and would be presented for debate and passage during the current parliamentary session.





COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES: VIEW FROM NEW SOUTH WALES



Liesl Tesch, AM, MP is a seven time Paralympian recently elected to the New South Wales Parliament for the seat of Gosford. Liesl has recently been inducted into both the Australia Sailing and the Basketball Halls of Fame for her ongoing commitment to excellence and social inclusion within both sports. She is the Co-Founder of Sport Matters, an international aid and development organisation that uses sport as a toll for social change, and uses a wheelchair as a result of a bicycle accident when she was 19.

It's time for more Parliamentarians with Disabilities! We are a small minority in our Parliaments across the world, yet people with disabilities represent 15% of the world's population. Parliamentarians with disabilities representing 13 nationals gathered at the inaugural Commonwealth Parliamentarians with Disabilities conference in Halifax, Canada earlier this year, committed to increasing the number of people with disabilities

represented in Parliaments across the Commonwealth.

Composed of self-identified people with disabilities (PWD) who are current provincial, state or federally elected representatives in the Commonwealth, the group identified the need to establish a new section within the CPA to further increase the representation of PWD within Commonwealth Parliaments.

The outcome proposal was sent to the 63rd Commonwealth Parliamentary Conference in Dhaka, Bangladesh to create a 'Commonwealth Parliamentarians with Disabilities' (CPwD) network to achieve the goal. The CPA Executive Committee agreed to three recommendations, with the cost of the establishment of the recommended network for Commonwealth Parliamentarians with a disability to be the subject of a report back to the next Executive Committee meeting in March 2018.

We understand that an official CPwD network will foster relationships between Commonwealth Parliamentarians with Disabilities, allowing discussion and the development of strategies to act on issues relating to PWD internationally.

The inaugural meeting established a network of Commonwealth Parliamentarians with Disabilities, identifying the need to empower and promoting economic and social inclusion for all, especially people with disabilities, at all levels of government.

At the two-day workshop generously hosted by the Parliament of Nova Scotia, Canada, Parliamentarians with Disabilities identified many commonalities and objectives to be shared across our diverse regions of the Commonwealth to encourage our Parliaments to be more inclusive of PWD.

We discussed a number of

factors that Parliaments need to add to encourage PWD to participate in our democracies. We shared an inherent belief that we need to work to change the perceptions of our parties, identify barriers and work to create opportunities to allow more people with disabilities to be nominated to represent political parties across the Commonwealth.

A CPwD network aims to develop outreach programme materials encouraging PWD to seek elected office. Perhaps we all need to consider the Scottish model, whereby financial assistance is provided to support candidates with disabilities - to fund translators, drivers, and assistance with pamphlet delivery - during the course of their campaigns. Or adopt the model of the UK Parliament's House of Commons, where an equality and access fund is made available for Members and their officers.

CPwD identified that physical accessibility, stigma and attitudinal barriers must be addressed to achieve full inclusion. United and supported, CPwD seek to develop strategies to overcome barriers that compromise the ability of persons with disabilities from seeking elected office.

The Parliament of Manitoba in Canada, for example, has undergone significant structural modifications including lifts, ramps, automatic doors, stair lighting, improved speaker systems, and has raised the floor of the Parliament to accommodate persons with diverse disabilities as visitors and members. If you make a building accessible for the person who needs the most accommodations, you make it friendly for most.

I am currently in the process of working with our parliamentary staff to undertake the necessary changes to make the New South Wales Parliament in Sydney inclusive and accessible to

accommodate my needs. It has been an ongoing, disruptive process that I believe should have been in place before my election to Parliament. I continue to emphasise that government, as the leaders in New South Wales society, should be modelling inclusive excellence, rather than disruptive, post-arrival modifications to accommodate the needs of a new politician who is also a wheelchair user.

The good news is that as more people with disabilities sit on the other side of the desk, we will raise awareness and ensure that disability awareness is included within all levels of legislation, and legislate to eliminate all forms of discrimination. And as more PWD continue to occupy elected seats, more PWD see that the opportunity can also be for them.

The challenge lies ahead. As PWD, we have to make sure we work to the best of our ability as we are not only representatives of our constituents, but also ambassadors for PWD, showing that we are fully able and capable of doing whatever we need to do.

As a very newly elected member of the New South Wales Parliament, the CPA Conference was a wonderful opportunity to meet colleagues who have pushed through similar barriers in their lives and in their Parliaments as those I continue to face. It was wonderful to share 'war stories', and also enlightening to hear about the history and success of the network of Commonwealth Women Parliamentarians (CWP) from the Canadian CWP's outgoing Chair, Hon. Linda Reid, MLA (British Columbia).

It gives me great hope that necessary social change can be expedited when driven from the extraordinarily strong position within the Commonwealth Parliamentary Association.



COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES: VIEW FROM THE UNITED KINGDOM



Rt Hon. Lord Blencathra, PC is a member of the House of Lords in the UK Parliament. Previously a Member of Parliament in the House of Commons from 1983 to 2010, he held a number of positions including Home Office Minister, Environment Minister, Government and Opposition Whip, Lord Commissioner of the Treasury and Parliamentary Secretary for the Ministry of Agriculture, Fisheries and Food (MAFF). Prior to entering Parliament, he was in the British Territorial Army. In 2011, he became a life peer and took his seat in the House of Lords. Lord Blencathra has multiple sclerosis and he uses a wheelchair.

Like all other Commonwealth Parliamentarians with Disabilities who attended the CPA conference in Halifax, I want to thank the Speaker of the Nova Scotia House of Assembly, Hon. Kevin Murphy, MLA for this excellent initiative.

In our discussions it became clear that disabled people are grossly under-represented in all Parliaments and assemblies. The UK is one of the better ones but still at an appallingly low level. There are, I understand, 45 UK Members of Parliament who identify as LGBT and only 5 who are disabled, despite disabled people making up 15% of the population.

If the UK House of Commons were to be representative of the population as a whole then almost 100 MPs would have some form of disability. We know the difficulties some

disabled people have in getting elected in the UK but in some Commonwealth countries there is positive hostility to disabled people becoming Members of Parliament. We see the creation of this Commonwealth Parliamentarians with Disabilities group as part of the solution to get more disabled people into their Parliaments.

When I was preparing for the conference, I thought that I would update myself on what assistance the UK Parliament gives to colleagues with disabilities. It is seven years since I was last an elected Member of Parliament and whilst one knows the assistance available for one's own disability (in a wheelchair) I was vague on the changes to assistance since 2010 and what was available for colleagues with other disabilities.

This article deals with the

assistance available for elected UK Parliamentarians or MPs. Members of the House of Lords do not have any constituents nor get thousands of letters and we do not have constituency offices to run. Therefore whilst there is some assistance available to disabled peers it is, rightly, much less than for elected Members of the House of Commons. It is principally an attendance allowance for an assistant for each day the disabled peer and the assistant attend the House of Lords.

Three aspects of assistance available

That sounds an odd way to describe it but in the best way I can explain what is available.

First there is no single portal for disabled Parliamentarians to access all the assistance available but they have to go to different sources.





For financial help with extra office staff to assist with the disability or renting suitable offices in their constituency they have to ask the Independent Parliamentary Standards Authority (IPSA) which has the complete discretion to make any amount of additional allowances available to cope with the disability. Until the 'expenses scandal' of 2009 this and all allowances were dealt with in-house but IPSA is now in charge and whilst most MPs complain about some aspects of IPSA's bureaucracy there are no complaints about how they handle disability allowances. IPSA publishes every penny an MP receives in salary and allowances but does not publish disability assistance. Generally IPSA will fund any special requirements for disabled MPs. That may range from equipment to extra staff trained in Braille to the extra costs of accessible constituency offices. Whilst MPs have been, rightly in my view, critical of some IPSA penny pinching and bureaucracy there has been no criticism of the way they fund disabled MPs.

Second, all new MPs receive a 130 page handbook which covers every aspect of their life and work as an MP including a section on disability. The Induction Course for new MPs also gives personal guidance to disabled MPs and points them in the right direction for assistance. The House of Commons will provide and adapt offices for disabled MPs. There are no special offices set aside for disabled MPs and that is the way Members want it.

It is important to note that the House authorities do not allocate offices to MPs. That responsibility and right is firmly controlled by the Government and Opposition Whips. Whilst there is always some 'manoeuvring' after an election, the Accommodation Whips, as they are called have an understanding through 'the

usual channels' (the name given to the formal and informal contacts between the party whips) as to what political party is entitled to which offices and the understanding seldom breaks down.

Within their party allocations, the whips will allocate offices based subjectively on seniority, need, deserving of reward, consolation prize for lost ministerial office or other reason. Those perceived to be less deserving for whatever reason will not get the best offices. However all colleagues with disabilities will be given offices which best suit their disabilities and these may be close to the Chamber in the 1850 building or further away in the modern office block, depending on what the disabled Member wants.

The third aspect is a network of support which has the blessing of Parliament but is not controlled by it. The United Kingdom Parliament supports a range of internships and a network for disabled people standing for election and working as staff. These include:

House of Commons Diversity and Inclusion Scheme

Access and inclusion is a priority area under the Commons Diversity and Inclusion Scheme, which aims to make Parliament accessible to disabled Members of Parliament, staff and visitors. The scheme was launched in March 2012.

Speaker's Parliamentary Placement Scheme

This Scheme offers paid internships in a range of Parliamentary roles to individuals from diverse backgrounds and helps make access to Parliament representative of the UK population. After a successful first year, the Scheme has been expanded following funding from the Government Equalities Office

for up to three disabled interns.

Workplace equality networks

All this work is supported by ParliAble¹, the workplace equality network in Parliament for disability. This network is open to all parliamentary pass holders, and falls under the support, talent management and career progression area of the diversity and inclusion scheme. ParliAble's mission statement is "to increase awareness and appreciation of disability issues on the Parliamentary estate, and to provide a platform where disabled people can find support, where disability equality objectives can be progressed."

The former miscellaneous collection of buildings housing Parliament and dating from the 11th century were almost totally destroyed by a fire in 1834. The current Palace of Westminster was opened for business from 1852 and finally completed in 1870. Then disabled access was not high on the agenda and the Palace has too many steps and not nearly enough lifts. Despite the best efforts of Parliamentary authorities some parts are inaccessible and since the building is Grade 1 listed the authorities feel constrained in making adaptations which would make it accessible for wheelchair users. For example, in both Houses wheelchair users have to sit in the middle of the floor in the Lords and nearly the middle in the Commons. Authorities will not convert any of the green or red leather front benches to flip up seats which would permit a wheelchair user to park there without taking up too much space.

However a major decision will be made soon on a £5 billion repair and refurbishment of the Palace which will necessitate a full decant for 5 to 6 years. That will allow us to add all the modern disabled facilities we need, for

every type of disability, without fundamentally wrecking the precious Barry and Pugin Gothic architecture. However although there are 650 MPs, the House of Commons Chamber holds only 467 and for certain key debates almost 200 cannot get seats but have to stand and sit on the steps, packing every aisle. The House of Commons Chamber was destroyed by a bomb during the Second World War and Winston Churchill insisted that it should not be increased nor turned into a hemicycle. He said that keeping it adversarial and intimate was the essence of the UK party system and democracy; "we shape our buildings and afterwards our buildings shape us."

However attitudes, more than buildings are responsible for the low number of disabled Parliamentarians. The aim of the group is not to make life easier for those of us with disabilities but to encourage people who have the drive, enthusiasm and ability to be good representatives of the electorate but are being kept back because of some physical disability. In most cases it is our political parties who are reluctant to select disabled people.

As we rightly seek to have more women elected to be representative of the general population, we are all failing to encourage disabled people to stand for Parliaments and assemblies and the UK is no better than any others. Having only 1% disabled Parliamentarians out of a disabled population of 15% is letting down a huge number of constituents. We have to change that.

References

¹ <http://www.parliament.uk/about/working/workplace-equality-networks/parliable/>

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With thanks to our Parliamentary Report and Third Reading contributors: Stephen Boyd (Federal Parliament of Australia); Ravindra Garimella (Parliament of India); Dr Jayadev Sahu (Parliament of India); Michael Dewing (Federal Parliament of Canada); Luke Harris (Parliament of New Zealand); Ayeesha Waller (Parliament of the United Kingdom); Alayna van Leeuwen (British Columbia Legislative Assembly).

'BREXIT' LEGISLATION DOMINATES UK

The legislative, political and Parliamentary landscape continued to be dominated by the arrangements for the UK's departure from the European Union.

Brexit: Withdrawal Bill

In the UK Parliament, the *EU (Withdrawal) Bill* continued its journey through the House of Commons. Members began their detailed scrutiny of the Bill in a Committee of the Whole House on 21 November.

The *EU (Withdrawal) Bill* is crucial to the UK's exit from the European Union. It has three main purposes, first to repeal the European Communities Act 1973 which provides the legal authority for EU law to have effect in the UK. Second to bring 40 years' worth of EU law on to the UK statute book. Finally to give Ministers the power to make changes to UK law that are necessary due to EU withdrawal.

The Bill is complex and contentious. As introduced on 31 July, it covers 66 closely typed pages. By the first day of the Committee stage a total of 378 amendments had been put forward; running to 200 pages. Ten Committees in Westminster, Holyrood and Cardiff were involved in preparing fourteen reports on different aspects of the legislation. In the House of Commons chambers eight days of Committee stage were scheduled.

Brexit Day

On the first day of the debate the Government proposed its own change to the Bill: to insert the day and time of Brexit. Under this amendment the UK would exit the EU at 11pm on 29 March 2019. **Hon. Steve Baker, MP**, the responsible Minister said the Government "recognise the importance of being crystal clear on the setting of exit day and are

keen to provide the certainty." This proved as controversial as many of the existing clauses.

Leading the opposition was the (Conservative) former Attorney General, **Rt Hon. Dominic Greive, MP**. He pointed out that if no deal is reached, the UK would drop "into the void". He continued that in his view specifying the date of Brexit is: "quite simply unacceptable because it fetters the Government's ability to carry out this negotiation, which makes me seriously question their competence, and it disenfranchises the House from properly exercising its scrutiny role, with the potential that, in fact, is almost an invitation to running into the buffers."

The pro-European former Chancellor of the Exchequer, **Rt Hon. Kenneth Clarke, MP** received rare applause for his speech. He thought the issue a distraction: "there are some very, very serious issues to be settled in this Bill. I ask the Government to reconsider silly amendments that were thrown out because they got a good article in *The Daily Telegraph* but might eventually actually do harm."

The debate on the Bill continues until Christmas. It is expected to begin its passage through the House of Lords in mid to late January 2018.

More Brexit legislation

The day before the debate on the *EU (Withdrawal) Bill* commenced, the Government announced another Brexit-related Bill. This Bill would allow MPs (and Peers) to vote on the final agreement reached between the UK and EU. The Secretary of State for Exiting the European Union, **Rt Hon. David Davies, MP**, told the House of Commons that: "Parliament will be given time to debate, scrutinise and vote on the final agreement we strike with the

European Union. The agreement will hold only if Parliament approves it."

Concern was expressed as to how meaningful the vote would be, and what would be the effect of Parliament voting against all or part of a deal reached between the UK and EU. Responding to a question on this point the Secretary of State said: "If the House does that [votes to change the Bill], that will be taken I guess by the government as an instruction to go back and speak for them [to Brussels]. Whether that will deliver any outcome, I don't know."

57 Varieties of Brexit analysis

Also on 'Brexit', the questioning by a House of Commons and House of Lords Committee combined with an opposition motion to force the Government to publish its work on the impact of Brexit.

Rt Hon. David Davies, MP told a Committee on MPs in December 2016 that the Government was "in the midst of carrying out 57 sets of analyses" on different sectors to inform its negotiating position. In a later appearance he described this work as being in "excruciating detail." A list of the sectors covered was duly requested by Committees, under Freedom of Information legislations, by letter and by Parliamentary question.

A list of 58 sectors covered eventually emerged on 30 October 2017 buried in the Government's response to a House of Lords EU Sub-Committee report on Brexit and Trade in Goods.

The Shadow Brexit Secretary, **Sir Keir Starmer, MP** tabled a motion calling for the analyses themselves to be released to the relevant Committee. The motion – framed as a call for papers – is one that is rarely used and is usually unopposed.

Responding to the motion, the Minister told the House that disclosing the documents could be against the public and national interest. However, the motion was not put to a vote and was passed unanimously.

Despite acknowledging the motion was binding on them, the Government has yet to produce the impact assessments. It states that "it is not the case that 58 impact assessments exist." The Government has stated that it will need time to collate what does exist and redact sensitive information before passing the documents to the relevant Committee.

And finally, not 'Brexit'

The House of Lords has announced the appointment of **Sarah Clarke** (pictured below) as the Lady Usher of the Black Rod. Ms Clarke is the first woman to hold the post in its 650 year history. Her responsibilities will include organising the major ceremonial events in the Palace of Westminster including the State Opening of Parliament. During the ceremony, Black Rod is sent from the Lords Chambers to the Commons to summon MPs to hear the Queen's Speech. The door of the Commons is slammed in her face to symbolise the independence of the Commons from the Crown.



Image: UK House of Lords

THIRD READING: BRITISH COLUMBIA, CANADA

Constitution Amendment Act, 2017

Introduced on 4 October 2017, the *Constitution Amendment Act, 2017* made significant changes to British Columbia's provincial Constitution Act.

British Columbia's 9 May provincial general election resulted in a minority Parliament. Forty-four seats are needed for a majority in British Columbia's eighty-seven Member Legislative Assembly; the BC Liberal Party, which had formed government in the last Parliament, secured forty-three, the BC New Democratic Party (NDP) forty-one and the BC Green Party three.

After post-election negotiations with both parties, the BC Green Party caucus signed a Confidence and Supply Agreement with the Official Opposition, the BC NDP. The two parties voted against the BC Liberal minority government in a confidence vote on 29 June, leading to its defeat and the transition to a BC NDP government in mid-July. The Confidence and Supply Agreement included a commitment that a BC NDP government would support legislation to extend official recognition to the three-Member BC Green Party caucus. The Act amends the threshold for recognition as an official political party in the Legislative Assembly from four Members to two Members.

The *Constitution Amendment Act, 2017* consequentially amended the Legislative Assembly Management Act to provide that an 'additional party' with two or more Members has membership on the Legislative Assembly Management Committee, the parliamentary management board for the Legislative Assembly.

The *Constitution Amendment Act, 2017* also moves the scheduled election date from the second Tuesday in May to the third Saturday in October in the fourth calendar year following the May 2017 general election. Accordingly, the next scheduled general election will be in October 2021.

The Act also provides explicit authority to appoint acting Cabinet Ministers in the event a Cabinet Minister is deceased, away from the capital or otherwise unable to act, with the intent of ensuring legislative authority is clear with regard to the continuity of government in the event of an emergency or disaster.

Members of the BC NDP Government and Members elected in affiliation with the BC Green Party spoke in support of the Bill, with some Members noting that the 2001 provincial general election saw one party win seventy-seven seats, leaving an opposition of only two BC NDP Members who were not granted official party status. Members also suggested that a Saturday voting day should increase voter turnout, and

that elections in October will contribute to a more effective and transparent government budget process in an election year, with an opportunity for the public to see government's financial position prior to going to the polls.

Members also noted that the consequential amendments to the Election Act paired with this Bill provide for additional advance voting opportunities in order to accommodate religious groups that observe Sabbath on Saturday.

The Official Opposition critic, **Andrew Wilkinson**, argued that changing the threshold for recognition as an official party to only two Members puts British Columbia out of step with a number of other Canadian provinces which have minimums of four, eight or twelve Members. He also criticized the change in election date because it would allow the minority government an additional six months in office – a four and a half year term, with an election in October 2021 - arguing that government should have allowed itself a three and a half year term.

The *Constitution Amendment Act, 2017* received Third Reading on division on 25 October 2017. However, the commencement provision provided for the Act to come into effect retroactively, on the "day after the date this Act receives First Reading" – in effect, on 5 October 2017.



CANADA FEDERAL PARLIAMENTARY BUSINESS IN THE FALL SESSION

New Leader of the New Democratic Party

On 1 October, the New Democratic Party (NDP) elected **Jagmeet Singh** as its new leader. Mr Singh, a lawyer, was a Member of the Legislative Assembly of Ontario, a position he subsequently resigned. He won the leadership election on the first round, taking 53% of the vote. In doing so, he defeated **Charlie Angus, MP**, **Niki Ashton, MP**, and **Guy Caron, MP**. On 4 October, Mr Singh appointed Mr Caron as parliamentary leader for the NDP.

Legislation

Two Senate public Bills received Royal Assent in October. Bill S-226, the *Justice for Victims of Corrupt Foreign Officials Act* (Sergei Magnitsky Law), allows the government to impose sanctions on foreign nationals responsible for gross violations of internationally recognized human rights. The Russian embassy in Canada called the passage of the Bill an “irrational act.”

The other Bill, S 231, the *Journalistic Sources Protection Act*, amends the Canada Evidence Act to protect the confidentiality of journalistic sources.

In November, a Private Member’s Bill, C-305, *An Act to amend the Criminal Code (mischief)*, was awaiting Royal Assent. It amends the Criminal Code to make it an offense to commit mischief against property that is used for educational purposes, for administrative, social, cultural or sports activities, or as a residence for seniors.

Also in November, the government introduced Bill

C-65, which would amend the *Canada Labour Code* to strengthen the framework for the preventing of harassment and violence, including sexual harassment and sexual violence, in the work place. The Bill would also extend Part II of the Canada Labour Code, which deals with occupational health and safety, to parliamentary employers and employees while respecting parliamentary powers, privileges and immunities.

On 8 November, House of Commons Speaker, **Hon. Geoff Regan, MP**, ruled that Bill C-63, *Budget Implementation Act, 2017, No. 2*, was an omnibus Bill that could be split up. As a result, at Second Reading separate votes were held on four elements of the Bill before the Bill was referred to Committee. This was the first use of the new rule regarding omnibus legislation.

Committee Hearings and Reports

Prior to the return of the House in September, the House of Commons Standing Committee on Health held a week of hearings on Bill C-45, the *Cannabis Act*. On 5 October, the Committee presented the Bill to the House with amendments. Among other things, these amendments removed the height limit on home-grown plants and allowed for the introduction of edible cannabis products a year after the law comes into force.

The House of Commons Standing Committee on Transport was also active prior to the return of the House. It met to study Bill C-49, the *Transportation Modernization*

Act, which deals with air travel and railway safety.

During October and early November, a number of reports were tabled by House Committees, including:

- a report on immigration to Atlantic Canada (Standing Committee on Citizenship and Immigration),
- a report on non-tariff trade barriers (Standing Committee on Agriculture and Agri-Food), and
- a report on Air Canada’s implementation of the *Official Languages Act* (Standing Committee on Official Languages).

Changes to the Ministry

In August, **Hon. Judy Foote** announced her resignation as Minister of Public Services and Procurement and as MP. She was first elected for a riding in Newfoundland and Labrador in 2008.

Ms. Foote’s resignation was followed by a major cabinet shuffle on 28 August. She was succeeded by **Hon. Carla Qualtrough, MP**, formerly Minister of Sport and Persons with Disabilities, who in turn was replaced by **Hon. Kent Hehr, MP**, former Minister of Veterans Affairs and Associate Minister of National Defence. His role was assumed by **Hon. Seamus O’Regan, MP**.

At the same time, the Department of Indigenous and Northern Affairs was split in two, with **Hon. Carolyn Bennett, MP**, who had been Minister of Indigenous and Northern Affairs, becoming Minister of Crown-Indigenous Relations and Northern Affairs and former Minister of Health, **Hon. Jane Philpott**,

becoming Minister of Indigenous Services. **Hon. Ginette Petitpas Taylor, MP**, formerly a parliamentary secretary, was appointed Minister of Health.

Other Changes to the House of Commons

On 14 September, **Arnold Chan, MP**, a Liberal member from Ontario, died after a three-year battle with cancer. He was first elected in a by-election in 2014.

In early October, Saskatchewan Conservative, **Hon. Gerry Ritz, MP**, resigned. He was first elected in 1997 and served as Minister of Agriculture and Agri-Food in the government of Prime Minister Rt. Hon. Stephen Harper from 2007 to 2015.

In by-elections held on 23 October, Liberal **Richard Hébert, MP**, won the Québec riding of Lac-Saint-Jean, defeating Conservative **Hon. Denis Lebel**, who had been an MP since 2007. Conservative **Dane Lloyd** won the Alberta riding of Sturgeon River-Parkland. He succeeded **Hon. Rona Ambrose**, the former Conservative interim leader who resigned in July.

On 6 November, Québec Liberal MP **Denis Lemieux** resigned for family reasons. He was first elected in October 2015.

The Senate

On 4 September, Liberal Senator **Hon. George Baker** of Newfoundland and Labrador retired upon reaching the mandatory retirement age of 75 years. Appointed by Prime Minister, Rt. Hon. Jean Chrétien in 2002, he had been a Member of the House of Commons

since 1972. He also served as Minister of Veterans Affairs.

On 25 September, members of the *Independent Senators Group* (ISG) - which is a parliamentary group rather than a political party - elected British Columbia Senator **Hon. Yuen Pau Woo** as facilitator or leader. Québec Senator **Hon. Raymonde Saint-Germain** was elected deputy facilitator. Both were appointed to the Senate by Prime Minister, Rt. Hon. Justin Trudeau, MP, in November 2016.

On 30 October, the ISG became the largest group in the Senate after Senators **Hon. David Richards, Hon. Stephen Green, Hon. Josée Verner** and **Hon. Paul Massicotte** joined the group.

On 8 November, the various parties and groups in the Senate reached an agreement on the distribution of Committee seats that takes into account the new party

and group standings in the Senate. The negotiations were complicated by the fact that independent Senators now make up the largest group in the Senate. Under the agreement, Committee seats are allocated in roughly the same proportion as the party and group standings, with the ISG and the Conservatives having the equal number of seats on Committees and the Liberals having fewer seats than before. At the same time, the parties and groups made an unwritten agreement to distribute Committee chairs in much the same way, with the ISG and Conservatives each having eight chairs and the Senate Liberals having two, as well having the chair of two other Committees on a temporary basis.

On 6 November, Conservative Senator **Hon. Kelvin Ogilvie** retired on reaching the mandatory

retirement age of 75. He was appointed by Prime Minister Harper in 2009 and served as chair of the Standing Committee on Social Affairs, Science and Technology from 2013 until his retirement.

On 15 November, Ontario Conservative Senator **Hon. Tobias C. Enverga, Jr.** died suddenly while on a parliamentary association trip to Colombia.

As at 16 November 2017, the standings in the Senate were: ISG thirty-nine; Conservative Party thirty-four; Liberal Party fifteen; non-affiliated five; vacancies twelve.

National Security and Intelligence Committee of Parliamentarians

On 6 November, Prime Minister Rt. Hon. Justin Trudeau, MP announced the establishment of the National Security and Intelligence Committee of Parliamentarians. Made up

of 11 Senators and MPs from all parties, the Committee will review the national security and intelligence activities of government departments and agencies. Its reports will be provided to the Prime Minister and tabled in Parliament. The Committee will be chaired by **David McGuinty, MP**, an Ontario Liberal MP.

Installation of the New Governor-General

On 2 October, Her Excellency Rt. **Hon. Julie Payette** was sworn in as the Governor-General of Canada. She was previously an astronaut, engineer, broadcaster and corporate director.

Parliamentary Trivia

On 7 September, Bloc Québécois MPs, **Marilène Gill, MP** and **Xavier Barsalou-Duval, MP**, became the first pair of sitting MPs to become parents when their son was born.



NEW ZEALAND GENERAL ELECTION

New Zealand voters went to the polls on 23 September 2017 to elect Members to the nation's 52nd Parliament. Of those enrolled to vote, 79% chose to exercise this civic right. This represented an overall increase from the previous two general elections, in 2014 (77.9%) and 2011 (74.2%).

The 2017 general election occurred at a particularly eventful time for New Zealand's political parties, with the leader of the New Zealand Labour Party, **Mr Andrew Little, MP**; the leader of the United Future Party, **Hon. Peter Dunne, MP**; and the co-leader of the Green Party, **Ms Metiria Turei, MP**, resigning their respective leadership positions a matter of weeks before polling day. In total, sixteen parties fielded candidates in the election; of these, however, only five were successful in securing seats in the House of Representatives. New Zealand's Mixed Member Proportional (MMP) voting system requires a party, if it is to gain any seats, to reach one of two thresholds: either 5% of the party vote or one electorate seat.

When the New Zealand Electoral Commission announced the final result, on 7 October 2017, thirty-two new MPs found themselves elected to office. The voting public appeared to favour the two largest parties - the New Zealand National Party, which won fifty-six seats, and the New Zealand Labour Party, which secured forty-six seats - with the smaller parties faring less well. New Zealand First's share of the seats was reduced from eleven to nine seats, whilst the Green Party's share fell from

fourteen to eight seats. The Māori Party and the United Future Party, meeting neither of the thresholds, were not returned to Parliament. The ACT Party leader, **Mr David Seymour, MP**, successfully held the electorate of Epsom. Addressing his supporters on election night, New Zealand First Leader, **Rt Hon. Winston Peters, MP** spoke of a difficult environment for smaller parties: *"We have had MMP for 21 years, but we had a first-past-the-post campaign being conducted as though the system had never changed."* However, he added that *"despite all the provocations of this election ... we survived, and that means that the party that is the third longest surviving party since 1893 will go on."*

This sentiment was echoed by Green Party co-leader **Mr James Shaw, MP**: *"This has been the fight of our lives and we are still here - we are still standing. Nature still has a voice in Parliament, the*

voiceless still have someone to fight in their corner in our House of Representatives. The Green Party have been written off so many times in our history, and every time we have come back - and we have come back tonight as well."

Finishing below the required 5% threshold, the Conservative Party secured 0.2% of the vote - compared with 4% in the previous election. The Opportunities Party, founded in November 2016, obtained 2.4% of the vote.

The decision as to who would govern the country was not made on the night of the election, nor upon the return of the Writ. As Labour Leader **Ms Jacinda Ardern, MP** said, *"sometimes MMP leaves us with an outcome that requires a little bit of extra work."*

No single party had enough MPs to govern alone, which continued the pattern that has recurred since the first MMP election was held in 1996. Parties intended to

take time and consideration in negotiations, with National Leader, **Rt Hon. Bill English, MP** saying, *"We do not need to rush this process, but, equally, it is important that we are able to move quickly to form a stable Government."*

On 19 October 2017, after eleven days of negotiation, an announcement was made that New Zealand's Government would be a Labour - New Zealand First coalition with further support from the Green Party under a confidence and supply agreement. Between the three parties, they hold sixty-three of the 120 seats in Parliament. **Rt Hon. Jacinda Ardern** was sworn in as Prime Minister on 26 October, with **Rt Hon. Winston Peters** appointed as Deputy Prime Minister. The new Parliament opened on 7 November 2017, slightly more than six weeks after polling day.



THIRD READING: NEW ZEALAND

Anti-Money Laundering and Countering Financing of Terrorism Amendment Bill

The *Anti-Money Laundering and Countering Financing of Terrorism Amendment Bill* passed its Third Reading on 3 August, with unanimous support in Parliament. The Bill sought to amend the Anti-Money Laundering and Countering Financing of Terrorism Act 2009, to apply its obligations to real estate agents, lawyers, accountants, conveyancers, the New Zealand Racing Board, and some high-value dealers. It also established the Department of Internal Affairs as the relevant anti money-laundering and countering financing of terrorism supervisor for these entities. It was brought to the House by **Hon. Amy Adams, MP** (National), who noted in her first reading speech that *"It will help protect legitimate businesses, and it will help preserve New Zealand's international reputation as being corruption-free and a good place to do business."*

Speaking on behalf of Adams at the Bill's Third Reading, **Hon. David Bennett, MP** (National) mentioned that *"The Ministry of Justice estimates that these reforms will disrupt between \$1.4 billion and \$1.7 billion of criminal activity over 10 years, and reduce the social harm from illegal drugs and criminal activity by up to \$800 million over the same period."*

The Bill was supported by all parties, with **Mr Barry Coates, MP** (Green) saying: *"I think this is actually one of the most important Bills that we have had through Parliament in the time that I have been here".* However, Coates also expressed concern that some key elements called for by submitters had not been included in the Bill, including *"for the information to be supported by a public register of beneficial owners."*

The main criticism from opposition parties was the length of time that it took the Government to act on the issue. **Mr Fletcher Tabuteau, MP** (New Zealand First) said: *"I put it to the Minister that the Reserve Bank, Treasury, the Police, and indeed New Zealand First ... have been telling this Government ever since it came into power that this is a huge problem, and we have needed action ever since National did in fact become the Government ... So I view this Bill as an*

excellent example of what should be called an indictment on the Government."

Ms Ruth Dyson, MP (Labour) noted that *"This Bill seems to have been before the House for a lengthy period of time, and I do not know why it has always dropped down the priority list."*

Mr Jonathan Young, MP (National) clarified: *"... why has this taken this length of time to bring through and institute? It is because we want to do it in an efficient and a practical and an effective way, but we do not want to load down our businesses with huge compliance costs. We want to find efficient ways in which they can continue to make our society safe from money-laundering."*

The Bill became law on 10 August after receiving the Royal assent.

Land Transport Amendment Bill (No 2)

The *Land Transport Amendment Bill* (No 2) was designed to strengthen regulations relating to alcohol interlocks, change the regulatory framework for small passenger services such as Uber, strengthen the framework for managing public transport fare evasion, create more effective deterrents to reduce the incidence of fleeing drivers, make changes to heavy vehicle regulation, and make other minor amendments to ensure that the *Land Transport Act 1998* is operating as intended. The Bill was first introduced to the House on 12 September 2016.

At the Bill's Third Reading, **Hon. Paul Goldsmith, MP** (National) explained on behalf of the Minister of Transport: *"The first part of the Bill addresses alcohol interlocks, which are a very effective tool for reducing the incidence of repeat drink-driving ... The second part of the Bill addresses the Government's commitment to supporting a well-functioning public transport system. We want to prevent a culture of evasion of fares from becoming established. ... The third part of the Bill implements increases to the penalties for drivers who fail to stop for police. When drivers attempt to flee, they endanger the safety of other road users and the police, as well as their own safety and that of their passengers."*

Opposition Member **Ms Sue Moroney,**

MP (Labour) explained her party's concerns about deregulation of taxi services: *"Now, why this needs some particular attention is that when Tory Governments - when National Governments - deregulate, in this country it has led to disastrous outcomes, and in other countries too, actually. What it normally means is that they deregulate and they just kind of throw away the rule book."* She said it was important to get the safety features right in the community. She argued in favour of retaining safety features such as cameras and braille signage. Cameras *"have seen the violent offences completely drop - drop by about 40%, actually, in the first couple of years of operation of that new provision."*

Moroney noted: *"... we did not want to see this change at all until we had certainty that Uber was going to pay its fair share of taxes, which it currently does not, and that it lived up to the regulations of having logbooks and driver hours, which it currently does not in some circumstances. Those are just about fairness and getting it right. If we are going to have a level playing field for everyone, then let us do it right across the board and get that right. We support this Bill with major reservations."*

Mr David Clendon, MP (Green) explained that although his party supported the Bill, the Greens *"would like to see a great deal more done in the transport space."* Clendon commented on the alcohol interlock aspect of the Bill and said that although alcohol interlock devices are useful, they are *"often not a long-term solution for recidivist drunk-driving."* He was interested in addressing deep-seated problems with alcohol addiction and abuse.

Mr Denis O'Rourke, MP (NZ First) said: *"New Zealand First will vote against this Bill solely because of the provisions relating to Uber."* O'Rourke added that he has used Uber and that *"New Zealand First and I are not against new technologies where they comply with proper standards, and that is not the case with this Bill or with Uber."*

The Bill was read for a third time on 3 August 2017, and passed with 104 votes to 12.

DUAL CITIZENSHIP CRISIS IN AUSTRALIA FEDERAL PARLIAMENT

High Court disqualifies 4 Senators, 1 MP and Senate President resigns

The dual citizenship crisis confronting the Australian Parliament has gone from bad to worse in recent months. Section 44(i) of the Australian Constitution states that “any person who is under any acknowledgment of allegiance, obedience, or adherence to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power shall be incapable of being chosen of or sitting as a Senator or a member of the House of Representatives.”

On 14 July, the Deputy Greens Co-Leader, Senator Scott Ludlam announced that he was resigning as a Senator because he was in breach of the dual nationality provisions in section 44 of the Australian Constitution. Little did Senator Ludlam know that his action would set in train a series of events that would lead to the disqualification of the Deputy Prime Minister, Hon. Barnaby Joyce, MP; the resignation of the Senate President, Senator Hon. Stephen Parry; and the disqualification of Senators Ludlam, Larissa Waters, Malcolm Roberts and Fiona Nash. The Member for Bennelong, John Alexander, MP (Liberal) resigned on 11 November after he confirmed that he had British dual citizenship. A by-election is scheduled for 16 December. Senator Jacqui Lambie (Jacqui Lambie Network) resigned on 14 November citing her British citizenship. In the months ahead there are expected to be more resignations.*

The loss of Mr Joyce and Mr Alexander will mean the Turnbull Government will lose its majority and will need to govern with the support of the cross bench, although this is only expected to be temporary as Mr Joyce is expected to be re-elected at his by election on 2 December. Mr Alexander is facing a tougher battle in his by-election as he goes head-to-head with former New South Wales Premier Kristina Keneally. The loss of the Deputy Prime Minister has hurt the government and the opposition is questioning the legality of certain decisions made by him as his election was not compliant with the constitution.

The commentary of the Prime Minister, Hon. Malcolm Turnbull, MP, during the saga is notable. When Senator Ludlam announced that he would be resigning the Prime Minister criticised the Greens for their sloppiness. Mr Turnbull commented that “it is pretty amazing, isn’t it, that you have had two out of nine Greens Senators didn’t realise they were citizens of another country. It shows incredible sloppiness on their part. You know, when you nominate for Parliament, there is actually a question - you have got to address that Section 44 question and you’ve got to tick the box and confirm that you are not a citizen of another country. It is extraordinary negligence on their part.” But Mr Turnbull did not hold this position for long. Shortly afterwards four members of the coalition were subject to review under section 44 with three being disqualified.

On 14 August, the Deputy Prime Minister, Hon. Barnaby Joyce, MP, advised the House

that he may be in contravention of section 44. The Prime Minister refused to stand him down from his ministerial functions while the High Court reviewed Mr Joyce’s case. The Prime Minister, with much confidence, advised the House that “the Leader of the National Party, the Deputy Prime Minister, is qualified to sit in this House, and the High Court will so hold.” But the High Court did not.

The timing of the resignation of the Senate President, Senator Stephen Parry, has raised questions about his judgement. On 27 October, the High Court handed down its findings on the citizenship status of seven Parliamentarians. A few days after the judgement, Senator Parry announced that he may be a British citizen and he was asking the British Home Office to check. On 1 November, Senator Parry admitted that he did indeed have British citizenship and as a result he would be resigning. But this raised questions about how long Mr Parry had these doubts and why he did not reveal them earlier. The Prime Minister commented that “I’m disappointed that Senator Parry didn’t make public this issue, this issue some time ago, quite some time ago.”

When a Parliamentarian is disqualified they receive advice from the Department of Finance that they repay their salary debts or seek a waiver from the Special Minister or State. So far all disqualified Parliamentarians have received a waiver although it is not clear that this will continue. The debts waived for Mr Joyce and the four Senators disqualified is estimated to be \$8.8 million.

Mr Parry’s situation has raised wider questions about the citizenship status of other Parliamentarians which has led to calls for a citizenship audit of all Senators and Members. The Prime Minister has dismissed the proposal noting that each Senator and Member had a personal responsibility and obligation to comply with the Constitution. Mr Turnbull in explaining the problems with an audit commented that “does that mean that somebody is going to undertake extensive genealogical research on every Member of Parliament and Senator? Undertake extensive research into foreign laws?”

Mr Turnbull concluded that “the only body that can declare somebody disqualified from the Parliament for this reason is the High Court of Australia and, of course, ultimately it’s the only body that can resolve disputes about it.” Similarly, the opposition was not supportive of an audit.

On 6 November, the Prime Minister, under increasing party pressure to address the dual citizenship problem, announced a process whereby each Senator and Member would self report and provide an assurance to their respective House of their citizenship status. The new system would operate similar to the House Register of Members’ Interests which lists Members’ financial and pecuniary interests. The purpose of the Register of Members’ Interests is to place on the public record Members’ interests which may conflict, or may be seen to conflict, with their public duty. Similarly, the Senate has a Register of Senators’ Interests.

Under the Prime Minister’s proposal, each House would pass a resolution requiring each Senator and Member, within 21 days, to provide information on their citizenship status including birth details of their parents. This information would then be published on the Parliament House website. If there were concerns about the citizenship status of a Member then the respective Houses could refer the matter to the High Court. The opposition agreed to the proposal subject to the reporting period being reduced so that Senators and Members would need to provide their declarations by 1 December.

The Prime Minister stated that “I just want to say this is not an audit, there is no auditor. The obligation is on each Member and each Senator to make a full disclosure as I have repeatedly said in recent times.” If a Parliamentarian made a false declaration it would amount to a breach of privilege but the political consequences could be more severe.

On 13 November, the Senate passed a resolution for a citizenship register. The House is expected to pass a similar resolution when it sits on 4 December.

*NB: As The Parliamentarian went to print, Senator Skye Kakoschke-Moore, a member of the Nick Xenophon Team party, said that she would resign after discovering that she was British by descent while gathering evidence ahead of the 1 December deadline for Senators to provide proof that they had not inherited the citizenship of another country.

One Nation Leader Senator Pauline Hanson Burqa Controversy

On 17 August, the Leader of One Nation, Senator Pauline Hanson, walked into the Senate Chamber wearing a burqa. She was attempting to

draw attention to her party’s push to ban full-face coverings in public. The Attorney-General, Senator Hon. George Brandis, criticised the action as ‘appalling’ and many agreed.

Senator Hanson removed the Burqa commenting that “this is not what should belong in this Parliament.” As part of a question to Senator Brandis she stated that “in light of what is happening with national security - there have been 13 foiled national threats against us from terrorism, three that have been successful, and Australians have lost their lives. Terrorism is a true threat to our country, and many Australians are very much in fear of it. What I would like to ask on behalf of the Australian people - considering a large majority of Australians wish to see the banning of the burqa.”

Senator Brandis criticised Senator Hanson and stated that Australia will not be banning the burqa. Senator Brandis cautioned Senator Hanson commenting that “to ridicule that community, to drive it into a corner, to mock its religious garments is an appalling thing to do, and I would ask you to reflect on what you have done.” Senator Brandis noted that “we have about half a million Australians in this country of the Islamic faith, and the vast majority of them are law-abiding, good Australians.”

From a security perspective, Senator Brandis noted that “it has been the advice of each Director-General of Security with whom I have worked, and each Commissioner of the Australian Federal Police with whom I have worked that it is vital for their intelligence and law enforcement work that they work cooperatively with the Muslim community.”

Senator Hon. Penny Wong, Leader of the Opposition, congratulated Senator Brandis

on his statement which received a standing ovation mostly from non-government Senators.

Energy crisis - Government in urgent talks with business

Australia is in the grip of an energy crisis. Aging coal fired power stations are being progressively decommissioned as they reach their life span, gas prices are rising and household energy bills are dramatically increasing. At the same time, there is no clean energy target to give investors and business certainty about investing in a range of energy types including renewables.

The Prime Minister, Hon. Malcolm Turnbull, MP, is under pressure from Members of his own government who are opposed to renewables and believe coal fired powers stations are essential to guarantee base load and dispatchable energy particularly in peak periods such as Australia’s summer. In the context of this debate, Mr Turnbull met with energy company AGL to persuade it not to close the Liddle coal fired power station located in New South Wales which is scheduled to close in 2022. The Prime Minister’s advice is that the closure of the plant will lead to a 1000mw gap in

base load dispatchable power generation. Mr Turnbull asked AGL to consider extending the life of the plant by another five years or selling it. The Prime Minister’s intervention in the market has not gone unnoticed and there is a concern that this is undermining investor confidence.

The Prime Minister’s attempted intervention is appearing to be short lived. AGL is intent on transitioning out of coal and replacing it with cleaner energy including gas peaking plants, wind and solar power and big batteries. There seems to be little investor interest in coal fired power stations.

Senator Scott Ryan elected President of the Senate

On 13 November, Senator Hon. Scott Ryan was elected as the 25th President of the Senate. This follows the resignation of the previous President, Senator Stephen Parry who revealed that he was he was a dual British citizen and was therefore in breach of the Constitution.

Senator Scott Ryan was first elected to the Senate in 2007. He was serving in the Turnbull Government as Special Minister of State prior to being elected as the President.

The Attorney-General, Senator Hon. George Brandis welcomed the new President



commenting that “we have known each other for many years and I am proud to be able to number you among my friends, and one thing I know of you, from the many, many conversations we have had over the years, is that you are a profound believer in the importance of institutions - in their integrity; in their stability; in their role in Australian democracy. You will bring that commitment to the importance of institutions to the role of President. You are, of course, somebody who identifies, as do I, as a classical liberal and as somebody who embraces that philosophy as well. You are somebody who understands the importance that, in this, the pre-eminent parliamentary chamber of the land, the Australian Senate, free and thorough debate on the legislation and the important issues before the Australian people should be conducted in an intellectually honest and open way.”

In relation to the previous President, Senator Brandis stated that “we all know the circumstances which led Senator Parry to conclude that he ought to resign. They were not without political controversy, but they do not reflect upon Senator Parry personally. What I should say, and I am gladdened by and appreciative of the remarks of Senator Whish-Wilson and Senator Di Natale in their earlier contributions, is that Senator Parry was a very fine President of the Senate. He was acknowledged on all sides of the chamber for his even-handedness and his authority.”

Senator Hon. Penny Wong, Leader of the Opposition in the Senate, stated “I rise on behalf of the Opposition to congratulate you on your election to the position of President. At the outset, I note that the Opposition does take the view that the government of the day has the right to nominate the

President of the Senate. I note that there were some comments made - disappointingly in what is generally a ceremonial part of these proceedings - about that convention. We take that view because we do regard the functioning of this chamber as important to our democracy and, in a chamber where no one party has a majority, we think conventions such as these - that the two parties of government have the President and the Deputy President - assist in the stability and effective functioning of the chamber.”

Senator Wong made some brief remarks about the previous President noting that “the Opposition retains concerns about the circumstances of Senator Parry’s departure and we will, I’m sure, in subsequent debates put those views about who knew what and when, but now is not the time. I would make this point: in my dealings with him, I found him competent and decent. I think he was a fair President, I think he was a defender of the role of this chamber, and, on behalf of the Opposition, I thank him for his service.”

Australian Marriage Law Survey receives overwhelming ‘yes’ vote

On 15 November, the Australian Bureau of Statistics (ABS) announced that the Australian Marriage Law Survey had received 61% support for marriage equality. This was a voluntary survey of just over 16 million eligible Australians with 12.7 million responding, which is extraordinary for a voluntary survey. Of the 150 House of Representatives seats, 133 seats recorded a majority yes vote. Every state and territory received a majority vote.

The survey stems from an election commitment by the Coalition Government to

put the question of marriage equality to the Australian people. The original intention was to have a plebiscite but this was blocked by the Parliament on the grounds that the Parliament could vote on marriage equality without the need for the plebiscite. The Labor Opposition, for example, was opposed to a plebiscite and argued that the Parliament should do its job and save tax payers the estimated cost of \$122 million for holding the survey. Conservative Members in the government who oppose marriage equality would only support a plebiscite by the people first to decide the matter. However, as the plebiscite option was not available, the government instructed the ABS to conduct a voluntary survey on marriage equality. This option was supported by Conservative Members opposed to marriage equality.

The Prime Minister, Hon. Malcolm Turnbull, MP, committed to passing legislation before Christmas. The Leader of the Opposition, Hon. Bill Shorten, MP, stated before a roaring crowd that “today we celebrate, tomorrow we legislate.” The Senate immediately commenced consideration of Liberal Senator Dean Smith’s Private Member’s Bill on same sex marriage. Senators and Members will have a conscience vote.

Some Senators and Members remain opposed to same sex marriage and believe Senator Smith’s

Bill does not contain sufficient protections for religious freedom, parents and people who voted no.

Senator Smith commented that “the no advocates spoke much about religious freedom but couldn’t point to exactly what freedom was being lost. That’s because what religious people fear has little to do with laws but everything to do with culture.” Senator Smith further commented that “I understand these fears because they are reflections of the fears LGBTI citizens have felt through our country’s history: fears about acceptance, fears about jobs, fears about hiding a part of you and, yes, fears about violence. This vote is not about replacing one persecuted minority with another or giving one hope to one group while inflicting fear on another group; it must be about advancing the hopes and dreams of all citizens, no matter their sexuality, ethnicity or religion.”

Competition and Consumer Amendment (Misuse of Market Power) Act 2017

The legislation strengthens the prohibition on corporations with substantial market powers from engaging in conduct that has the purpose, effect or likely effect of substantially lessening competition in markets in which they directly or indirectly participate. The Minister for Revenue and Financial Services, Hon. Kelly O’Dwyer, MP, noted that the “current section 46 prohibits corporations with substantial market power from taking advantage of its power for one of three specific purposes related to damaging an actual or potential competitor or preventing them from competing.”

Ms O’Dwyer commented that a review of section 46 found that it “fails to adequately prevent the misuse of market power and is not reliably enforceable.” Ms O’Dwyer noted that “the current section 46 only prohibits conduct if the corporation acted with the purpose of damaging an actual or potential competitor.” Ms O’Dwyer commented that a

review found that “this focus to be inconsistent with the overriding policy objective of the act, which is to protect competition and not individual competitors.”

The Minister advised that the amendments to section 46 will address these concerns by prohibiting corporations “with substantial market power from engaging in conduct that has the purpose, effect or likely effect of substantially lessening competition in markets in which they directly or indirectly participate.”

Ms O’Dwyer concluded that “the amendment is specifically designed to minimise any uncertainty involved with changing the law, by using existing competition law concepts such as ‘substantially lessening competition’ and by providing anticompetitive and procompetitive factors to guide consideration of the purpose, effect or likely effect of conduct.” Ms O’Dwyer noted that “this reform is an important step to ensure Australia has the best possible competition framework to support innovation, enhance competition and boost economic growth and jobs. It is a key part of the government’s response to the Harper review, which is all about increasing choice and delivering better services for consumers.”

During debate in the Senate the Shadow Minister for Small Business and Financial Services, Senator Katy Gallagher, commented that the Bill “seeks to implement the so-called effects test, and it certainly will have an effect - an overwhelmingly negative one.” Senator Gallagher stated that “it will have the effect of chilling competition and reducing innovation, and it will affect the prices that Australians pay for goods, in a very bad way. What the government is seeking to implement is bad law. It has not been thought out at all, and it will have a deleterious impact.”

Senator Gallagher noted that a range of reviews over many years had advised against an effects test because it can work against innovation and disadvantage consumers. Senator Gallagher stated that “this will impact on the cost of living of Australians by putting upward pressure on prices. It stands to reason that if you have a big business or even a medium-sized business that has substantial market power in one particular market, they will talk about how they can improve their operation in that market, and they may say: ‘let’s discount—let’s go on a discounting process; let’s reduce our prices; let’s be more competitive,’ but now there will be this

effects test in the way, if this legislation passes, and they may have to say: ‘but this might affect some of our competitors; some of them might actually go out of business if we’re as competitive as we possibly can be. If our prices are as cheap as they possibly can be, some of them might actually be adversely reflected.’

Senator John Williams, National Party, was highly supportive of the change to section 46 noting that the ‘purpose’ test had not worked. He commented that “if you start a small business and you start to become successful, one of two things is going to happen: big business, the big end of town, are either going to buy you out or they are going to squash you out. Make no mistake about that: if you’re a threat to big business they will squash you out.”

Senator Williams explained the advantages of the ‘effects’ test commenting that “if I were part of a big multinational company, say we had 300 stores, and we started up a branch in a country town that had a successful small business just poking along, employing seven, eight or 10 people, we could sell at cost - we could sell at a ridiculously low price. Under the purpose test, if I were a small business and I or the ACCC had to take them to court to prove that the purpose for that big business selling at half price was to send me broke, that was a very difficult case to prove. Now, with the effects test, I can simply go to the ACCC and say, ‘the effect of this big business charging \$10 for some product in all their stores around Australia but charging \$5 in the store opposite me in the street is sending me broke.’”

Fair Work Amendment (Corrupting Benefits) Act 2017

The legislation introduces a range of criminal offences to the Fair Work Act 2009. For example there will be new offences for giving a registered organisation, or person associated with a registered organisation, a corrupting benefit and for receiving or soliciting a corrupting benefit.

The Prime Minister, Hon. Malcolm Turnbull, MP, stated that the legislation “bans corrupt and secret payments made between employers and trade unions. It also requires disclosure by both employers and unions of financial benefits they stand to gain as a result of an enterprise agreement before employees vote on that agreement.” Mr Turnbull commented that “any union leader who accepts secret - let

alone corrupt - payments from the employers of their members is betraying the obligation they have to represent faithfully, honestly and diligently the workers who are members of their union. It is a breach of faith.”

Mr Turnbull noted that “a business that makes payments of that kind is also seriously compromised. As the Royal Commission into Trade Union Governance and Corruption found: ‘Corrupt receipt implies corrupt payment.’ If a payment is made without being disclosed to members, why not? What innocent explanation can there be for a union not disclosing to its members each and every payment received from employers?”

Mr Turnbull focused his remarks on the Leader of the Opposition noting that “shockingly, there are also payments that have been used to encourage unions to sell out their members - the very members that they are paid to represent. A repeat offender when it comes to these payments was the Australian Workers Union in Victoria under the then leadership of the now Leader of the Opposition.”

The Prime Minister advised that “criminal penalties for payments with the intent to corrupt will be a maximum of 10 years in prison and \$900,000 for an individual or \$4.5 million for companies. Maximum penalties for other illegitimate payments will be two years in prison or \$90,000 for an individual or \$450,000 for companies.”

The Prime Minister concluded that “my government is committed to restoring integrity and fairness to the workplace, and this starts with requiring employers and unions to act with integrity and fairness in negotiations.”

The Labor Opposition was opposed to the legislation. Senator Doug Cameron, (Labor) stated that Labor has no tolerance for corruption in any form. Senator Cameron, however, was critical of the legislation stating that “rather than making a genuine attempt to deal with corrupting benefits, the Minister and the government are attempting to continue their attacks on the trade union movement.”

Senator Cameron commented that “Labor has unsuccessfully attempted to negotiate amendments with the Minister. The Minister’s intransigence and refusal to take heed of the concerns of the Labor Party, the union movement, employers, the Law Council and academics reinforces the view that this government and its Minister are driven by ideology as distinct from fair and effective legislation.”

THIRD READING: AUSTRALIA

On 9 August 2017, both the Houses of Parliament in India commemorated the 75th Anniversary of the 'Quit India Movement'. Both the Houses had discussions and passed Resolutions on this special occasion. Making a reference to the Movement in the Lok Sabha, the Speaker of Lok Sabha, **Smt. Sumitra Mahajan** said: "... today is a momentous day when we are observing the 75th anniversary of the 'Quit India Movement'. It was on 9 August 1942, Mahatma Gandhi, the Father of the Nation through his clarion call of 'Quit India' galvanized the entire Nation to rise in unison to free the country from the shackles of imperialist subjugation. On this occasion, we pay our homage to the Father of the Nation and to all the martyrs who laid down their lives in the freedom struggle."

Addressing the Lok Sabha, the Speaker, **Smt. Mahajan** said 9th August is a very important occasion for India as on this day India completes 75 years since the 'Quit India Movement' call was given by the Father of the Nation, Mahatma Gandhi in 1942 demanding complete withdrawal of Britishers from India. The Quit India resolution moved on 8 August was passed unanimously the same night. In his address, Mahatma Gandhi gave a call of 'Do or Die'. The 'Quit India Movement' shook the foundations of the foreign rule and the Britishers realized that it was not possible to continue their rule over India. The greatest success of the 'Quit India Movement' was that it shook the consciousness of the intellectuals of the country as well as that of the millions of farmers, workers and youths in the villages and connected them directly with the freedom struggle.

The Speaker said the enthusiasm, courage, resolution, faith and self-confidence with which Indians attained freedom must be nurtured in order to build a great, prosperous, strong and

powerful nation. There is a need to work hard to achieve inclusive development which was the dream of freedom fighters. Quoting Pandit Deendayal Upadhyay, **Smt. Mahajan** said the fruits of development must reach the person standing last in the queue. When India is celebrating the 75 years of Quit India Movement, there is a need to take a resolve as to what the country is going to do in the next five years when the nation will be celebrating the 75th year of its Independence.

Recalling the events of 9 August 1942 and expressing gratitude to the freedom fighters, the Prime Minister of India, **Shri Narendra Modi** said such events in the social life of a country give a new lease of life to the nation. The events of 1942 was the last widespread movement of its kind and the year 1942 brought the country to a point wherein the dominant feeling of the nation was that if not now, India would never be able to achieve what it aspired for. It was keeping in tune with this mindset that every single individual of the country was connected to the freedom struggle. Events of 1942 left no part and class of society untouched and there was not a single social strata which did not feel that the movement was not their own. The prevailing public pressure of the time was such that even Mahatma Gandhi, while leading the nation, had to find words like 'Do or Die' which was in sync with the then prevailing public sentiment. The Prime Minister observed that Indian independence was not merely an event of Indian freedom and India became a source of inspiration for the emancipation of many countries.

The Prime Minister stressed the need to take a resolution of honesty and face the challenges of poverty, malnutrition and illiteracy. During the period from

2017 to 2022, if the country could have the same zeal and enthusiasm that was witnessed from 1942 to 1947, it would be able to realize the dreams of the freedom fighters. The period from 2017 to 2022 was a time for shouldering responsibility for the people and if India was able to reach new heights, which it is capable of, it could provide leadership to the world. The motto should be 'we will do it and have to do it, come what may' said the Prime Minister.

Smt. Sonia Gandhi (INC) said the Quit India Movement was a leading example of revolutionary change in the freedom struggle and people made several sacrifices for this. It was a memorable moment which gave inspiration to fight against all types of oppressive forces and save freedom. The freedom fighters waged a war for an inclusive, pluralistic, democratic and equitable India under the leadership of Mahatma Gandhi and this vision was enshrined in the Constitution.

The Deputy Speaker of Lok Sabha, **Dr M. Thambidurai** (AIADMK) said many leaders had sacrificed their lives for liberating the country from the clutches of the British and the people of Tamil Nadu also contributed a lot while participating in the Movement. Although the Quit India Movement was unsuccessful in achieving its main objective in the short run, in the long run it gave the momentum to freedom struggle.

Prof. Sugata Bose (AITC) described the 9th August 1942 as a red-letter day in Indian history. The Quit India Movement

turned out to be the biggest civilian uprising in India since the great rebellion of 1857 in which women played a crucial role. He said there was a need to rekindle the spirit of great freedom struggle and ensure that poverty, illiteracy and disease were banished from India.

Shri Anandrao Adsul (Shiv Sena) said the country belongs to all citizens and its uniqueness lies in its unity in diversity and time has come to connect the people of India with the Quit India Movement. **Shri Thota Narasimham** (TDP) believed the five years from 1942 to 1947 were decisive for country's Independence and the five years from 2017 to 2022 could prove to be decisive for India's future.

Shri A. P. Jithender Reddy (TRS) said the spirit showcased during the Quit India Movement is relevant even today when it comes to social evils which have plagued society. India must show the same spirit of 1942 to expel the evil forces of communalism, casteism, corruption, terrorism, poverty and other dirt from the country by 2022. **Smt. Rama Devi** (BJP) said the martyrs who laid down their lives for the country have immense impact on the youth.

Shri Prem Das Rai (SDF), saluting the freedom fighters, especially those from the Gorkha Community, promised his party's support for a new India by 2022. **Shri Kaushalendra Kumar** (JD-U) considered the Quit India Movement as the second



75TH ANNIVERSARY OF 'QUIT INDIA MOVEMENT'

watershed event in the freedom struggle and wanted India to be liquor free.

Shri Vijay Kumar Hansdak (JMM) submitted that the Santhal uprising of 1855 was the first uprising against the British and it should be known to the people of India. **Shri Ajay Misra Teni** (BJP), paying tributes to all the freedom fighters, pledged to work for creating India according to the dreams of Mahatma Gandhi.

The RSP member, **Shri N.K. Premachandran** said unity among diversity was the beauty of Indian freedom struggle and Hindus, Muslims and people from other religions and beliefs were united to achieve freedom. **Shri Bhairon Prasad Mishra** (BJP) highlighted the contribution of the Bundelkhand region in the freedom struggle.

Shri Jose K. Mani (Kerala Congress-M) bowed before the freedom fighters for their sacrifices. **Shri P. Karunakaran** (CPI-M) pointed out that the most important feature of the Quit India Movement was the absence of religious and communal division and national unity can be further strengthened through the spirit of tolerance and mutual understanding among various communities.

Shri Tathagata Satpathy (BJD) was convinced that tolerance is built into the very foundation of India and there should not be any kind of division on the basis of dress, food or language. **Kunwar Haribansh Singh** (Apna Dal) said the freedom fighters strived hard to secure equal rights for all citizens, equal opportunities in development and liberation from hunger and poverty.

Shri H.D. Devegowda (JD-S) extended his support to the government for building a new India by 2022. **Shri Jay Prakash**

Narayan Yadav (RJD) reminded that it was the dream of Gandhiji that there should be prohibition on alcohol across the country.

Shri Prem Singh Chandumajra (SAD) wanted the statue of Shaheed Udham Singh to be installed at Jallianwala Bagh at Amritsar. **Dr Arun Kumar** (RLSP) said the need of the hour is to build a new India with the resolve of the 75 years old Quit India Movement.

Shri P. R. Sundaram (AIADMK) described the Quit India Movement as the most popular and powerful mass movement in the series of agitations led by Mahatma Gandhi in the course of freedom struggle. **Shri E. T. Mohammad Basheer** (IUML) emphasized renewing the pledge to keep up the glorious tradition of India as the largest secular democratic country of the world.

Shri Balbhadra Majhi (BJD) highlighted the contributions and sacrifices of tribal population of the then Koraput District of Odisha in the freedom fight. **Shri M. Raja Mohan Reddy** (YSR Congress) said time has come to make Indian democracy strong and a role model for other countries by addressing the shortcomings.

Prof. Mamta Sanghamita (AITC) said unity of India must be strengthened to face any challenge to freedom. For the leader of INC in Lok Sabha, **Shri Mallikarjun Kharge**, the biggest achievement of Mahatma Gandhi was that he was able to spread the freedom movement to every nook and corner of the country. While paying homage to all those martyrs who made supreme sacrifices and suffered immense difficulties for the freedom of the nation, one must not forget that the freedom fighters also wanted to enhance the honour and prestige of India and everything which is Indian.

Shri Ashwini Kumar Choubey (BJP) said even after the division of the country, and the conditions that prevailed in Pakistan, India became a democratic, secular country where all citizens enjoy equal rights and equal protection of the law without any discrimination. **Shri Bhartruhari Mahtab** (BJD) said after five years, India would be celebrating the 75 years of its independence and the five years from 2017 to 2022 would be the years of endeavour to drive out poverty, ignorance, communalism, terrorism, and malnutrition from the country.

At the end of the discussion, the Resolution proposed by the Speaker was adopted unanimously which is as follows:

Seventy-five years ago, in the year 1942, Father of the Nation Mahatma Gandhi and all our freedom fighters gave a call for 'British! Quit India' to realize the concept of complete self-rule. On 15th August 1947 India got Independence. During these five years between 1942 and 1947, our great goal of freedom struggle which had been going on for many decades, was realized. Today, on 9th August 2017 i.e. in the 75th year of 'Quit India' movement, we hereby resolve that: We shall remain constantly committed and dedicated to build a strong, prosperous, clean and glorious India, a nation free from corruption, well governed, scientifically and technically advanced, committed to the development for all, full of harmony and patriotism, determined to protect and promote democratic values. We, the representatives of more than 125 crore people of our country, resolve to perform our duties towards the nation taking along every citizen of Indian Republic

to build a nation as envisioned by Father of the Nation, Mahatma Gandhi and all our freedom fighters, in 5 years from now by the year 2022 i.e. 75th year of our Independence.

The Vice-President of India and Chairman of the Rajya Sabha, **Shri Hamid Ansari** also made a reference in that House to the Quit India Movement. Several Members spoke on the occasion. Thereafter, a Resolution moved by the Chairman of the House was unanimously adopted which is as follows:

"This House:-

- Recalls that seventy five years ago Mahatma Gandhi called for the British to Quit India and gave the clarion call 'Do or Die' to the Indian people to end the British Rule;*
- Observes on the 75th Anniversary of the 'Quit India Movement' that it is important to remember the heroic struggle of the Indian people: students, peasants, women, workers and government officials who defied the brutal repression of the British Raj to launch mass Satyagraha that shook the very foundation of the British rule;*
- Acknowledges that this is also an occasion to recall with gratitude the sacrifices of millions of our people and salute the memory of thousands of Indians, who gave their lives for the freedom of India; and*
- On this day solemnly takes a pledge to uphold and safeguard the values and ideals of the freedom movement and re-dedicate ourselves to build an India that is strong, self-reliant, inclusive, secular and democratic."*

The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2017

The present legal framework for admiralty jurisdiction in India flows from laws enacted by the British which confer admiralty jurisdiction only to those High Courts which were established under the Letters Patent, 1865. Subsequent to the judgment of the Supreme Court of India in its judgement in *M.V. Elisabeth And Others Vs. Harwan Investment and Trading Pvt. Ltd.* to codify and clarify the admiralty laws in the country, the Law Commission of India also in its 151st Report recommended for enacting a new admiralty Act for India.

The Government accordingly brought forward *The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2016* consolidating the existing British era laws on civil matters of admiralty jurisdiction of courts, admiralty proceedings on maritime claims, arrest of vessels and related issues in line with modern trends in the maritime sector and in uniformity with prevalent international practices.

Salient features of the Bill

- It had been proposed in the Bill to confer admiralty jurisdiction on High Courts of Coastal States. This jurisdiction had been extended up to Indian territorial waters.
- The Central Government had been empowered to further extend, by a notification, up to exclusive economic zone or any other maritime zone of India or islands constituting part of the territory of India.
- The Bill also covered every vessel irrespective of place of residence or domicile of owner. However, warships and naval auxiliary or other vessels used for non-commercial purposes had been kept beyond its purview.
- While inland vessels and vessels under construction had been excluded from its application, the Central Government had been empowered to make it applicable to these vessels also, by a notification, if necessary.
- Provisions had also been made for adjudication of identified maritime claims and to ensure security against maritime claims, arrest of vessels in certain circumstances.
- Provision has also been made for inter se priority on maritime lien. It had been provided that the liability in respect of selected maritime claims on a vessel passed on to its new owners by way of maritime liens subject to a stipulated time limit.
- The Civil Procedure Code, 1908 had

been made applicable in respect of aspects on which provisions had not been provided for in the Bill.

- The Bill also dealt with admiralty jurisdiction in personam and the order of priority of maritime claims.
- Further it repealed four archaic admiralty laws on civil matters, namely, (a) the *Admiralty Court Act, 1861*, (b) the *Colonial Courts of Admiralty Act, 1890*, (c) the *Colonial Courts of Admiralty (India) Act, 1891*, and (d) the provisions of the *Letters Patent, 1865* in so far as it applies to the admiralty jurisdiction of the Bombay, Calcutta and Madras High Courts, as those provisions would become redundant with the enactment of this Legislation.

Debate

During the debate on the Bill in Parliament, the Minister-in-charge while piloting the Bill inter-alia stated that the Bill was brought forward to amend the old laws and substitute these with the domestic laws. The laws enacted by the British were enacted at a time when India had only three major ports, namely, Mumbai, Madras and Kolkata ports. As the coastal and maritime trade had expanded a lot accompanied by the construction of new ports recourse has to be taken to the judicial channels of the respective three High Courts in order to settle disputes falling under the administrative control of the other States as well. Hence, the present Bill was brought to expend the scope and jurisdiction of the High Courts and also with a view to correcting the definition of admiralty.

Members welcomed the Bill as there was an imperative need to have a comprehensive legislation. It was also acknowledged as an important step in increasing India's maritime trade.

The Bill was passed as *The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2017* by Lok Sabha on 10 March 2017 and by Rajya Sabha on 24 July 2017. The Bill as passed by both Houses of Parliament was assented to by the President of India on 9 August 2017.

The Collection of Statistics (Amendment) Bill, 2017

The *Collection of Statistics Act, 2008* was enacted to facilitate collection of statistics on economics, demographics, social, scientific and environment aspects by the Ministries or Departments at the Centre or the States or Union territories or by local Governments in

India. The said Act came into force on 11 June 2010 and extended to the whole of India, except the State of Jammu and Kashmir. The *Jammu and Kashmir Collection of Statistics Act, 2010* enacted by the Jammu and Kashmir Legislature extended to the State of Jammu and Kashmir.

The *Collection of Statistics Act, 2008* and the *Jammu and Kashmir Collection of Statistics Act, 2010*, do not cover the matters specified in List I (Union List) in the Seventh Schedule to the Constitution of India as applicable to Jammu and Kashmir under the *Constitution (Application to Jammu and Kashmir) Order, 1954*. The Central Law was not applicable to matters specified in List III (Concurrent List) as applicable to the State of Jammu and Kashmir. Thus there emerged a legislative vacuum in respect of the statistical matters in the Union List or Concurrent List applicable to Jammu and Kashmir.

The *Collection of Statistics Act, 2008* does not empower any person to coordinate and supervise the statistical activities in the Central Government, State Governments, Union territories or local Government. The Central Government and State Governments in India proposed to designate its officers as Nodal Officers to coordinate and supervise the statistical activities for the purpose of the Act.

The Government accordingly brought forward *The Collection of Statistics (Amendment) Bill, 2017*. In the Amending legislations, consequential amendments had been made to sections 1, 2, 9 and section 33 of the principal Act and a new section 3A regarding Nodal Officer too had been inserted in the principal Act. Through these amendments the *Statistics Act, 2008* had been extended to the State of Jammu and Kashmir in so far as it relates to any Statistical survey relating to any matter falling under any of the entries specified in List I (Union List) or List III (Concurrent List) in the Seventh Schedule to the Constitution as applicable to that State.

Further, the Central Government and each State Government had been empowered to designate one of its officers as nodal officer to coordinate and supervise the statistical activities and to exercise such other powers and perform such other duties as may be made by rules.

Debate

During the discussion on the Amending legislation in Parliament, broadly the Members welcomed the measure. Favoring the legislation, the Members inter-alia stated:

- The people of Jammu and Kashmir would

be benefited to a great extent from the Bill.

- Through this legislation, collection of accurate data would be facilitated.
 - With accurate statistics, schemes could be formulated and implemented in a better manner.
- A few suggestions from the Members were as follows:
- There needs to be a time-frame for furnishing data or statistics and it was to be made binding on all since the current status of statistics of some departments with regard to adequacy, findings and reliability were far from satisfactory. Time availability of statistics is the essence for the efficiency of national statistical system.
 - As far as unemployment statistics are concerned, there is a need to collect these every year. Similarly, for agriculture too, the frequency needs to be increased to every year so that welfare sector is well facilitated.

The Minister-in-charge of the Bill while replying to the debate and addressing points raised by Members, *inter-alia* stated that in regard to right to privacy *vis-à-vis* data collection, he placed on record that the guidelines, that is, the Fundamental Principles of Official Statistics of United Nations need and would be followed as far as collection of data and other things are concerned. Insofar as maintenance of secrecy, the Minister stated that there are stringent provisions on restriction given under the Act on data collection and that no person other than a person engaged in the work of data collection would be permitted to see any information collected.

The Minister assured all that several suggestions made by Members would be addressed. Stating that the Amending legislation would strengthen the data collection mechanism in the country commended that the Bill be passed.

The Bill was passed by Lok Sabha on 11 April 2017 and by Rajya Sabha on 26 July 2017. The Bill as passed by both the Houses of Parliament was assented to by the President of India on 4 August 2017.

The Right of Children to Free and Compulsory Education (Amendment) Bill, 2017

The crucial role of universal elementary education for strengthening the social fabric of democracy through provision of equal

opportunities to all has been accepted since the inception of the Indian Republic. The Directive Principles of State Policy enumerated in the Constitution of India lay down that the State shall provide free and compulsory education to all children up to the age of fourteen years.

Pursuant to the insertion of article 21A in the Constitution by the Constitution (Eighty-sixth Amendment) Act, 2002, the *Right of Children to Free and Compulsory Education Act, 2009* was enacted to provide for free and compulsory education to all children from the age of six to fourteen years. The said Act came into force on the 1 April 2010.

Proviso to sub-section (2) of section 23 of the said Act had stipulated a period of five years from the date of commencement of the said Act, till the 31 March 2015, as the deadline for a teacher who does not possess minimum qualifications as laid down in sub-section (1) of the said section, to acquire such minimum qualifications.

In view of the above provisions, after completion of the said period, the State Governments had not been able to continue the training process for in-service untrained teachers. Hence, the State Governments had requested for extension of the period for training untrained teachers so as to enable them to initiate and complete the said training process.

Accordingly, the Government brought forward the *Right of Children to Free and Compulsory Education (Amendment) Bill, 2017*. The Amending Bill had inserted a new proviso to sub-section (2) of section 23 of the parent Act providing that every teacher appointed or in position as on 31 March 2015, who does not possess minimum qualifications as laid down under sub-section (1) of the said section, shall acquire minimum qualifications within a period of four years and from the date of commencement of the proposed legislation.

Debate

The Minister in-charge while piloting the Amending Bill *inter-alia* stated that the Right to Education Bill which was introduced in the year 2009 was implemented in 2010. This ushered in an expansion of education. Firstly, under *Sarva Shiksha Abhiyan* (education for all) and later under *Right to Education*, new schools were set up at several places. But teachers with requisite degrees in education (such as Bachelor of Education) were not available for schools. As

such, teachers having graduate or 12th standard degree were recruited for primary schools. However, they were required to be trained and as they were unqualified, they were given a time frame of five years to get trained. While many were trained, still several others were yet to be trained. The Amending Bill had been brought forward to give them a last opportunity to qualify the requisite examination at the latest by March 2019. The Government of India had brought a new portal 'Swayam' and it was envisaged to provide courses to all on this portal as they had been teaching in schools. Hence, teachers do not need to go to any other place to take lessons. They are taking lessons and are having practical experience, but they also need to acquire the theoretical knowledge. Therefore, they have to get themselves registered. Through the free DTH channel of Doordarshan, thirty-two educational channels would be available to the teachers forever. As education imparted by the unqualified teachers is damaging, teachers, therefore, need to be qualified. The Government were, therefore, taking forward the objective of Right to Education. This would ensure education to all, training and qualification to all.

During the discussion in both Houses of Parliament, the Bill was welcomed by all Members. Members reiterated their unanimous will to secure the future of young generation in this competitive world. It was felt that there was no dearth of talent in the country and intelligence is a national asset and what all is required is to nurture them further. By way of suggestions, some of the views expressed by Members were:-

- In the country in some states there is excess of trained teachers, while in some there is dearth of trained teachers. This disparity needs to be reconciled.
 - Further, the Government also has to find adequate finance for running the Sarva Shiksha Abhiyan and the Mid-Day Meal Scheme.
 - Also the Government needs to ponder over as to what steps need be taken for the care of children deprived of education.
- The legislative intent behind this Amending legislation found unanimous favour among all Members. The Bill was passed by Lok Sabha on 21 July 2017 and by Rajya Sabha on 1 August 2017. The Amending Bill as passed by both Houses of Parliament was assented to by the President of India on 9 August 2017.

THIRD READING: INDIA

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Executive Committee Members' dates of membership are indicated below each name. Correct at time of printing.

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Deputy Speaker, Cameroon

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Also Regional Representative for Canada Region (2015-2018)

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United Kingdom
(2015-2018)

Vacant
Northern Ireland
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Canada
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CARIBBEAN, AMERICAS AND THE ATLANTIC

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Vacant
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(2016-2019)

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(2017-2020)

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