Schedule of Upcoming Events

Confirmed as of 25 February 2019

**2019**

**March**
- **Friday 8 March**
  - International Women’s Day 2019
- **Monday 11 March**
  - Commonwealth Day 2019 – ‘A Connected Commonwealth’, CPA HQ and all CPA Branches

**April**
- **11 to 15 April**
  - Mid-Year meeting of the CPA Executive Committee, Ottawa, Ontario, Canada

**May**
- **1 to 2 May**
  - CPA Parliamentary Strengthening Seminar for the Parliament of Bermuda, Hamilton, Bermuda
- **19 to 22 May**
  - 48th CPA British Islands and Mediterranean Regional Conference, St Peter Port, Guernsey

**July**
- **12 to 19 July**
  - 44th Annual Conference of the CPA Caribbean, Americas and Atlantic Region, Trinidad and Tobago

**September**
- **22 to 29 September**
  - 64th Commonwealth Parliamentary Conference (CPC), Kampala, Uganda – including 37th CPA Small Branches Conference and 6th Triennial Commonwealth Women Parliamentarians (CWP) Conference.

The publication of a CPA Calendar of events fosters the exchange of events and activities between CPA Regions and Branches. For further information on any events, please contact the CPA Branches concerned or the CPA Headquarters Secretariat. CPA Branch Secretaries are asked to send notice of main CPA events 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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**CPA Masterclasses**

Online video Masterclasses build an informed parliamentary community across the Commonwealth and promote peer-to-peer learning

CPA Masterclasses are ‘bite sized’ video briefings and analyses of critical policy areas and parliamentary procedural matters by renowned experts that can be accessed by the CPA’s membership of Members of Parliament and parliamentary staff across the Commonwealth ‘on demand’ to support their work.

CPA Masterclass topics include: Disaster Risk Reduction | Gender and Parliament | Gender Budgeting | Women’s and Gender Caucusing | The role of male MPs as ‘agents of change’ | Corporate Leadership for Parliamentarians | Parliamentarians and Local Government | Separation of Powers in Relation to Parliament | Trade and the Role of Parliamentarians

The CPA Masterclasses are available online via the CPA website.

www.cpahq.org/cpahq/cpamasterclasses

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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.

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**CPA Parliamentary Fundamentals Programme**

Enrolment is now open for the CPA Parliamentary Fundamentals Programme - on the general course for Commonwealth Parliamentarians or the course specifically developed for Members from CPA Small Branches. Programmes are accredited with McGill University, Canada (Small Branches programme) and the University of Witwatersrand, South Africa (General programme).

Programme includes: Online modules | Residential components | Teaching by world class academics and parliamentary experts.

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WOMEN AND PARLIAMENT: 30th ANNIVERSARY OF THE COMMONWEALTH WOMEN PARLIAMENTARIANS

The Editor’s Note

In 2019, the Commonwealth Parliamentary Association (CPA) recognises the many achievements of the Commonwealth Women Parliamentarians (CWP), established in 1989 as a network of women Members of Parliament spanning the nine CPA Regions who work tirelessly for greater representation of women in Parliament, and for gender equality in and across our Commonwealth Legislatures. The network also seeks to build the capacity of women elected to Parliament to be more effective in their roles and to increase the awareness of all Parliamentarians of issues affecting women and girls across the Commonwealth. This issue of The Parliamentarian features many contributions from across the Commonwealth on women and Parliament that give different perspectives from the nine CPA Regions.

Hon. Lindiwe Maseko, MP (South Africa) was the first elected Interim Chairperson of the Commonwealth Women Parliamentarians (CWP) in 2004 and she writes about the history of the CWP and her reflections on the last 30 years of women’s representation in Commonwealth Parliaments.

RT Hon. Harriet Harman, QC, MP (United Kingdom) writes about Commonwealth women in politics and the progress that has been made across the globe from her unique perspective as the current ‘Mother of the House’ in the UK Parliament as the longest continuously serving woman MP first elected in 1982. She also references the Women MP’s of the World Conference which took place in November 2018 and brought together women Parliamentarians from across the world in the UK Parliament House of Commons. Many Commonwealth Women Parliamentarians participated in the conference and a full report appears on page 68.

RT Hon. Rebecca Kadaga, MP (Uganda) is a former Commonwealth Women Parliamentarians International Chairperson. She gives a personal account in this issue of The Parliamentarian of her political and parliamentary experiences as the first woman Speaker of the Parliament of Uganda and one of the first women Ministers in Uganda.

Hon. Shirley M. Osborne, MLA (Montserrat) writes about women and gender in Caribbean politics and reflects on both the successes and challenges facing women in the CPA Caribbean, Americas and the Atlantic Region. This issue of The Parliamentarian features a number of articles that examine the role of women in Parliament and the work of the CWP network in the CPA Australia and CPA Pacific Regions. Hon. Michelle O’Byrne, MHA (Tasmania) is the current Vice-Chairperson of the Commonwealth Women Parliamentarians’ Network and Chair of the CPA Australia Region Steering Committee and she looks at the important issue of working towards safe work environments in Parliaments.

Anahita Kanongata’a-Suisuiki, MP (New Zealand) writes about women’s political participation in the CPA Pacific Region where a number of Parliamentarians and Legislatures have faced challenges in gender equality. Former Commonwealth Youth Parliament member, Elise Delpiano (New South Wales) provides a youth perspective on gender equality and writes about the challenges of increasing women’s parliamentary participation in Australia and New Zealand, based on the findings of her research report for Emily’s List Australia. Anna Watson, MP (New South Wales) gives a personal account of her experiences of being a woman in Parliament in Australia.

Meraj Hamayun Khan (Khyber Pakhtunkhwa) is a former Member of the Khyber Pakhtunkhwa Assembly, where she started the Women’s Parliamentary Caucus, and she writes about increasing the numbers of women Members of Provincial Assemblies in Pakistan.

Meraj Hamayun Khan

RT Hon. Baroness D’Souza (United Kingdom) was elected as the second Lord Speaker of the UK House of Lords in 2011 and the second woman to hold the position. She gives her reflections on women’s empowerment and writes about the importance of education in increasing political participation.

Hon. Dawn Butler, MP (United Kingdom) is currently the Shadow Minister for Women and Equalities in the UK Parliament and writes about finding policy solutions to increase women’s economic empowerment in the UK.

RT Hon. Maria Miller, MP (United Kingdom) is the Chair of the Women and Equalities Select Committee in the UK Parliament and she writes about the importance of the work of the Committee and its impact on legislation.

Professor Sarah Chidswill from Birkbeck, University of London looks at women’s political representation in the UK Parliament and questions if the centenary of women’s suffrage in 2018 will result in any significant changes in gender equality.

Dr Lesley Clark (Queensland) is a former Parliamentarian and she has recently been appointed as the Champion for the new CPA Alumni Initiative. In this article for The Parliamentarian, she writes about women supporting women in politics and introduces the Commonwealth Women Parliamentarians Alumni Initiative. Maurice Corry, MSP (Scotland) writes about male Parliamentarians as ‘agents of change’ and the role that all Parliamentarians can play in gender equality.

As a series of exhibitions and events are organised to mark the 100th anniversary of women’s suffrage in Jersey, Anna Goodey, Assistant Greffier of the States of Jersey takes a look at the history of Jersey women in politics.

Until recently, Norma Paris (Alderney) was the only woman Member of the States of Alderney, one of the smallest Legislatures in the Commonwealth and she shares her experiences of politics in Alderney.

This issue of The Parliamentarian also highlights a number of other events and activities. Hon. James Duddridge, MP (United Kingdom) reports on Commonwealth Parliamentarians at the 67th Westminster Seminar and their discussions on how to create effective Parliaments.

Kenrick Caine’s guest article entitled Media Rights: The Battle for Press and Media Freedom in the Commonwealth by Lord Black of Brentwood. Regrettably, the Chair of the Commonwealth Press Union Media Trust single out Malta a number of times through false claims which are not worthy of a journal distributed by the Commonwealth Parliamentary Association to thousands of Members of Parliament. Lord Black of Brentwood states that it is unacceptable that the killers of journalist Daphne Caruana Galizia at it still walk free. This assertion is not only incorrect, but also defamatory.

The undeniable truth is that the alleged killers of journalist Daphne Caruana Galizia were, in fact, arrested within 50 days of the murder, and are now passing through Court proceedings with full respect to the rule of law. On the contrary of what The Parliamentarian article implies, the alleged killers of Caruana Galizia are not “still walking free” precisely because Maltese authorities have left no stone unturned with assistance from the FBI, Finnish and Dutch security services, Interpol and Europol.

In a mission report by the European Parliament Committee on Civil Liberties, Justice and Home Affairs, dated 14th November 2018, Europol confirmed that its strong presence in Malta and, in terms of results, even “clarified that the investigation did not stop with the arrest of the three suspected perpetrators. Other layers are also being sought as this is an international crime having international connections.”

So, while Lord Black of Brentwood expresses his dissatisfaction at statistics which show that fewer than 10% of allkillings of journalists in Commonwealth countries have resulted in those responsible being brought to justice, he fails to mention about the...
Gender equality is achieved when women and men enjoy the same rights and opportunities across all sectors of society, including economic participation and decision-making, and when the different behaviours, aspirations and needs of women and men are equally valued and favoured. Gender equality is not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and sustainable world.

While the world has achieved some progress towards gender equality and women’s empowerment under the Millennium Development Goals (MDGs), women and girls continue to suffer discrimination in all areas of society in every part of the world. Moreover, the world is yet to attain the United Nations Sustainable Development Goal 5: ‘Achieving gender equality and empowering all women and girls in all areas of political and economic life.’

Nevertheless, women have made important inroads into political life across the world, but a 32.7% representation in national Parliaments is still far from party - an indication that gender equality in Parliaments is still a long way off and current progress is far too slow. Most Parliaments are still heavily male-dominated. Even where women are present in greater numbers, glass ceilings often remain firmly in place.

Women running for election face numerous challenges, such as, addressing discrimination or cultural beliefs that limit women’s role in society, balancing private, family and political life, gaining access to political parties and securing campaign funding. They may also face violence, harassment and intimidation. Some women may even be dissuaded from running for office, leaving men in the positions of power.

Change is possible if political commitment and adequate legal and policy frameworks are put in place by gender-sensitive governments, to mainstream gender into politics and provide a level playing field for both women and men. Moreover, a greater female representation in Legislatures and political decision making is more likely to lead to greater public support and recognition.

Women and Parliament: being a woman Speaker or Member of Parliament

As reported by the Inter-Parliamentary Union (IPU) in 2017, throughout the 20th century, the number of women in Parliaments has grown at a remarkably slow pace. However, that of women presiding over Parliaments - otherwise called Speakers or Presiding Officers - has grown at an even slower pace. The Australian Parliament was the only one to have a woman Speaker before the Second World War.

Between 1945 and 1997, only 42 countries had a woman preside over Parliament, the majority of which were located in Europe or in the United States of America. This trend is positively changing in the 21st century as the percentage of women occupying posts of Presiding Officer in Parliaments has nearly doubled, from 8.3% in 2005 to 15.6% in 2017. On 11 November 2015, the number of women Speakers reached a record 53 women, making up 19.1% of the total. Women Speakers now span every area of the world, including the Arab region, where the first woman became Speaker of Parliament of the United Arab Emirates in 2015.**

Nevertheless, it should be noted that a majority of these women are Deputy Speakers, who rarely preside over Parliament, except in the absence of the main male Speaker. Women Speakers have enhanced Parliaments’ role in overseeing the work of government in the area of gender equality. They also serve as role models for fellow women who aspire to take decision-making positions or desire to participate in politics in their respective countries.

Women and Elections

According to UN Women: “the percentage of women in national Legislatures has become a meaningful indicator of a country’s achievements in women’s political participation.”

When women participate in elections as candidates - and as voters - decisions better reflect the electorate, and democracy is strengthened. However, women currently comprise only 22.6% of all Parliamentarians worldwide. Three important factors deter women from entering politics globally. Firstly, individual barriers impede women’s self-efficacy and empowerment. Secondly, government barriers include legislative or regulatory provisions that undermine women’s participation. Thirdly, societal barriers include norms of patriarchy that exclude women from participating fully in the public sphere.

These three types of barriers can exist in isolation, but they are more often mutually constructive and reinforcing, and have direct effects on women’s political participation. For example, electoral rules that fail to explicitly protect women’s access to political and electoral processes often indicate deeply embedded social norms of patriarchy. Therefore, the barriers to women’s political participation in society are often multi-dimensional, reflecting the complex structure of cultural values and institutional rules. Overcoming these barriers necessitates not simply encouraging women to overcome them, or even changing laws and practices, but also transforming the gender norms that underpin them.

Women and social media

Social media platforms such as Facebook, Twitter, WhatsApp and Instagram can facilitate the way politicians interact with their electorates, and vice versa, and have altered the communications landscape in politics especially for women. Consequently, women who are frequently at a disadvantage when competing for time, financial and other resources, have equal access to social media. Social media would facilitate the communications of female Parliamentarians with child-rearing responsibilities and those in other societies where cultural norms restrict their movement.

Social media, particularly E-learning, is an excellent forum for female politicians to improve their political education without displacement. Women politicians share information among each other faster and easier through social media. Most importantly, social media exposes women Parliamentarians and politicians to the Internet, who serve as role models especially for younger women and girls, empowering them to make better choices about their lives.

Unfortunately, social media has also brought new risks for female Parliamentarians, as they receive insinuations or threatening comments about women’s ability and/or role. The cyber-violence against women in general, and against women in politics in particular, needs to be addressed by both the public and private sectors in order to raise awareness and develop new codes of conduct that can better protect legislators when interacting with citizens online.

Equality in the workplace

According to the International Monetary Fund (IMF) in 2015, the participation of both women and men in the labour force is an important social and development goal. However, marked inequality in the workplace still persists between the two genders.

Two major factors account for women’s low labour force participation. Firstly, fertility significantly affects female labour force participation, because, each birth on average decreases women’s labour supply by almost two years during a woman’s reproductive life. Secondly, gender-based legal restrictions in terms of weak or restrictive laws related to family, gender-based violence, and economic oppression can make it more difficult for women to improve their circumstances.

Conversely, economic attainment, together with maternity leave and child benefits policies for women are positively correlated with female participation in the labour force. Moreover, better access to comprehensive, affordable, and high-quality childcare frees up women’s time for formal employment. Women in leadership positions (like Parliamentarians) may also increase female labour force participation by providing role models for other women, and by combating stereotypes. Also, women Parliamentarians can significantly change public attitudes towards women and, most importantly, raise the aspirations parents have for their daughters and the aspirations teenage girls have for themselves.

Gender mainstreaming in legislation

In 1995, gender mainstreaming was established in the Beijing Platform for Action as an internationally agreed strategy for promoting gender equality. Since then, the achievement of equality between women and men has become a major objective and integral part of the international development agenda.

The Office for Democratic Institutions and Human Rights (ODIHR) in 2017, defined gender mainstreaming as “the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in any area and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral element in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated.”

Following the above definition, national Parliaments are well placed to champion the objective of gender equality and promote gender mainstreaming in government. Parliaments aim to reflect society, hence they must reflect the changing dynamics of their electorates. A gender-sensitive Parliament is a Parliament that responds to the needs and interests of both women and men. For example, gender-sensitive Parliaments can contribute to removing the barriers to women’s full participation in society, and empower both women and men to shape their own lives and make decisions.

The legislative process is a vital entry point for gender mainstreaming. Legislation has a direct and tangible impact on the lives of citizens, and reflects in the most direct manner the needs and priorities of various constituencies. The legislative process creates a platform for dialogue on issues that matter most in society and may foster the expression of multiple voices and perspectives. Thus, the legislative process presents an effective vehicle for the promotion of gender equality values and principles.

*Olga Rudol-Żarynk (1871–1948), was an Austrian politician and journalist. She served as President of the Bundesrat (the Federal Council or upper house of Austria) in 1927–28 and 1932. She was the only woman Speaker or Presiding Officer before the Second World War.*

**Amal Al Qubaisi (born 1969) is currently the President of the Federal Assembly of Cameroon and political decision making is more likely to lead to greater public support and recognition.”

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VIEW FROM THE CPA CHAIRPERSON

Hon. Emilia Monjowa Lifaka, MP, Chairperson of the CPA Executive Committee and Deputy Speaker of the National Assembly of Cameroon

Nations Sustainable Development Goal 5: ‘Achieving gender equality and women’s empowerment necessary foundation for a peaceful, prosperous and development agenda.

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Cyber Harassment Against Women on Social Media

View from the Commonwealth Women Parliamentarians (CWP) Chairperson

Facebook, Twitter, Instagram, LinkedIn and BlogSpot are some of the social media platforms that have, to a certain extent, impacted women’s life. The Malaysian Communications and Multimedia Commission reported that there were approximately 41% female internet users in 2018. Acknowledging the advancement of technology, women have benefitted from social media platforms as they create opportunities for them. Nevertheless, social media has also been used to harass women and girls.

The term cyber harassment is normally used to describe types of behaviour which include acts to annoy, threaten, insult, exhibit malicious intent, post inappropriate comments, display offensive images and cause a scare to a person. Such behaviours have tendencies to encourage aggression against women on social media. Cyber harassment has been reported to affect women’s wellbeing and women are likely to suffer twice as much harassment than men. Women also suffer from mental health issues such as anxiety, trauma and depression that can be linked to increasing social media use. The Malaysian Communications and Multimedia Commission has implemented certain authoritative legislation and regulations by these two organisations were drawn up to protect and give security to women and girls.

At the international level, the United Nations (UN) and European Union (EU) have taken various initiatives to combat cyber harassment and mobbing. The use of social media provides greater space for women to express their rights. This has triggered the Communication and Multimedia Minister to cooperate with the Ministry of Women Family and Community in proposing a specific action to address cyberbullying. This proposed Act can be used by the authorities to protect women, and also children. This is also in line with the statement of the Beijing Platform for Action which recognizes and stresses the definite role of the media in making a greater contribution to the advancement of women’s rights.

In the case of insulting women on social media, the former Minister of Women, Family and Community has advised the public to stop condemning people especially women on social media. Similarly, she added that nobody should condemn or insult images of women on social media.

Malaysian women Parliamentarians should actively participate in tackling this issue in Malaysia.

The role of women Parliamentarians in tackling cyber harassment against women on social media

The internet has widened the incidents of harassment from offline to online. The Convention on the Elimination of the Discrimination Against Women (CEDAW) has interpreted the current trends of harassment against women through the perspective of the 21st century by considering cyber harassment as a type of crime. According to the Committee on the Elimination of Discrimination against Women (CEDAW), the new General Recommendation 35 adopted in 2017, reaffirms the UN’s commitment to a world free from violence for all women and girls and recognises the new forms of violence against women and girls, as redefined “through technology-mediated environments, such as contemporary forms of violence occurring in the internet and digital spaces.” Thus, women Parliamentarians should actively participate in tackling this issue in Malaysia.

In addressing the mental health issues in 2018, the Communications and Multimedia Commission reported 356 cases that can be linked to increasing social media use. The Malaysian Parliamentarians reported that 57% of social media users. Hence, the establishment of law must be sufficient enough to safeguard the public’s interests and to monitor their activities on social media.

Regulating the law on cyber harassment is designed to prevent individuals from making offensive comments especially to the ‘victim’. The Malaysian government should adopt the UK’s (England, Wales, Northern Ireland and Scotland) strategies in tackling cyber harassment. In the case of Northern Ireland, the government has regulated online bullying and harassment through Article 3 of the Malicious Communications Northern Ireland Order 1988 which states that sending a letter or other article (including an electronic communication) to someone with intentions of causing anxiety or distress to that person is deemed as cyber harassment. In addition, Section 127 of the Communications Act 2003 was also amended to define improper use of public electronic communications networks.

The Malaysian government is currently looking into this matter by having strategic discussions with various stakeholders. These stakeholders are from civil society, non-governmental organisations, industry groups, institutions of higher learning and schools. Such collaboration with the Malaysian government is intended to tackle cyber harassment issues in the country. These partnerships should also be able to assist the government in curbing the challenges in regulating the laws on cyber harassment.

It is an undeniable fact that social media has a function in advancing knowledge and information to empower women. Hence, appropriate actions such as putting relevant laws in place are very much in line to deal with cyber harassment issues.

*Netizens = Internet Citizens

References:

[2] UN General Assembly: Resolution on Protecting Women and Children from Violence in the Digital Environment

Strategies in preventing cyber harassment against women on social media

At the international level, the United Nations (UN) and European Union (EU) have, to a certain extent, impacted women’s life. The Malaysian Communications and Multimedia Commission, for example, has implemented certain authoritative laws and regulations related to online content.

Facebook, Twitter, Instagram, LinkedIn and BlogSpot are some of the social media platforms that have, to a certain extent, impacted women’s life. The Malaysian Communications and Multimedia Commission reported that there were approximately 41% female internet users in 2018. Acknowledging the advancement of technology, women have benefitted from social media platforms as they create opportunities for them. Nevertheless, social media has also been used to harass women and girls.

The term cyber harassment is normally used to describe types of behaviour which include acts to annoy, threaten, insult, exhibit malicious intent, post inappropriate comments, display offensive images and cause a scare to a person. Such behaviours have tendencies to encourage aggression against women on social media. Cyber harassment has been reported to affect women’s wellbeing and women are likely to suffer twice as much harassment than men. Women also suffer from mental health issues such as anxiety, trauma and depression that can be linked to increasing social media use.

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The term cyber harassment is normally used to describe types of behaviour which include acts to annoy, threaten, insult, exhibit malicious intent, post inappropriate comments, display offensive images and cause a scare to a person. Such behaviours have tendencies to encourage aggression against women on social media. Cyber harassment has been reported to affect women’s wellbeing and women are likely to suffer twice as much harassment than men. Women also suffer from mental health issues such as anxiety, trauma and depression that can be linked to increasing social media use.

The Malaysian Communications and Multimedia Commission reported 356 cases that can be linked to increasing social media use. The Malaysian Parliamentarians reported that 57% of social media users. Hence, the establishment of law must be sufficient enough to safeguard the public’s interests and to monitor their activities on social media.

Regulating the law on cyber harassment is designed to prevent individuals from making offensive comments especially to the ‘victim’. The Malaysian government should adopt the UK’s (England, Wales, Northern Ireland and Scotland) strategies in tackling cyber harassment. In the case of Northern Ireland, the government has regulated online bullying and harassment through Article 3 of the Malicious Communications Northern Ireland Order 1988 which states that sending a letter or other article (including an electronic communication) to someone with intentions of causing anxiety or distress to that person is deemed as cyber harassment. In addition, Section 127 of the Communications Act 2003 was also amended to define improper use of public electronic communications networks.

The Malaysian government is currently looking into this matter by having strategic discussions with various stakeholders. These stakeholders are from civil society, non-governmental organisations, industry groups, institutions of higher learning and schools. Such collaboration with the Malaysian government is intended to tackle cyber harassment issues in the country. These partnerships should also be able to assist the government in curbing the challenges in regulating the laws on cyber harassment.

It is an undeniable fact that social media has a function in advancing knowledge and information to empower women. Hence, appropriate actions such as putting relevant laws in place are very much in line to deal with cyber harassment issues.

*Netizens = Internet Citizens

References:

[2] UN General Assembly: Resolution on Protecting Women and Children from Violence in the Digital Environment
has been a long way for women to get to where they are today in the political and diplomatic scene. The Commonwealth Women Parliamentarians are celebrating thirty years of success in their roles of improving the legislation. I augur the Commonwealth Women are brought to the fore in parliamentary debate and the increase of female elected representatives are celebrating thirty years of working towards they are today in the political and diplomatic scene. It has been a long way for women to get to where gender equity, reinforced in 2012 when Parliament enacted struggle this can be. The Commonwealth is a community which varies the participation of women and ultimately celebrating democratic Small Branches Chairperson.

WOMEN AND THEIR PARTICIPATION IN PARLIAMENT

It has been a long way for women to get to where they are today in the political and diplomatic scene. The Commonwealth Women Parliamentarians are celebrating thirty years of success in their roles of improving the awareness and ability of all Parliamentarians, male and female, and encouraging them to take a gender perspective in all aspects of their role - legislation, oversight and representation, thereby helping them to become genuinely gender-sensitive institutions. In this celebratory issue of *The Parliamentarian*, I would like to take the opportunity to celebrate the participation of women and girls in the democratic process by celebrating democratic values, which, for those who have been here long enough know what a struggle this can be. The Commonwealth is a community which varies in opportunities for economic, social and political change, not least in respect of the participation and inclusion of women. I would like to shed some light in the situation in Malta. On a general note, women have been granted voting rights in 1947. During the last years, we have seen improvements regarding gender equality and gender equity, ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

Importance of gender equality in Parliaments

Gender inequality in Parliaments is crucial for political representation and function. Women’s rights and representation within governments are determined largely at the national level. Legislation - Whist gender equality is an issue that involves men and women, some legislation affects women and men’s lives differently. Thus, Bills about certain issues (namely health, education, socio-economic and political challenges facing disadvantaged groups) are more likely to be proposed by women. Additionally, the outcome of certain Bills can only be fairly reviewed in Parliament if both viewpoints are considered. For example: in the UK House of Commons, we have instances where Bills that protect women – such as one preventing and combating violence against women – have been vehemently opposed by male MPs, while other men have campaigned for Bills that could harm women, such as providing anonymity to men accused of rape.

Human rights - Gender equality is a founding principle of the United Nations. Yet even today, many women around the world still lack equal rights and empowerment opportunities, and face discrimination in work, health care and education, and suffer physical and sexual violence (figures published by the World Health Organization in 2016 estimate that one out of every three women worldwide has experienced violence at the hands of a partner, or sexual violence by someone other than a partner), and this can also be seen in some countries of our Commonwealth family. Discrimination and violence against women are rooted in gender stereotypes, harmful cultural practices and discriminatory legal frameworks, which restrict social and legal statuses prevent women and girls from enjoying their human rights in all areas of life, from maternal and health services to education, equal opportunities and fair pay. Parliaments have a key role in legislating to tackle such discrimination and violence.

Representation - Without women MPs who are empowered to contribute to the parliamentary process, any parliamentary deliberations are missing a key component (e.g. Bobo, as women are) and are thus not reflecting the views and experiences of women. Considering the proportion of women in the population, and the contribution of women to society, lack of equal representation of women’s views in Parliament renders the parliamentary process biased and, in some cases, redundant.

Scrubby - The oversight role of Parliamentarians is linked to the very notion of external accountability, the democratic control of the government by the Parliament, among other bodies. Since gender equality improves the quality of democracy, parliamentary scrutiny should include scrutiny from a gender-equal perspective. This can bring about a fundamental contribution for the achievement of sustained democratic practices.

What can be done to improve gender equality and women’s participation in Parliaments?

The first logical solution is working to increase women candidates without any interference in the system by offering practical incentives, enabling more women to run. However, when this does not yield results, the introduction of gender quotas has often been posed. In Rwanda, the 2013 Rwandan Parliamentary elections ushered in a record-breaking 64% of seats for women candidates, making Rwanda the top country for women in politics in the world. The incredible progress was sparked by special measures, starting with the 2003 Constitution that set a 30% quota for women in elected positions, and the political parties adopting their own voluntary quotas for women candidates on party lists. In 2003, barely a decade after the genocide, nearly 50% of parliamentary seats went to women. After the 2008 elections, women made up 56% of the Members of Parliament. The number jumped to 64% after the 2013 elections. In comparison, women make up a global average of 23.8% of Parliament’s Members as of June 2018.

In Malta, this debate has only just started, yet diverging opinions from both sides of the House have already been voiced. Gender quotas have courted significant controversy, with critics arguing that they impose decisions upon the democratic process and perpetuate the idea that 21st century women need extra help to achieve success, while proponents insist they are a necessary, albeit radical, measure to ensure better gender representation on a parliamentary level. Others argue that the natural course of women’s political participation should be allowed rather than introducing mandatory quotas.

This conundrum as to whether the authorities need to intervene so as to increase female representation is a delicate one; any solution needs to be one which whilst being non-discriminatory, suits all those impacted by the decisions. I am confident, however, that in these efforts, the experiences of other countries will be looked at closely in order to learn from both the success stories and where measures have not given the expected results.

The 2018 Parliamentary Conference on the World Trade Organisation (WTO), jointly organized by the Inter-Parliamentary Union and the European Parliament, attracted more than 300 Members of Parliament representing more than 100 countries of our Commonwealth and the CPA Small Branches. The CPA Small Branches Chairperson also highlighted the greater impact of climate change on small states as an important issue in relation to non-discriminatory, multilateral trading systems and the impact of trade processes on smaller jurisdictions. The CPA Small Branches Chairperson, Hon. Angelo Farrugia MP, Speaker of the Parliament of Malta participated in the Parliamentary Conference on the WTO on behalf of the CPA. The CPA Small Branches Chairperson presented to the conference on the parliamentary perspective and the mobilisation of parliamentary action on trade, with specific reference to the Commonwealth and the CPA Small Branches. The CPA Small Branches Chairperson also highlighted the greater impact of climate change on small states as an important issue in relation to non-discriminatory, multilateral trading systems and the impact of trade processes on smaller jurisdictions.
PARLIAMENTARY GENDER CAUCUSES AND THE COMMONWEALTH WOMEN PARLIAMENTARIANS AT 30

‘Without women’s equal participation, democracy is incomplete’

View from the 7th CPA Secretary-General

Her Majesty Queen Elizabeth II, Patron of the Commonwealth Parliamentary Association (CPA) and Head of the Commonwealth, launched the Commonwealth Parliamentary Association (CPA) in 1989. In 1990, Her Majesty established the CPA Women’s Parliamentary Association (CPWPA) and subsequently the Commonwealth Women Parliamentarians (CWP) network. As a result, the CPA, and the work of its Women’s Parliamentary Caucuses across our Commonwealth Parliaments and Legislatures, is a perfect demonstration of the values expressed by Her Majesty that only through respect and understanding, and working together, can we build the dignity of the individual and community. By upholding justice and the rule of law, and by striving for social justice and other opportunities for all, we overcome division and find reconciliation, so that the benefits of progress and prosperity may be multiplied and shared.

In recognition of the work of Commonwealth Women Parliamentarians (CPWP) network, through the CPA, and the work of Women’s Parliamentary Caucuses across our Commonwealth Parliaments and Legislatures, are a perfect demonstration of the values expressed by Her Majesty that only through respect and understanding, and working together, can we build the dignity of the individual and community. By upholding justice and the rule of law, and by striving for social justice and other opportunities for all, we overcome division and find reconciliation, so that the benefits of progress and prosperity may be multiplied and shared.

The Parliament of Mauritius, among the many areas of development discussed with the Commonwealth Parliamentary Association, there was an ambition to establish a Parliamentary Gender Caucus. Mauritius and the CPA offered support to the National Assembly to achieve this goal in March 2017.

At the launch of the Parliamentary Gender Caucus in Mauritius, I offered my congratulations to Hon. Santi Bai Hanoomanjee, Speaker of the National Assembly of Mauritius on her personal leadership and determination to promote gender equality through the establishment of the Parliamentary Gender Caucus which provides a catalyst for the promotion of gender equality across all democratic institutions and also for the implementation of the Sustainable Development Agenda.

The establishment of gender caucuses is a vital ingredient in bringing greater equality between men and women in the daily operations of democratic representation. The CPA, through the Commonwealth Women Parliamentarians (CWP) network and our international partners, is committed to promoting gender equality in Parliaments and increasing the representation of women in leadership roles. As one female activist I recently noted had written on a poster ‘without women’s equal participation, democracy is incomplete’. Globally, over 80 parliamentary women’s or gender caucuses have been created since 1995 – support for such initiatives is incredibly high, as is the growing acceptance for the inclusion of women within such structures, underscoring the need for men to be aware of and shoulder their responsibilities with regard to gender equality. There is clear evidence from the experience of Rwanda and other gender caucuses that the inclusion of men has helped to avoid caucuses becoming marginalised, and indeed have contributed to them becoming a prominent institution within Parliament.

There are a number of ways that the Parliamentary Gender Caucus can contribute to changing the face of the Commonwealth Parliament and the CPA has been at the forefront of this work over the last thirty years:

1. Influencing Parliament’s legislative priorities – the gender caucus can play a pivotal role in ensuring legislation is gender sensitive, and the legislation that advocates for gender equality is introduced in Parliament. In Rwanda, women’s caucuses have been successful in passing legislation to end violence against women and in Kenya, the Women’s Parliamentary Association was instrumental in helping to pass the Domestic Violence Act of 2005. In Mauritius, the gender caucus has contributed to the achievement of an ambitious Act of 300,000 women Members at all levels of Parliament. The under-representation or marginalisation of women and other social groups, including minorities and the disabled, is not only unjust and unequal, but also undermines the legitimacy of our democratic institutions.

2. Women’s or gender caucuses have a positive track record in helping build the capacity of women in Parliament. Through workshops, training and support, gender caucuses provide a safe space to help women Parliamentarians to be more effective in their role as Parliamentarians in an often male-dominated domain. The Parliamentary Women’s Caucus in Lesotho provided leadership training programmes to build the confidence of women Parliamentarians and empower them to stand up and challenge their male colleagues and make their voices heard. The Uganda Parliamentary Women’s Association (UPWA) formed in the 1990s and was instrumental in its lobbying campaign for gender equality clauses in the Ugandan Constitution including provisions on non-discrimination on the basis of sex, equal opportunities for women, a quota for women of one third for local government seats, and the establishment of an Equal Opportunities Commission.

3. Gender caucuses have enormous potential to analyse how gender sensitive our Parliaments are. Through this, changes can be made to ensure that Parliament’s practices are gender equal, and to ensure that gender issues are mainstreamed into debates and key decisions made. Kenya and Uganda’s gender caucuses led the way in proposing changes to the Standing Orders to ensure the representation of women in leading Parliamentary Committees. There are many examples of the influence of women’s caucuses in making significant changes to the way Parliaments operate including the introduction of day care centres in Parliaments for the children of Members and staff.

4. The potential for Parliamentary Gender Caucuses to influence the implementation of the UN Sustainable Development Goals is significant given its remit. To leave no one behind is the overarching ambition of the 2030 SDG Agenda and this agenda reaffirms gender equality as both a human right and a driver for development.

The demands of ensuring a vibrant democracy are extensive. The success of the gender caucus will not rest solely on supporting and giving support to both male and female Parliamentarians, rather success will also depend on securing support for the work of the caucus and the issues it will address from across the political spectrum. There is always the risk of politics creeping in and shifting the attention from the positive gains to be made, to polarising political issues that are difficult or impossible on which to reach consensus.

The importance of identifying cross-party initiatives that all women and men can support can also prevent gridlock. Justice Nasira Ibajo in Pakistan has attested that ‘the work of women Parliamentarians may create a big difference if they take charge, instead of letting their party lines.’

Of course, one of Parliament’s fundamental duties is one of representation – reaching out to all sectors of society is key. Engaging and gaining the support of civil society, young people and other key activist in the work of any gender caucus will strengthen the message and the aims of the caucus in seeking greater gender equality.

The former UNDP Administrator and Prime Minister of New Zealand, Rt Hon Helen Clark has observed changing the culture of Sustainable Development Goal 5 on reducing gender inequalities and empowering women that is key to driving progress; but SDG 5 is also integrated across the other 16 Sustainable Development Goals which reflects the growing evidence that gender equality has a powerful multiplier effect across the spectrum of development whether through health, education, labour markets, and the other areas that will lower poverty and increase prosperity. Failing to address gender inequalities and discrimination against women will hinder if not derail the achievement of the SDGs.

As Secretary-General of the Commonwealth Parliamentary Association, I am committed to supporting the work of the Commonwealth Women Parliamentarians (CPW) network as we mark the 30th anniversary of its establishment and recognition of its many achievements. The CPA, through the women’s caucuses and in our leadership programmes, aims to contribute to them becoming a prominent institution within Parliament, and the work of ensuring a vibrant democracy.

In the words of the former UN Secretary-General, Kofi Annan: “there is no tool for development more effective than the empowerment of women.”

Mr Akbar Khan
7th Secretary-General
Commonwealth Parliamentary Association (CPA)

This article is based on a speech given by the CPA Secretary-General at the launch of the Parliamentary Gender Caucus at the National Assembly of Mauritius on 20 March 2017.

“Data from IPU National Parliaments database at 1 December 2018.”
The Commonwealth Parliamentary Association (CPA) Fundamentals Programme in partnership with McGill University, Canada has been awarded the Best Custom Program Award at the 2018 Conference on Management and Executive Development (CMED). The award recognises unique and innovative high-impact programmes for their exceptional design and customisation. The programme content was adapted to the needs of participants by McGill University’s School of Continuing Studies, which helped to develop the programme for Commonwealth Parliamentarians from the CPA Small Branches, a network of CPA Branches of less than 500,000 people. The award was announced at the annual Conference on Management and Executive Development (CMED) in Florida, United States.

The CPA Secretary-General, Mr Akbar Khan said: “The recognition of the CPA Fundamentals Programme on Parliamentary Practice and Procedure with our programme partner, McGill University in Canada through this award shows the advances that this programme has made in meeting the CPA's aims of advancing parliamentary democracy by enhancing knowledge and understanding of democratic governance. This programme specifically supports our CPA Small Branches and the CPA is in a unique position in the Commonwealth in supporting Members from national, sub-national, territorial and provincial Legislatures in this way.”

Dr Carolina Wei, Dean, School of Continuing Studies, McGill University said: “The team at McGill's School of Continuing Studies is honoured and proud to support Commonwealth Parliamentarians and the CPA's mission of advancing parliamentary democracy. Thanks to the carefully calibrated CPA Fundamentals Programme leading to the McGill Professional Development Certificate in Parliamentary Governance, under the guidance of Professor Frederick Stapenhurst and Inna Popova, Director of Career and Professional Development Non-Credit Programs, we are able not only to offer an exciting model for professional education, but also celebrate the value and impact of the CPA/McGill collaboration to foster good governance and positive change with the CMED Best Custom Program award.”

“The CPA Fundamentals Programme on Parliamentary Practice and Procedure was first launched in 2016 and is the first course of its kind. The programme aims to assist Commonwealth Parliamentarians in building the capacity of their newly-elected and returning Parliamentarians, by equipping them with: greater depth of knowledge of parliamentary practice and procedure; increased in-depth and practical knowledge based on accepted theories and international good practices; an accredited qualification from an internationally recognised university that will benefit participants for life during and after Parliament.

The programme is interactive and comprehensive, comprising online modules as well as face-to-face contact sessions online with partner universities. This programme aims to develop well-informed, skilled parliamentary leaders, who will go on to contribute to creating strong democratic legislatures that adhere to the principles of good governance.

The CPA programme is provided in partnership with two prestigious Commonwealth universities – the specialised CPA Fundamentals course for CPA Small Branches in partnership with McGill University in Canada, in the form of the Professional Development Certificate in Parliamentary Governance, and the CPA Fundamentals course (General) with the University of Witwatersrand in South Africa.


To read an account of the latest CPA Fundamentals Programme for CPA Small Branches in partnership with McGill University, Canada by a Commonwealth Parliamentarian from the Isle of Man, please turn to page 72.
CPA Chairperson speaks about enhancing the involvement of Parliaments in international human rights mechanisms at United Nations Forum on Human Rights, Democracy and the Rule of Law in Geneva

The Chairperson of the Commonwealth Parliamentary Association (CPA), Hon. Emilia Monjowa Lifaka, MP (Cameroon) has addressed the 48th Plenary Session of the Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States (CPA) at CIS Interparliamentary Assembly in St Petersburg, Russia. The CPA Chairperson was invited by the Interparliamentary Assembly and the International Committee of the Red Cross (ICRC) to address their conference commemorating the 150th anniversary of the St Petersburg Declaration of 1868.

The 48th Interparliamentary Assembly was opened by the Chairperson of the CPA CIS Council, Valentina Matviyenko, Chairperson of the Federation Council of the Russian Federation and was followed by a report from the ICRC President, Peter Maurer. This was followed by an international conference on the ‘150th Anniversary of the St Petersburg Declaration: Background to the Adoption and Relevance for Modern Armed Conflicts’.

CPA Chairperson at CIS Interparliamentary Assembly in St Petersburg: ‘Parliamentarians have a duty to hold governments to account on international humanitarian law’

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The CPA Chairperson said to the conference: ‘We, as Parliamentarians, have a duty to hold our governments to account. There can be no greater decision for a government than to use force and to commit its men and women to the conflict zone. In order to fully understand the issues relating to the laws of war, Parliamentarians need to stay up to date on legislation and developments related to international humanitarian law. We also need to ensure that our countries are party to international treaties which govern and regulate the use of force and weapons, and provide for the humanitarian treatment of combatants once captured.’

The CPA Chairperson stressed that Parliamentarians should pay more attention to the law-making process, current trends and international humanitarian law in their work. The CPA Headquarters Secretariat is working to upskill its membership in the field of international humanitarian law and is currently producing a new Handbook on International Humanitarian Law for Commonwealth Parliaments together with the British Red Cross, with the support of the ICRC and the University of New South Wales.

The Commonwealth Parliamentary Association regularly engages with parliamentary assemblies and international organisations to develop new partnerships and cooperation in parliamentary development and the CPA Chairperson’s address to the Assembly reinforces these relationships. The Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States (IPA CIS) was founded in 1992. The overarching mission is to create a common legal framework for the CIS and international cooperation. The Interparliamentary Assembly is made up of national parliamentary delegations and its Member Parliaments are: Azerbaijan; Armenia; Belarus; Kazakhstan; Kyrgyzstan; Moldova; the Russian Federation; Tajikistan; and Ukraine.

Commonwealth Parliamentarians congratulate outgoing UK Clerk of Parliament on over forty years of parliamentary service ahead of his retirement

Members of the CPA Coordinating Committee met with the Clerk of the Parliament of the United Kingdom’s House of Commons, Sir David Nunn, ahead of his forthcoming retirement after a total of 43 years in the service of the House. The CPA Vice-Chairperson, Hon. Alexandra Mendes, MP (Canada Federal); CPA Treasurer, Vicki Dunne, MLA (Australian Capital Territory); CPA Small Branches Chairperson and Speaker of the House of Representatives of Malta, Hon. Angelo Farrugia, MP; the Commonwealth Women Parliamentarians Chairperson, Hon. Dato Dr Noraini Ahmad, MP (Malaysia) and the CPA Secretary-General, Akbar Khan congratulated Sir David on his outstanding parliamentary service and thanked him for his many years of support for the Commonwealth Parliamentary Association, both in the UK Parliament and internationally.
We need to build a People’s Commonwealth for the 21st century says CPA Secretary-General at Middlesex University Lecture

The Secretary-General of the Commonwealth Parliamentary Association (CPA), Mr Akbar Khan has spoken of the enduring nature of the Commonwealth, which comprises a unique network of peoples, civil society and Parliaments as he delivered a Distinguished Lecture to a specially invited audience at Middlesex University in north London on 10 December 2018.

The CPA Secretary-General explored how the Commonwealth’s networks, including the 17,000 Commonwealth Parliamentarians in over 180 Parliaments and Legislatures of the Commonwealth Parliamentary Association, mark the Commonwealth out as a uniquely constituted global player. The Commonwealth is the world’s oldest political association and is unlike any other international organisation, which enables it to justifiably claim to be ‘a People’s Commonwealth’ which is democratic and diverse in nature.

The CPA Secretary-General, Mr Akbar Khan said: ‘The strength of the Commonwealth lies not only in the membership of governments but significantly in its Commonwealth grouping of peoples, businesses and civil society networks which together constitute the Commonwealth as a unique international family and a uniquely positioned global actor. This breadth of perspectives allows for new and necessary conversations to take place around issues such as global inequality, social and economic rights, the importance of peace-building and climate change.’

The lecture was introduced and hosted by the Vice-Chancellor of Middlesex University, Professor Tim Blackman who said: ‘We are delighted that Mr Akbar Khan came to talk to students and staff at Middlesex University. We are living in very uncertain times and the CPA’s work to support inclusive and diverse parliamentary democracies across the Commonwealth has never been more important. Middlesex is a University that prides itself on its diversity and internationalism. While our students study and live here they meet and collaborate with students and staff from over 140 countries and develop a truly global outlook. These skills will be invaluable to the People’s Commonwealth that Mr Khan speaks of in his inspirational lecture.’

Middlesex University’s Distinguished Lecture series challenges, stimulates and focuses on many of the ‘big picture’ issues facing society. These lectures look at the past, present and future of key areas in business, public policy, technology and learning and not only deepen knowledge and understanding but seek to inspire and engage us as free thinkers and contributors.

To read the CPA Secretary-General’s lecture titled ‘Democracy and Diversify: A People’s Commonwealth for the 21st century?’ please visit www.cpahq.org/cpaph/past-speeches

Commonwealth Parliamentary Association Post-Election Seminar in Grenada focuses on parliamentary democracy, Members’ skills development and gender equality

The Commonwealth Parliamentary Association has helped to strengthen parliamentary practice and procedure with a CPA Post-Election Seminar for the recently elected Members of the Parliament of Grenada, held in St George’s from 9 to 10 January 2019. The CPA Post-Election Seminar, which Members of the House of Representatives, as well as Members of the Senate of Grenada, an excellent opportunity to develop their skills and gain a better understanding of the parliamentary system and democratic processes in other Commonwealth jurisdictions, particularly from the wider CPA Caribbean Region. Transparent, free and fair elections were held in Grenada on 13 March 2018 with a turnout of almost 79% to elect the new Members, which demonstrated the island’s commitment to the democratic ideals enshrined in the Commonwealth Charter.

The Parliament of Grenada is one of the smallest Legislatures in the CPA’s membership of over 180 Commonwealth Parliaments and it is located on a small island with a population of 107,000 people. The CPA is the only Commonwealth body that works to strengthen small Legislatures as well as working with larger national, state and provincial legislatures.

At the opening of the CPA Post-Election Seminar, Rt Hon. Dr Keith Mitchell, MP, Prime Minister of Grenada highlighted that he first became a Parliamentarian in 1984 and encouraged the newly elected and appointed Parliamentarians to sharpen their skills. He said: ‘Our role and function as Parliamentarians is not one to be taken lightly. It is a noble calling to be able to serve our country at this level and it is important that we properly equip ourselves to do the best job possible. For those of us who are seasoned politicians, it is important that from time to time, we take advantage of opportunities to sharpen our skills and broaden our knowledge base. For our newly elected Parliamentarians, especially those with the advantage of youth, this seminar provides an invaluable opportunity to get better acquainted with parliamentary procedures and expectations. I must express my appreciation to the Commonwealth Parliamentary Association for initiating this important Post-Election Seminar. It is almost a decade since Grenada would have benefited from such an initiative. It is timely, it is fitting, and we are immensely grateful.’

Rt Hon. Michael Pierre, MP, Speaker of the House of Representatives of Grenada and Hon. Chester A. A. Humphrey, President of the Senate, both gave opening remarks and chaired sessions throughout the two-day seminar. Hon. Chester A. A. Humphrey explained that despite only one political party being represented in the House of Representatives (or lower house), that there are many active voices within the Parliament through the Senate (upper house). He said: ‘Grenada provides a unique experiment in parliamentary democracy and this seminar provides Members with an opportunity to become more effective in promoting democratic principles and good governance. Members will become more confident and better able to discharge their parliamentary and constituency responsibilities.’

Regional experts attended the seminar to share their knowledge and experience with Members of the Grenada Parliament. Senator Hon. Alicia Williams-Grant, President of the Senate of Antigua and Barbuda presented on the separation of powers between the legislature, the Executive and the Judiciary and on the impact of parliamentary privilege on Members. Ms. Jacqui Sampson-Mieguel, Senior Clerk and CPA Branch Secretary at the Parliament of Trinidad and Tobago demonstrated her extensive knowledge with contributions on the Parliamentary Committee system and parliamentary procedures.

The Grenada House of Representatives also has one of the highest representations for women Members in the Commonwealth following the recent election (located in the Commonwealth at 46.7% women Members) and the CPA Post-Election Seminar session on ‘Women in Parliament’ generated a lively discussion amongst Members on gender equality. Mr Adrian Francis, Clerk of Parliament and CPA Branch Secretary for the Parliament of Grenada as well as local Members from the Grenada Parliament also contributed to the seminar sessions.

The CPA Secretary-General, Mr Akbar Khan, who was represented by Mr Jarvis Matiya, CPA Director of Operations at the seminar in Grenada, said: ‘The CPA is pleased to partner with the Parliament of Grenada to support the strengthening of democratic governance in one of the smaller Parliaments of the Commonwealth. The CPA Post-Election Seminar has demonstrated the CPA’s commitment to our Small Branches and to the mutuality of learning among CPA Members. We must always seek opportunities to strengthen Parliament, nurture public trust in the institution and build the capacity of its Parliamentarians through programmes like the CPA Post-Election Seminars.’

Following a CPA Post-Election Seminar Members of Parliament become more effective at promoting democratic principles and good governance as well as gaining an understanding of Commonwealth values and principles. Members of the Legislature are also more confident and better able to discharge their parliamentary and constituency responsibilities.

During the CPA Post-Election Seminar, the visiting CPA delegation and Resource Team also had the opportunity to visit the newly opened Parliament of Grenada to see the modern facilities and contemporary chamber.

For images of the CPA Grenada Post-Election Seminar please visit the CPA Images Album on Flickr: www.cpahq.org/cpaph/flickr.
HISTORY OF THE COMMONWEALTH WOMEN PARLIAMENTARIANS (CWP)

Celebrating the 30th anniversary of the Commonwealth Women Parliamentarians, the first elected CWP Chairperson reflect on the 30 year history of the CWP.

Background
One would like to congratulates the Commonwealth Women Parliamentarians (CWP) on the 30 years of existence and the strides it has taken in its journey, having been referred to as a ‘Group’ in its inception and known as the Commonwealth Women’s Group. It will continue to be referred to as the Commonwealth Women’s Group (CWP) for the year 2000 and beyond.

While South Africa was one of the founder members of the Commonwealth Parliamentary Association (CPA) together with Australia, Canada, Newfoundland, New Zealand and the United Kingdom, it has done well in the area of women’s representation in Parliament. When South Africa attained its democracy in 1994, it was rated number 144 on the index of women’s representation in Parliament. Today the Inter-Parliamentary Union (IPU) rates South Africa number 10 on the index of women’s representation in Parliament.

The phases of the struggle for liberation in South Africa space milestones achieved in different epochs of liberating women from the protracted structural challenges of race class and gender. These have laid the foundation and remains the bedrock from which I draw enormous experience and the zeal to share and fight for the place and representation of women within the global political landscape and the Commonwealth Parliaments in particular. These milestones which bear the seeds that germinated in the Commonwealth women’s struggles include the 1991 African National Congress Conference, at which ANC women demanded 30% women representation in the NationalExecutive Committee, then cascaded to all its structures. While women did not attain the said 30% at that Conference, however, they made a mark and were able to attain this in the ANC 1997 Conference.

Subsequently, in 2007, the African National Congress Conference adopted the resolution of 50 women’s representation in all its structures and in government and other state institutions. As a consequence of the strides made through such conferences, South Africa’s ratings on women’s representation globally stands at number 10 in the world index.

Evolution and genesis of women’s representation in the CPA

The early struggles for women’s representation in the CPA began in 1989 from an informal meeting of women Parliamentarians held at the 1989 from an informal meeting of women Parliamentarians held at the 33rd Commonwealth Parliamentary Conference in Barbados in 1989, initiated by Senator Norma Cox Ashwood (Bermuda). For the first year, and for the part of the second year, Senator Cox Ashwood acted as Co-ordinator for the women’s caucus. In 1992, the group of women Parliamentarians within the CPA came into formal recognition as the Commonwealth Women Parliamentarians (CWP) under a series of appointed CWP Chairpersons between 1992 and 2004 when the first CWP Chairperson was elected.

• Hon. Lindiwe Maseko, MP (South Africa) – Chairperson of the Commonwealth Women Parliamentarians (CWP) from 2004 to 2007
• Ms Kashmala Tariq, MNA (Pakistan) – Chairperson of the Commonwealth Women Parliamentarians (CWP) from 2007 to 2010
• Hon. A.Jix Boyd Knights, MHA (Dominica) – Chairperson of the Commonwealth Women Parliamentarians (CWP) from 2010 to 2013
• Rt Hon. Rebecca Kadaga, MP (Uganda) – Chairperson of the Commonwealth Women Parliamentarians (CWP) from 2013 to 2016
• Hon. Dato’ Dr Noraini Ahmad, MP (Malaysia) – Chairperson of the Commonwealth Women Parliamentarians (CWP) from 2016 to 2019

The Chairperson of the Commonwealth Women Parliamentarians (CWP) is elected for a three-year term at the CPA Business Meeting that usually takes place at the triennial conference of the Commonwealth Women Parliamentarians (CWP). The CPA Chairperson is elected by the women Parliamentarians as delegates to the Commonwealth Parliamentary Conference.

The first formal meeting of women Parliamentarians was held in 1989 at the 33rd Commonwealth Parliamentary Conference held in Barbados, initiated by Senator Norma Cox Ashwood (Bermuda). For the first year, and for the part of the second year, Senator Cox Ashwood acted as Co-ordinator for the women’s caucus. In 1992, the group of women Parliamentarians within the CPA came into formal recognition as the Commonwealth Women Parliamentarians (CWP) under a series of appointed CWP Chairpersons between 1992 and 2004 when the first CWP Chairperson was elected.

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Organised in New Zealand, the name Commonwealth Group was changed into the current name Commonwealth Women Parliamentarians (CWP) as an organ of the Association. Following these events, in 2003, I was elected as Acting Chairperson of the CWP for a period of one year whilst the Constitution of the CPA was being amended. Eventually in 2004, I was formally elected at the 50th Commonwealth Parliamentary Conference in Canada as the first Chairperson of CWP for a three year period (2004-2007).

The prevalence of the masculine model of politics and of elected government bodies, which feeds an environment where political life is organised according to male norms and values, and often based on competition rather than collaboration, has created a political environment where political participation is gendered. For example, politics is often based on competition and confrontation rather than on systematic collaboration and consensus. The lack of party support in certain instances is characterised by limited financial support for women candidates if any, limited access to political networks and the more stringent standards and qualifications applied to women.
The Commonwealth Women in Politics: Progress on Global Change

COMMONWEALTH WOMEN PARLIAMENTARIANS

Above: Commonwealth Parliamentarians gather for the 5th Triennial Commonwealth Women Parliamentarians Conference in December 2016, held in the margins of the 62nd Commonwealth Parliamentary Conference in London, United Kingdom.

The lack of access to well-developed education and training systems for women’s leadership in general and for orienting young women towards political life.

The lack of political will to promote women’s rights and women’s participation in politics.

Conflicts and wars in different societies result in women as the most affected victims.

The nature of some legislative systems, their rules and procedures are not favourable for women. The other experience system may or may not establish themselves in the political realm and that quota systems are not always in favour of a quota system for women. These women feel that they have worked hard to develop the system in the political reality and that quota systems are to an extent unfair towards women who are already in power.

This could retard the promotion of women’s participation in politics. The other experience is that countries where political power was attained through wars, liberation and struggles, tend to do better when it comes to equality and recognition of women (e.g. South Africa, Mozambique, Rwanda, Uganda and Tanzania, to name a few). One must indicate the fact that quotas are meant to be a mechanism to redress an imbalance and must also be coupled with capacity building mechanisms, they may be phased out when the set goal has been achieved.

I must indicate that in my experience as Chairperson of the Commonwealth Women’s Parliamentarians, I have always observed that women who emerged to power through First Past The Post electoral systems are not always in favour of a quota system for women. These women feel that they have worked hard to develop the system in the political reality and that quota systems are not always in favour of women who are already in power.

Having taken a moment to reflect on the path we have traversed to bring the question of gender equality to the fore with the context of the CWP evolution, a lot has been achieved, but there are still more challenges that lay ahead of us to dismantle the system of patriarchy. As such, this requires a concerted effort of both sexes and the inclusion of all the stakeholders for the confrontation of challenges facing women in Parliament and those who aspire to be in Parliament. This should not be a rhetoric, it must find expression in both legislation and budget planning, and in the allocation of resources for the process of Parliament.

The current CPA Masterclasses on gender equality must be pursued to advance gender advocacy and integrate them in the curriculum of our institutions of higher learning. Constant engagement with Heads of State within and outside Commonwealth Heads of Government Meetings should be encouraged and be held accountable to their commitment of ensuring 30% women’s representation in all Parliaments of the Commonwealth. The Commonwealth Women Parliamentarians remains an important vehicle of championing the struggles of increasing women’s representation and ensuring gender parity within the Commonwealth and beyond.

To this end, I would like to salute the women Parliamentarians who in 1989 had the vision and courage to fight for women’s rights and recognition of women within the Commonwealth and beyond - Senator Norma Cox Ashcroft and those women who were with her in 1989. All the Chairpersons until 2003 and elected Chairpersons who succeeded me. One believes that we have capable women who will ensure that talking about women’s election and representation will eventually be a way of life and not one to fight for, as men and women within Parliaments and beyond will continuously be educated and conscientised on gender related matters.

In my country we say “Wathint’ abakazi, Wathint’ imbokodo (You struck a woman, you struck a rock),“ Forward to the women’s struggle Forward to the Commonwealth Women Parliamentarians!!! Thank you

The Commonwealth Parliamentary Association (CPA) plays a uniquely important role in bringing together MPs who are from very different countries with very different backgrounds, but who share the same commitment to democracy and equality. And, more often than people would think and certainly with women MPs across the Commonwealth, we find we are facing common problems.

It’s 100 years since the first women in the UK won the right to stand for Parliament. And all around the Commonwealth, and indeed the world, women have fought to be in Parliament and to be there on equal terms with the men.

And women MPs are breaking down barriers. The late Benazir Bhutto, Prime Minister of Pakistan, was the first woman to give birth in office nearly 30 years ago and the first woman Prime Minister in the Islamic World. Following her assassination in 2008, the women in Pakistan’s Parliament set up a women’s caucus in her memory. The caucus has spearheaded legislation strengthening the rights of women at work, set up rights commissions and run voter registration drives signing up hundreds of thousands of women.

As a strategy it became a site of consensus building across party lines, and it involved their male colleagues too.

Women in New Zealand were the first in the world to win the right to vote in 1893. And now New Zealand has elected the second woman Prime Minister to have a baby while in office – and the first to take maternity leave – Rt Hon. Jacinda Ardern, MP.

Now, Bangladesh has a woman Prime Minister, Hon. Sheikh Hasina Wazed and their first woman Speaker of Parliament, Mrs. Shahnaz Shajidhury, MP (who is also a former CPA International Chairperson), Zambia has a female Vice-President, Inonge Mutukwa Wina and Minister of Finance, Margaret Mwanakatwe.

The past 100 years has seen not less than a transformation in women’s legal rights, in our role in the home and the family, our involvement in the world of work and our participation in politics. It’s been a social, economic, political and personal revolution. But it didn’t just come down with the rainfall. It wasn’t a natural process of evolution – we had to fight for it. So, a massive pat on the back for all of us women MPs. We are all pioneers. Though it is right that we celebrate the progress we have made, we are still, as women in politics, striving to make progress in what remains largely a man’s world.

Once elected, a woman is expected to quickly produce results for other women and also faces bigger obstacles to achieving that progress. A woman MP enters an institution where she is in a minority. Getting change in an institution, when you are a minority, is hard. Women remain invisible to Parliament’s procedures in many ways. The rules have been made for men and as more women come into Parliaments we need to change the rules.

In the UK Parliament in January 2019, we have finally voted to allow new MP mothers and fathers (and those who are adopting) to be able to choose a fellow MP to cast their vote for them while they are caring for their child.

Who knows? Maybe a day in the future, in 2082, the UK Parliament will be 97% men. We are now 32%...
The Parliamentarian | 2019: Issue One | 100th year of publishing

women Members. Today, women make up just 24% of all legislators and remain outnumbered by men 3 to 1. In India, they are using a Girls’ Parliament to help girls embrace the idea that politics is for women too. The Girls’ Parliament is elected and has its own PM and Cabinet.

Some women MPs have found challenges in combining their role in the family with their political responsibilities. We still do the majority of looking after children and elderly relatives. Some women MPs have fewer children than they would have wanted because of finding it a struggle to combine their political duties with their family responsibilities. Women MPs find that their husband struggles to accept their role in public life. One MP at our Women MPs of the World Conference in November 2018, told us that her husband said she must choose between her marriage or her politics. Her choice was politics but when she became successful he retracted, becoming happy to share the limelight.

In some countries, as soon as the woman is elected she is expected to provide financially for all her relatives in her extended family. Many women MPs find that they are overworked against – some have reported not being called to speak and not being able to attend committees let alone chair them. They spoke of being criticised for their appearance and asked to change the ‘temperies to wear lipstick’.

In politics, the more misogynists feel under threat and respond with greater abuse and violence. Every time a woman MP takes steps forward, there are people trying to push her back, so we have to be persistent.

Jesse Kabwila, the Malawian woman who spoke at the Women MPs of the World Conference told us that one man in Malawi who strives to break through the glass ceiling is bullied with criticisms of the mistakes of the first woman Prime Minister, Joyce Banda, as if having a woman Prime Minister was a bad experience that shouldn’t be tried again. It is not as if all men have always done the right thing. They have made so many mistakes, benefiting no one in particular. Of the handful of women who were urged not to run or don’t want to be seen to be running, they are attacks on our democracy. Voters are entitled to elect whoever they want. Once that person has been elected they should be able to get on with their job without threat or hindrance, I think it is important that we say to ourselves and to one another that that is not something that we should just expect, or that is normal or an occupational hazard.

We have to speak out about it, because they are attacks not only on us but on our democracy. When I was first in Parliament the political agenda was all ‘money supply, money demand’ and everybody followed the usual of who was an expert on what to be present and plan for the backbench.

In the age of the internet, social media offers great opportunities for women MPs to communicate with their constituents and to campaign together. A woman MP at home with a baby can talk to women all around the country. But social media is also now a vehicle for misinformation and manipulation against women, intent on threatening and abusing women who have the temerity to venture into public life. There is still a reluctance among women MPs to reveal the full extent of the abuse and threats they and their family are subjected to. Do we fear that if we complain we’ll be seen as weak, only concerned about ourselves, not about our constituents. But threats to women MPs are not because we are weak and they are not just unwarranted attacks on individuals. They are an attack on our democracy.

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We have to speak out about it, because they are attacks not only on us but on our democracy. Women MPs around the world are bringing to women’s issues up the political agenda. And we must win the support of and work with men. Support of male MPs sympathetic to the feminist cause is invaluable and there are growing numbers of men prepared to back women in political leadership. Where there is political leadership, there are no constraints to equality of women in politics, it makes a transformatory difference – not only are women brought into decision-making but they are then supported rather than undermined in their work. Women MPs around the world are working together on a cross-party basis through women’s caucuses to press forward on citizens’ demands, to undertake legislation to benefit women in our countries and to drive women’s issues up the political agenda. And we must win the support of and work with men. Support of male MPs sympathetic to the feminist cause is invaluable and there are growing numbers of men prepared to back women in political leadership. Where there is political leadership, there are no constraints to equality of women in politics, it makes a transformatory difference – not only are women brought into decision-making but they are then supported rather than undermined in their work. Women MPs around the world are working together on a cross-party basis through women’s caucuses to press forward on citizens’ demands, to undertake legislation to benefit women in our countries and to drive women’s issues up the political agenda. And we must win the support of and work with men. Support of male MPs sympathetic to the feminist cause is invaluable and there are growing numbers of men prepared to back women in political leadership. Where there is political leadership, there are no constraints to equality of women in politics, it makes a transformatory difference – not only are women brought into decision-making but they are then supported rather than undermined in their work.
In 1996, after the general elections, I was appointed as a Minister of State, Regional Cooperation, and the Uganda Ministry of Foreign Affairs, I had previously been a backbencher for the period 1989 to 1996, in the National Resistance Council. The Ministry was majorly responsible for the Africa Region and Middle East.

The period in the early eighties to mid-nineties was volatile in the African Region, especially in the Great Lakes Region. When an elected Head of State, Melchior Ndadaye was assassinated shortly after taking office, the instability and political upheaval after the overthrow of Mobutu Sese Seko, then President of the then Zaire (today the Democratic Republic of Congo) and the invasion by the Baluba and Eastern Congo amongst many others. This kept us Ministers of Regional Cooperation on the move in different countries. Our leaders had instructed us to do some preparatory work for their summits. At the time, my colleague Minister in-charge of the region were Col. Jakiya Mirono Kitwekwe, Minister of Foreign Affairs, later to become President of the United Republic of Tanzania (2006 – 2013); the late Hon. Nicholas Biwott from Kenya; Hon. Kabanja Musujiva, then a Minister of State, later became Vice-President of Kenya (2006 – 2013).

In 1996, the Uganda-Head of State, Mr. Y.K. Museveni was due to undertake a state visit to neighboring Kenya and as the Minister of State, I was sent ahead as the advance party to oversee the preparations. As a Minister, we were invited to receive the report of the Technical Committee of the two states. I walked into the room and proceeded to sit behind the Uganda Flag and then quickly a Protocol Officer from the host country reached out to me and said “Mambo, don’t sit there, that seat is for the Minister.”

I was also told that I needed to return the official government vehicle to the Ministry of Foreign Affairs. Resolving my transfer took about three months during which time I operated under a veil of uncertainty. I happily spent a year in the Ministry of Works, nevertheless, I had just designed an aviation programme to remove the airports and aerodromes in Uganda to promote tourism and had just started a review of the Civil Aviation Regulation. I was swiftly transferred to the Ministry of Parliamentary Affairs to manage the legislative and other programmes in Parliament. This continued until 2001 when after the elections, I was elected Deputy Speaker of the House, where I would serve for the next ten years (2001 – 2011) before being elected as Speaker of Parliament in 2011.

Jointing Parliament

Being elected to Parliament in April 1989, together with 39 other women, was an entirely new experience. This was the first time that Uganda had so many women Parliament. We brought our professional experience to the Plenary – at that time we had no Committees. Again, unlike today where Parliament organizes an induction and orientation for new Members, we were thrown in at the deep end; we had no role models, the last woman Member of Parliament was Teddy Odongo-Okuda who had been instructed, whether to proceed with our agreed plans as a Parliament and launch the Draft Treaty or abandon the exercise, I decided to go ahead because the launch plans had been made in the three countries. When I arrived at the Ministry of Foreign Affairs, we were asked to procure some office furniture. I purchased double-decker beds for primary schools to construct a girls’ dormitory that accommodated over 200 girls; and I lobbied MTN, the telecommunication company, to supply 100 double-decker beds for the girls. The Government of Uganda came in to construct laboratories and some classrooms. Many students have been able to access education in the Kingdom of Saudi Arabia; the election of several womenSpeakers in the Arab World (e.g. the United Arab Emirates, Dr. A’Oubais amongst others) and most recently, changes in the State of Qatar that have now enabled women to attain public-office in Legislative Councils. This was achieved in my tenure as the Chair of the Committee on Democracy and Human Rights, as we have seen the appointment of women at the highest levels of the State and their inclusion in decision-making at the national level, especially in the areas of women’s representation in the Parliament; the election of a woman as the Chair of the Committee on the Independent Electoral Commission; the appointment of women in the key positions at the Ministry of State for Finance; and the appointment of the first woman Speaker of Parliament as well as the first woman Speaker of the House of Representatives in South Sudan.

In the last 7 years, my campaign and focus in addition to the above, has been the provision of clean drinking water to the communities (with over 75 boreholes installed), additional classroom infrastructure to over 28 schools as well as the completion of seven classroom buildings for three sub-counties. I also had the responsibility at the time of the Internal Affairs Ministry to provide school desks for primary schools. It was a small drop in the ocean, taking into account the magnitude of the problem, but it was the start of positive action as a Member of Parliament.

These experiences inspired me to actively engage my Parliament in the Plenary about the need to address the status of social services in my Kamuli Constituency as well as the rest of the country. I also supported the construction of new schools and advocated for the enhancement of the education sector. I have been active in the promotion of women in the political and parliamentary sector, as well as the promotion of children’s rights. I have been active in the Inter-Parliamentary Union as well as with several roles in the Commonwealth Parliamentary Association. I have been a Member of the Women’s Caucus for the past 10 years, where we have lobbied the Parliament and the government to ensure that women are included in decision-making processes. It is not only right to vote and stand for elections at all levels of office, but to also represent to women in decision-making. Notable is the right to vote and stand for elections at all levels of office, but to also represent the interests of women in decision-making.

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engaged to facilitate the necessary changes in the Constitution, the electoral laws, as well as the party structures. I have just returned from Ghana in 2018, where I engaged the National Leaders, Speaker of Parliament, the majority and minority levels to address the appalling situation in terms of women’s representation; they will be holding elections two years after my time. I also had the opportunity to serve as the Commonwealth Women Parliamentarians’ International Chair for the Caribbean Region, British Islands and Mediterranean Region, Canada, and a number of countries in West Africa, on the same mission of improving the representation of women in Parliament at the heart of the CPA’s work.

Speakership

I was the first Deputy Speaker of the Uganda Parliament from 2001 to 2011 (two terms). During that time, I took over a Masters Degree Course in Women’s Law at the University of Zimbabwe. This degree course and the 1st Class Diploma that preceded it gave me further exposure about the law and its social impact. I was so enthralled by the need to create awareness for women’s rights, I began by proposing to my senior colleague; however the Attorney-General for advice by involving her in the course. I was also given an opportunity to serve as again Speaker of the 10th Parliament.

One of the issues that took time and leadership was to legislate for a Certificate of Gender and Equity Compliance to accompany the budgets, policies and programmes brought to Parliament. This was to ensure that the budgets and other proposals are gender conscious and also equitable. In 2011, 1 year of that time was spent drafting different laws, until the help of the women’s caucus, the provision was entrenched under the Public Finance Management Act, 2015. In particular, Section 9 which provides that:

(a) The Minister shall, with the approval of Cabinet, submit the budget framework paper to Parliament by the 31st of December of the Financial Year preceding the financial year to which the budget framework paper relates.

(b) The Minister shall, in consultation with the Equal Opportunities Commission, issue a Certificate:

(a) Certifying that the Budget Framework Paper is gender and equity-responsive; and

(b) Specifying measures taken to ensure opportunities for women, men, persons with disabilities and other vulnerable groups.

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Above: Rt Hon. Rebecca Kadaga, MP gives a speech at the 62nd Commonwealth Parliamentary Conference.

In the aftermath of World War II, clear that they had more than an end in mind. The self-determination given their indubitable contribution to the resolution of that global conflict and the one preceding it, the colonised peoples of the world intensified their demand for freedom from the manacles and restraints of European occupation and oppression. The British Empire’s Crown Colonies in the Caribbean went to adumbrate as any that they would govern themselves, and Jamaica became the first of them to wrest its independence from Great Britain, on 6th August 1962. Less than a month after, on 31st August, the Republic of Trinidad and Tobago was born. The men who are credited with having ushered in this new state are, quite deservedly, deeply revered in their countries and revered in the region as well. Women who had lived through the colonial era, they were deeply involved in the process and played a key role in the creation of the new state. Women’s contribution was undervalued and unrecognised, so this writer argues, the contributions of women to the political development of the Anglogephone Caribbean goes, by large, under-represented and unrecognised.

The two are connected in time and place, yet we seldom, if ever, hear the names of any of the women who struggled and fought alongside these brave and Rutilious men. In a study of twenty century workers’ strikes in the United States, Karen Brookin Sacks notes the ‘difference between leaders (usually men) and (usually women)’ Politicial activity in the Caribbean, too, has followed this pattern. It is not at all surprising that historians and commentators, even today, speak of the men named above as having ‘led’ their countries to independence, in language that often seems to suggest that they accomplished this feat very nearly single-handedly.

In the Anglogephone Caribbean are known to have been very politically active through the centuries, though this writer argues, the contributions of women to the political development of the Anglogephone Caribbean goes, by large, under-represented and unrecognised. Even after being elected to Parliament, women struggle to take leadership positions. In the last Jamaican Parliament, no Committees were headed by women.

In 1901, Katherine McKenzie spoke to the People’s Convention Congress about women’s rights, and in 1938, Audrey Jeffers was "broadly speaking, the female worker...the female worker...the female worker..." even today, historians have shied away from mentioning the names of women. In the Caribbean, for example, women have been involved in the process of independence, yet we seldom, if ever, hear the names of any of the women who struggled and fought alongside these brave and Rutilious men.

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Women and Gender in Caribbean Politics

There are, indeed, some areas of success for women in the Caribbean Region though the gains seem ever so slow in coming. A number of Legislatures in the Caribbean Region have examples of current or previous women Speakers of the House, Presidents of the Senate and Ministers of Government, reflecting Caribbean women’s desire to undertake leading positions in political life and providing role models for young women who may be thinking about entering political service. Although the first woman who tried, failed to get elected in 1958, there has always been at least one woman, in the eleven-member Legislative Assembly, politics and decision-making was an essentially male-dominated area. It continues to be so, today, in independent nations and Overseas Territories alike. When the Commonwealth Women Parliamentarians (CWP) of the Caribbean Americas and Atlantic Region held the first of two Regional Forums in December 2016 on the need for increased women’s political participation for the benefit of wider society. The Forum was attended by Miss Sadibah N. O’Garro and the moderator was Hon. Alia Boyd-Knight, MHA, Speaker of the House of Assembly of Dominica and former CWP Chairperson.

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movements such as the United Nations Sustainable Development Goals being exposed to UWI’s Institute of the West Indies (UWI), for that is deepening, strengthening and advancing women’s political pathways and slowly, ever so slowly, making inroads.

In the Caribbean, Americas and Atlantic Region, the work of advancing women’s political participation is being carried out by indigenous entities and institutions specifically political and constitutional measures that are now distinctly noticeable, a sense of empowerment on the part of Caribbean women that is deepening, strengthening and expressing itself. As women continue to make up the majority of graduates of the University of the West Indies (UWI), for example, and as the region is being exposed to UWI’s Institute for Gender and Development Studies and the validation of the United Nations Sustainable Development Goals, and as Caribbean women engage in matter-of-fact manner in global movements such as #MeToo and the Women’s March, the shift is beginning to make itself felt.

As women in individual territories select and engage with global influences and as their communities are urged forward by them, their progress is inspired by their sisters in neighbouring territories and all are nudged forward – brothers not excepted. This, however, does not cancel out the continual insurgency that is a major factor in a general lack of communication across many Caribbean territories and that continues to be a major impediment for the Women’s Movement.

“Nonetheless, affirms Bolles, "women’s political groups use interpersonal networks and other strategies to circumnavigate the Westminster model, outmanoeuvre the status quo… and continue to do the extraordinary to get things accomplished on behalf of women, children and men in society." However much Caribbean women might circumnavigate and outmanoeuvre and rack up wins against ‘the system’ it remains true that here, as elsewhere, political women encounter difficulties and challenges at every turn. Whether campaigning or governing, they are held to a more strictly enforced set of rules than are their male counterparts. In too many instances, women continue to encounter violently sexist responses to their involvement and to experience gender-specific harassment and violence for daring to enter the political arena. Caribbean women politicians, too, find that they must often work twice as hard as their male colleagues and be ten times as good if they are to enjoy any real longevity.

That is a part of the regrettable reality that informed my premise for The Handbook for Political Women: My personal experience and those of the women whose lives I researched into made it impossible for me to ignore that. Under the subheading, The Importance of Biking Good,” advise political women, whichever their country of service that, and in what ways, we must ‘be deliberate and intentional about being better and doing better than has been done so far … Our participation must be top-notch … We must change the way political business is done, and not be changed by how it currently is being done. We must be good … We must be good in every sense of the word … We must each leave that legacy which is unassailable."

Caribbean women must learn to engage more strictly, because it is impossible for me to ignore that here, as elsewhere, political women are joining forces in the struggle for women’s advancement. People’s relationship to power and tradition – and to traditional and adventitious power structures – is also shifting so there are glimmers and fissures and in time, these will fully open. The light will eventually flood through.

At this point in the region’s history, at which political independence and national autonomy have no longer the urgency of the earlier era, there remains this major hurdle to women’s equality and full, unimpeded political participation to be leapt, and as national independence and autonomy were won and are celebrated, so will women’s independence and autonomy. If history is any indication, they shall be. There remains a long way to go yet, possibly even a very long way, but the historical resilience and will-to-thrive of the peoples of the Caribbean presupposes – and promise – eventual triumph for its governments and certain advancement for its people.

As such, it is incumbent upon those who have achieved leadership roles to provide support, mentorship and inspiration to those young women who are emerging leaders in our communities.

Coming together as the Pacific Region Commonwealth Women Parliamentarians (CWCP) provides a significant platform to share experiences and to discuss how we have responded to challenges. I am extremely honoured to be the current Chair of the CWCP Pacific Region Steering Group and to have contributed to so many talented women MPs in our footsteps and seek election.

Women’s political participation in the Pacific Region

The average number of women MPs in the Pacific (Commonwealth and non-Commonwealth) is around 8%, the lowest in the world. International agreements such as the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Beijing and the Belém do Pará Action and the Pacific Leaders Gender Equality Declaration all stress the importance of increasing the numbers of women in political and other leadership positions, as part of gender equality strategies. It is generally agreed that having over 30% female representation is the point at which there is critical mass for progress on gender equality. But of course, the CWCP strives to aim higher and have equal numbers and also see that women hold Cabinet and Parliamentary Committee leadership roles. In theory, there should be no obstacles to preventing equal participation by men and women in political and parliamentary processes. There are no legal or
women have been successful in winning an open seat and in the same year, a woman was elected Deputy Speaker. Women now make up 10% of the total number of candidates in Bougainville and we only hope to see this proportion increase in the future.

Another jurisdiction in which legislation has helped increase the representation of women in politics is Samoa. In 2011, Samoa’s Constitution was amended to guarantee that at least 10% of the seats in Parliament would be held by women. In the 2015 election, 24 of the 154 candidates were women, a considerable increase from the five women that stood in the previous election. The results saw three female MPs were re-elected and a fourth woman candidate also won a seat. These four constituency MPs were joined by one additional woman Member to fulfill the constitutional requirement for there to be a minimum of five women in the Samoan Legislative Assembly. Legislation introducing special measures reserving seats in Parliament for women candidates has also been considered by Fiji, the Solomon Islands and Vanuatu. There is robust debate around the issue of reserved seats in the Pacific Region. Reserved seats are seen by some as a way to help women overcome the cultural barriers they face when attempting to be elected to Parliament. However, others raise concerns that women will find themselves restricted to reserve seats only, or that the women elected to these seats may be regarded as ‘second rate’ MPs. While there is support from Pacific women MPs for reserved seats, there is also opposition and a belief that they are unnecessary as greater participation by women is something that will happen of its own accord as women take on more political leadership roles in Bougainville and Samoa, the reserved seats have made an impact and are helping to change attitudes that women can and should be in politics.

Increasing women’s participation in politics

Promoting and increasing women’s participation will not be achieved without clear strategies and priorities or without coordinated action across the Pacific Region. Strong networks such as this are critical to the success of increasing women’s participation. These networks are a fundamental way to support women who are already in decision-making positions and seeking parliamentary election. They will ensure women in the Pacific are aware of the ways in which they can access any support, mentoring and encouragement they need.

As noted by the United Nations Development Programme (UNDP), women are a minority within Parliament and there can be considerable advantages in bringing women Parliamentarians together in a women’s caucus to work collectively on a shared vision to advance gender equality in Parliament and the country and to build female representation in Parliament. Internationally, the Inter-Parliamentary Union has found that 81 Parliaments have established some form of women’s caucus. Fiji, Samoa, and the Cook Islands have formed formal Women Parliamentarians Caucuses, in addition to the wider regional networks provided by the CWP.

The CWP Pacific Region wants to ensure that current Members are well-connected with one another, and with their communities, so that they can encourage future Pacific women Parliamentarians. It is an exciting time in the region, and there are many activities planned in partnership with the CPA, UNDP and UN Women, the New Zealand and Australian Parliaments, and the EU. The CWP and the Parliament of New Zealand has committed to running regular mentoring programmes to build connectedness, and in these programmes, we link current Members with former Members and with young women leaders. I am also heartened by recent initiatives, such as Girls Take over Parliament, which have taken place in Tonga and Papua New Guinea, with others planned.

Challenges

Women’s economic empowerment, safety from violence, and political leadership are interconnected. It will take a sustained long-term effort to break down structural barriers. Gender stereotypes and a perception that politics is ‘men’s work’ has negatively affected women’s representation in the region. Not only in terms of encouraging aspiring women candidates but also in voter attitudes towards women leaders. While women play an important and vital role in Pacific culture, their traditional roles in political decision making is often behind the scenes, which is not acknowledged enough to garner the support needed for a successful election.

Despite a myriad of well-intentioned initiatives, sadly, commitments to gender in the region have been slow and often women still lack the resources to enter politics in the region. Many women who want to enter politics find that the political, cultural and social environment can be unfriendly or even hostile towards them. In the wake of the #MeToo movement, it has emerged that an astonishing number of women Parliamentarians have experienced harassment and violence. This affects women standing for Parliament, as much as women in Parliament. A recent report on the experience of women who stood for the 2017 Papua New Guinea election, found in addition to lack of funds for campaigning, women reported receiving threats of physical violence and destruction of property.

There are encouraging examples of Parliaments, governments, civil society organisations, communities and other partners coming together to promote gender equality and prevent violence against women and girls. For example, the Tuvalu Parliament recently implemented a National Gender Policy which set out a strategic plan of action which focused on institutional strengthening and capacity building, women’s economic empowerment, women in decision-making positions and ending violence against women.

Looking forward

As a Tongan New Zealander, I’m encouraged by a Tongan Hymn, ‘He liike ha atutu, jangga kike ha, ka tanake i tute te le fonu e gup na, ‘i ou i e feau.” What is the use of a single droplet of water? When collected, it will quench the first of a nation. It will take all of our leadership to leave a legacy that our great great great grandchildren will thank us for. A world of inclusiveness or not?

Faka’apa’apa atu.

References:
1 Autonomous Region of Bougainville, Cook Islands, Fiji, Niue, Nauru, New Zealand, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu.
2 Dr Kerry Baker (2017), Experiences of Female Candidates in the 2017 Papua New Guinea General Election, p.3.
In this 30th anniversary year for Commonwealth Parliamentary Women’s Associates (CPWA), it is important to celebrate our achievements, assess our progress and be honest about the challenges that still face women as they seek to be elected or obtain senior and leadership roles in our Parliaments. The CPWA, which is formally a part of the Commonwealth Parliamentary Association (CPA), works to encourage women to stand for elected positions in our Parliaments and Legislatures across the Commonwealth, including identifying and working towards the removal of barriers to participation and to ensure that women’s issues are brought to the fore in parliamentary debate and legislation. We know that when women are empowered, communities are empowered. It is to the betterment of all our Parliaments that we become more diverse. For our key target to increase women’s participation, CPWA has an aim of achieving 30% women representation. However, the current rate of participation stands on average at 24%. The progress is gradual, far too gradual.

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Some Parliaments and some political organisations clearly do better than others and it is worth looking at their success and/or barriers in this area. Australia currently stands at 38.1% women Parliamentarians. Across Australia, at a Commonwealth and State Parliament level, we range from 26.9% to 56%. Drill down a little further and it is clear again that some parties and some jurisdictions do better than others. As a non-party political body, CPWA must work with all stakeholders to ensure greater and indeed safer participation of women.

CPWA Australia has initiated a number of programs to support women including the Champions for Change program and the CPWA Alumni. We congratulate Dr Lesley Clark in her role as the inaugural Chair of the CPWA Alumni and look forward to growing women’s networks to encourage participation and build skills and opportunity for women whilst in and post their parliamentary careers.

Whilst there are still well recognised cultural, social and economic barriers to women’s participation and a challenge in reaching leadership positions once elected, it has become clear that running for Parliament is an option that many women do not consider attractive. This is due in part to the way in which the role is perceived and in response to the levels of violence perpetrated against women in Parliament.

At an international level, the United Nations Declaration on the Elimination of Violence against Women provides the following definition: “The term violence against women means any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion and/or arbitrary deprivation of liberty, whether occurring in public or private spheres of life.”

Violence against women in Parliament or political environments is not a new issue. In this new age of social media, it can take many forms across our Commonwealth, from social media attacks, threats, vandalism and unfortunately physical violence. In Australia, we have forced to confront the issue of women being bullied and harassed in the Parliament and within their own party structures. In recent months, this has led to media scrutiny of Parliaments as workplaces as women have spoken out about harassment, intimidation and bullying. This has led some to take action such as leaving their parties or the Parliament. The nature of the Westminster system brings with it debate and passion. Women have demonstrated their capacity to engage in what is often called the ‘rough and tumble’ of the parliamentary process. As women, we do not shrink from that. But there is a difference between the ‘rough and tumble’ of the parliamentary process and the ‘rough and tumble’ of the Westminster system brings with it debate and passion. Women have demonstrated their capacity to engage in what is often called the ‘rough and tumble’ of the parliamentary process. As women, we do not shrink from that. But there is a difference between the ‘rough and tumble’ of the parliamentary process and the ‘rough and tumble’ of the parliamentary process and as a long serving Member of Parliament, I believe in the need for respectful and robust engagement and bullying. Debate must be respectful, it should not be bullying and women must be able to feel safe in their parliamentary workplaces.

If we are to address the low levels of women’s participation in Parliament we must examine our own environments. It is simply not enough to advocate for increased participation, we must provide an attractive work environment. We must be responsible for modelling an environment in which women would not only choose to work but one in which they can feel safe. Partnerships between men and women to achieve this objective.

The issue is being recognised and steps have been taken to identify strategies to address it globally. UN Women, the Office of the High Commissioner on Human Rights, and the UN Special Rapporteur on violence against women, its causes and consequences, in collaboration with FPA and the National Democratic Institute for International Affairs, jointly organised an Expert Group Meeting (EGM) on violence against women in politics on 8–9 March 2018 in New York, I recommend all Members take the time to read the EGM report and recommendations.

In Australia, we have forced to confront the issue of women being bullied and harassed in their parties and in their Parliaments. As a non-party political body, CPWA must work with all stakeholders to ensure greater and indeed safer participation of women. Now is the time to act.

“We believe that it is positive to see women in high-level positions in Parliaments to ask what steps we have taken, or can take, to better ensure a safe and respectful workplace for all Members of Parliament.”

References:
4. Jessica Stoff, Does the will to end bullying and intimidation of women in politics?, ABC News, 8 September 2019.
YOUTH PERSPECTIVE: CHALLENGES OF INCREASING WOMEN’S PARLIAMENTARY REPRESENTATION IN AUSTRALIA AND NEW ZEALAND

Elise Delpiano is the inaugural recipient of the Julia Gillard Next Generation Internship with EMILY’s List Australia. Elise studied Law and International Relations and this year, she started work in the legal profession. Elise represented the Parliament of New South Wales at the 8th Commonwealth Youth Parliament (CYP) in British Columbia, Canada, and was elected as the Leader of the Opposition. The 8th CYP was the first time that the Youth Parliament was female-led, with both the Premier, Deputy Premier and Leader of the Opposition being young women. Elise then represented the 8th CYP at the 34th Commonwealth Parliamentary Conference in Bangladesh in 2017, facilitating a youth roundtable on the political involvement of young people in the Commonwealth.

Across the Commonwealth, women are under-represented in Parliament. In my home country of Australia, a mere 34% of MPs are women. The disparity becomes incredibly pronounced in higher political leadership positions. At the time of writing, only 26% of Australian Cabinet Members were women. In our 118 years since Federation, Australia has only had one female Prime Minister – Hon. Julia Gillard, AC. Australia is not alone in its sluggish pace towards gender-balanced Parliaments, with the slow progress towards improving female political representation seen across the Commonwealth and more broadly across the world.

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For example, the number of female world leaders at last year’s G20 was the lowest it has been of any G20 summit since 2010. This shows the path to gender equality, particularly in political leadership positions, is not linear. Striving to achieve gender equality is an ongoing battle. As a woman, we all must focus on it. In such a manner that will happen without a concerted effort to ensure our Parliaments and governments truly transport a gender-equal lens.

This year, I was the inaugural Julia Gillard Next Generation Intern in a new internship program created by EMILY’s List Australia and sponsored by the Australian Women’s Union, EMILY’s List Australia is an organisation that seeks to get progressive female Australian Labor Party (ALP) women elected to Parliaments across the country.

The purpose of my internship was to conduct research to better understand the barriers women face in seeking to run for public office in Australia, with the purpose of giving recommendations to improve the level of female representation in our Parliaments. To better understand where Australian Parliaments could improve, I travelled to New Zealand to undertake a comparative study of their party and parliament structures. New Zealand was a logical choice. Apart from being Australia’s closest neighbour, New Zealand has a long history of female political leaders. Rt Hon. Helen Clark was one of the country’s longest-serving Prime Ministers. In 1999, the two major candidates for Prime Minister were women. Rt Hon. Jacinda Ardern is New Zealand’s third female Prime Minister. She is also the second sitting Prime Minister anywhere in the world to have a child while in office. (The first woman Parliamentarian to have a child while in office was Prime Minister of Pakistan, Benazir Bhutto in 1993.

The World Economic Forum found that New Zealand also has a higher level of political empowerment for women and girls than any other country. Women have systematically made significantly more progress made towards closing the gender gap and more female MPs in their Parliament. Over several months last year, I spoke to current and former female ALP and New Zealand Labour (NZL) MPs and Party members, asking them about their personal experiences and perceptions of women in public office.

Issues women face in seeking public office

There were several common themes affecting women in public office across the Tasman. Firstly, women are often treated differently in the public sphere. Female leaders are subject to a disproportionate amount of attention from the media and the public because they are often still seen as novel exceptions in politics. As the public are accustomed to seeing men in positions of power, women leaders are questioned about their deservedness and competence to be in a leadership position because of it’s outside the status quo. This often leads to women political leaders facing a higher level of personal scrutiny. Women are criticised on their choice of clothing, hairstyle, the need to wear more or less make-up, their marital status, whether they have children or not, and their sexual orientation. This focuses on irrelevant factors to political performance acts as a mechanism that works to undermine women’s opportunities, and can prevent other women from considering to run for public office due to the intense personal scrutiny that women in political office are subject to.

Secondly, the type of electoral system can hinder the level of female representation in our Parliaments. Mixed-member proportional systems (MMP) are generally viewed to facilitate higher levels of female representation, whereas other systems they will not achieve the desired outcome. Loose ‘targets’ tend to have a similar problem. Thankfully, both the ALP and NZL have already begun actively pursuing their constitutional goals for increasing female representation. By last year, the ALP’s federal caucus and the NZLP both had 46% women MPs. While there has been substantial progress in increasing female political representation in Parliament, there is still much to be done.

Recommendations

Despite the ALP’s female representation approaching 50% at state and federal levels, female MPs are not being promoted to Cabinet at the same rate as their male counterparts. Female Cabinet representation is even worse in parties that do not have affirmative action measures in place.

1. Consider different mechanisms for selecting Cabinet positions. History has shown us that we cannot wait and hope that the passage of time will lead to more women becoming frontbenchers. Affirmative action measures should also be introduced at a Cabinet level to ensure women are being represented at the highest levels of politics.

2. Ensure women are equipped with a toolkit for Cabinet. Women need to be seen as serious contenders when Cabinet reshuffles take place. Changes that could be made involve providing more funding and opportunities for continuing each MP’s professional development, implementing capabilities audits to identify MP’s strengths and areas needed for improvement, and rethinking the way positions on Select Committees are allocated.

3. Introduce a formal mentoring program for female candidates. Women in Parliament have a wealth of experience with them to share. This can better support women in their journey to Cabinet positions.

Conclusion

While there has been substantial progress in female political representation in Australia, there is still a long way to go. Australia shares many of the same challenges facing the level of female political representation in other Legislatures around the world. Each Legislature across the Commonwealth has its own electoral system and particular nuances that makes a blanket solution impractical. Rather, there are various ways in which we can seek to improve female political representation in our Legislatures.

References:


• The Glass Labyrinth: http://glasslabyrinthprojects.org/Resources/LabyrinthGazette3.pdf

• For more information on the Julia Gillard Next Generation Internship, please visit: https://www.emilyslist.org.au/
A PERSONAL VIEW: MY EXPERIENCES OF BEING A WOMAN IN PARLIAMENT IN AUSTRALIA

On 9th October 2012, Hon. Julia Gillard, MP, the then Member of the Australian Federal Parliament for Lalor and the first female Australian Prime Minister, gave a powerful speech in response to a motion raised by Hon. Peter Slipper, MP as the then Member for Warringah and the Leader of the Opposition, to have Hon. Peter Slipper, MP removed as the Speaker of the House of Representatives over crude and sexist texts that he had sent to a parliamentary aide.

Tony Abbott, a close personal friend and supporter of Peter Slipper, criticised Julia Gillard for her “shameful” lack of action on the matter, while simultaneously tacitly criticising her in the chamber.

Tony Abbott had famously been photographed outside Parliament alongside climate change protesters who were holding a banner that said ‘witch’. In reference to the then Australian Prime Minister, and he was also labelled as having been accused of un-married Julia Gillard’s partner was going to long-term partner was going to when un-married Julia Gillard’s status like: “If the Prime Minister slurs about my personal marital ongoing sexism and misogyny I continue to be offended by his aggression of me as ‘leaders’.”

However, luckily for me, and many of my female colleagues, this is a very small part of what being a woman in politics is like. Thankfully, we are too busy working to affect change in our electorates to allow ourselves to be distracted by this kind of behaviour. It’s actually a lot like trying to sleep with a mosquito in the room – it’s really annoying, sure, and there are moments that send you into a spiral of pure rage, but when all is said and done you simply swat the mosquito away and carry on sleeping. While we women surely cope inside the walls of Parliament in a way that our male colleagues don’t, our electorates are where we spend the bulk of our time.

In my electorate of Shellharbour in New South Wales, I have been the elected MP for almost 10 years. Unlike in Parliament, my gender is the most part, a non-issue. Why? Because when there are real problems to be solved, no one worries about my gender. It’s a place where I am taken seriously, because the responsibilities in my remit are serious. During Parliamentary sittings, it’s all about how well you play the game, how well you take the hits and your ability to think like a man. When you’re in the electorate, all that game-playing and pretense goes out the window – because when the chips are down, the only thing that really matters is getting the job done.

In the electorate, being a politician, female or otherwise, is about the quality and strength of your work. Your worth is judged on your ability to listen, to problem-solve, to go in at bat for your constituents, to answer the hard questions, to live and breathe the area’s success and quality of life and to be a champion for the issues that matter most to the community.

In my experience, when you’re fighting tooth-and-nail to secure public housing for someone who is escaping a domestic violence situation with their children, my being a woman doesn’t even register. The parents of young children in low socio-economic suburbs don’t care that I’m a she, all they care about is my ability to campaign for them to get a school bus in their area so their kids can attend school. The patients and staff of our local public hospital have never once raised my gender in connection to my profession; their only judgement of me is based solely on my actions to fight against the privatisation of their local healthcare facilities.

And here is where I believe there is a disparity for women in modern politics between Parliament and the electorate. To come back to my original point, I really empathise with Julia Gillard and her experiences within the walls of the Australian Federal Parliament, because the problem is that her experiences are not unique, in fact they are horrifyingly common and all too familiar. It’s something that all women in politics may face at one point or another during their careers. And while the unspoken discriminatory gender rules that stubbornly cling to the brick-and-mortar of government are still in full force, I will continue to swat away that pesky ‘misogynist’ mosquito and carry on with what really matters to my electorate. Because at the end of the day, the best method to dismantle the oppressive systems in our political fabric is to prove them wrong.
At almost the threshold of a new decade there is still cause for concern as to why women lag behind men in the crucial political race to reach Parliament and make their contributions as change makers to societies which are discriminative and keep them tied in chains of age-long injustices and abuse.

Though it is now widely acknowledged that without participation of women in all spheres of development, a country’s progress in core indicators of human development is impossible, Pakistan still occupies a prominent position among those countries which have yet to become fully aware and sensitive to this fact. There still exist barriers which prohibit advancement and recognition to women aspiring to actively participate in the development of the country.

Heterogeneous in the majority cases but with very creative imagination and extremely poor, women are most willing to offer their services to whoever needs them, living in perpetual anguish and tension in insecure environments and yet they still manage to keep their spirits high and silently work from dawn to dusk. Their steely nerves and resilience are of great benefit to those who put them in a role requiring responsibly firm and lasting commitment.

Unfortunately, patriarchal societies with rigid beliefs and biased perceptions cannot sense the damage they are doing to themselves and the community at large, by silencing the voice of women and keeping them caged in their polluted habitats. This stalemate continues at the close of this decade because women have very little or no access to the very decision making tables where policies are made which govern their life.

The Legislative Assembly is, in a way a mini-Khyber Pakhtunkhwa as it reflects the culture that prevails in the province, a culture which believes that women should not be seen nor heard. It is a culture based on strict code of Pakhtunwali with emphasis on honour and protection of family’s name. Women being vulnerable physically, mentally and emotionally – need to be kept under strict control for fear they might breach family honour. At the same time, they have to be protected from all the evils believed to be lurking all around in society.

Political leadership, having been raised in the same belief and strict code of Pakhtunwali; finds it difficult to change the patriarchal thinking and introduce a system based on equality and justice. Women, on the other hand, being totally or semi-literate, do not grasp the universal issues of dependency and independency, domination and suppression, freedom and fidelity as the two genders have never been seen or heard.

The current parliamentary statistics clearly bring out the vast gap in representation of the two genders in the political dialogue. There are only eight elected women out of 272 general seats of the lower house of the Parliament (the National Assembly) with three from Punjab, four from Sindh and one from Baluchistan. No one was elected from Khyber Pakhtunkhwa.

The total number of candidates (contestants) was 171. The situation in the provinces is no better. Only one woman was elected out of 99 in Khyber Pakhtunkhwa and that because of a sympathy vote for her and her family as her husband, the original ticket holder, was killed in a suicide bomb attack. The silver lining in this pathetic situation is the increase in voter turnout (though the Election Commission of Pakistan reports that two million women voters are still unregistered) and the number of candidates (contestants). This was possible due to the passage of the Political Parties Act, 2017, which bound the political parties to give 5% tickets to women. Another welcome fact is that out of 464 women contesting for the five Legislatures in Pakistan, 175 were independent candidates which shows that women are overcoming their diffidence and fears in joining politics.

Not only in Pakistan, the whole global picture is a cause for concern as shown by the World Economic Forum Calendar of 144 countries, which reports a 96% improvement in health outcomes, 95% in education attainment, 59% in economic participation, and only 23% in bridging the gender political gap.

A holistic approach which takes into consideration all the above factors influencing women’s access to Parliament needs to be used to bring about a noticeable change in the current political status of women. The question is how this can be done when men are leading and are in control of the development programmes.

How can they be convinced that women’s involvement would bring value to the planning and implementation process instead of weakening it? The answer is not simple but it has to be considered. First of all it is time that women themselves, especially those who are in the national Parliament and Legislative Assemblies, whether directly elected or on reserved seats, should understand and take their responsibility of how making seriously. Law making is the first step towards empowering women legally and making people aware that they have to follow certain rules, which bind them to consider women as equal partners. The discussion that is generated by a law influences the thinking in the community and helps in breaking down old traditions.

Some other specific recommendations to increase women’s empowerment are:

- A gender audit of the current political decision making process: “will fuel sustainable economies and benefit societies and humanity at large”, the United Nations has included gender equality as one of its sustainable goals. For Pakistan to achieve this goal, it is imperative that a serious effort is made to study the barriers which impede progress and analyse the roles played in creating and sustaining them through:
  - Legislative and regulatory frameworks
  - Culture and country contexts
  - Self-efficacy and empowerment of women themselves.

- The creation of feminist advocacy groups with a unified voice, a coalition for civic education and women’s participation as election watchdog.
- Massive advocacy to inform the public about electoral regulations.
- A national charter highlighting women’s aspirations for the future of their country.

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In the early 1960s a world-wide advertisement for a Virginia Slims cigarette especially designed for women had the slogan ‘you’ve come a long way, Girl!’ The point being, one supposes, that having their own cigarette brand emancipated women from having to smoke those shared by men. This, together with a penchant for bra-burning characterised the women’s liberation movement of the late last century in countries where they didn’t even have the right to vote. But not all women and men are guilty and not all women are entirely free of revenge. There remain brutal systems such as slave labour, enforced marriages, girl trafficking, female genital mutilation, and the total lack of legal protection for women, which is available in many countries. But if the MeToo movements and others like it are to be truly successful in changing societal patterns, it is important that men are afforded the same legal and other protections as are available to women.

What has changed in the last 100 years since women first got the vote in the UK? What protections has the world managed to set in place? First there are the UN Conventions that aim to protect and promote women including the fundamental International Covenant on Civil and Political Rights (ICCPR), asserting that all human beings are born free and equal in dignity and rights; the UN Convention on Economic, Social and Cultural Rights (CESCR), asserting that all human beings are born free and equal in dignity and rights; the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the UN Convention on the Rights of the Child and a host of other international, regional and national commitments. But laws alone do not make it possible for a gentle and humane society and although legislation is a first critical step in an effective response – vigorous monitoring and strict accountability are also needed to effect a change in culture.

The last 25 years or so have seen truly remarkable changes in attitudes towards women and the entry of women into all sectors of the workforce. The research attention paid to this trend has not been lacking. For example, there are now several reputable and comprehensive studies showing the economic advantages of having women on the boards of major international companies; an IMF 2016 report documented a positive association between corporate return on assets and the share of women in senior positions in two million European companies. The rate of women doctors qualifying increases significantly each year; the number of women who apply for science and engineering-based degrees is growing. Women astrophysicists, including space travellers, are now commonplace. However, these advances are not true for all women.

The vast majority of women work endlessly to feed families, are regularly exploited and abused and do not have a say in matters that affect their lives and livelihoods, who are weary of being expected to live by a double standard, education, let alone any leisure.

Who has not travelled through rural areas in all five continents and witnessed groups of men chatting away in cafes drinking tea, coffee, alcohol amid clouds of cigarette smoke while the women continue to work and toil. Evidence from our hunter-gatherer past suggests that the women’s food gathering was a far greater contribution to the daily diet than were men’s hunting activities. Why does it matter that so many millions of women are nowhere near parity with men in just about every aspect of life? From the obvious and horrific abuse that women continue to suffer – why and how should we fight to ensure that women have a voice in decisions that affect their lives and livelihoods? Although there is now great focus on women’s political engagement at national levels, the local context is equally if not more important. As I have so often said to audiences around the world, politics is about learning how to live together in order to achieve a common goal. Therefore, the village woman who brings together others in her own and neighbouring settlements to insist on clean water is as a Head of State. Village politics are a valuable training for wider political representation and empowerment.

That said the importance of women’s political engagement regionally and nationally is hard to overstate. This is not because women necessarily have a unique voice by virtue of their gender, but because without women, the political conversation is simply incomplete. Democratic systems are at their most legitimate, credible and effective if there is engagement from all corners of society. It damages democracy if women are excluded. Looking more broadly it is striking that this exclusion happens most frequently in less developed countries, in tandem with the fact that 70% of the world’s poorest people are women. In the least developed countries, in the absence of quotas for women politicians, the average is 12% of women Parliamentarians compared to almost 50% globally and still far from the UN and Commonwealth target of 30%.

Too many women today still live in states of poverty, fear and exploitation. Political participation is undoubtedly their right but it much is perhaps unrealistic to expect such women to aspire to political leadership when their primary concern remains subsistence and survival. So the conditions for political equality have first to be created. In an ideal world, girls go to school, learn employment skills (resulting as often as not in later marriage, better family spacing and fewer children). They take up dignified and rewarding work and ultimately become politically engaged at the local, regional and even national levels. Once enfranchised some become democratic representatives themselves and it is at this stage that women’s empowerment becomes transformative in bringing about permanent shifts in the distribution of social and economic power.

Let me give a brief example of how creating the conditions for equality can work in a limited amount of time in a country not renowned for its liberal attitude towards women – Afghanistan. Early in 2002, as a Governor of the Westminster Foundation for Democracy, I visited Afghanistan and met a young man, Aziz Royesh, passionate about education, most especially of girls. He was a recently returned refugee from Pakistan and had set up an embryonic school in a bomb-damaged building in which he taught basic subjects in three shifts to 30 pupils, ranging in age from seven years to middle aged women.

I began to raise, to begin with small amounts, of money with which Aziz repaired a large building and put in heating. This was a master stroke because it drew the whole community in on long and cold winter evenings and Aziz was able to persuade parents to allow girls to be schooled and he also started adult literacy classes. This was after years of Taliban rule when anything approaching education for girls was severely punished. MAREf High School today has almost 4,000 students ranging in age from seven to the early twenties; approximately 500 girls have graduated and almost 98% have gone on to higher education including universities in South and central Asia, the Far East, the USA

Rt Hon. Baroness D’Souza was elected as the second Lord Speaker of the UK House of Lords in 2011, a position she held until 2016. She first entered the House in 2004 and was Convenor of the Crossbench Peers from 2007 to 2011. Baroness D’Souza has a special interest in human rights and development issues and is the co-founder of the Maret High School in Kabul, Afghanistan. She was director of an independent research group focusing on development and emergency aid. Baroness D’Souza taught anthropology at both the London School of Economics and Oxford Brookes University.
and Europe. A total of 271 full scholarships have been won, 60 students went to the USA for high school, undergraduate and postgraduate degrees of which 42 were girls. One statistic of which I am most proud is that a few years ago, the Women’s University in Bangladesh offered 16 full scholarships to girls in the region (Afghanistan, Pakistan, India, Sri Lanka, Nepal) and the Mafaret female graduates won 11 of them. This is an indication of the quality of the teaching. The school has been praised by the President and the First Lady and has international recognition. These graduates now work in the President’s Palace and the First Lady’s Office, in various Ministries, in the Parliament, the Elections Commission, the media and the academic world. 28% of the teaching staff at Mafaret are themselves graduates of the school. It is an undisputed success and although its future cannot be guaranteed in a country where corruption and unemployment are rife and political instability continues to be – it has already produced future leaders for the community and demonstrates that, even under the most extenuating circumstances, much can be achieved.

This is of course in line with the widespread acceptance of female education as the basis and the pathway to development generally. The time-worn adage that if you educate a girl, you also educate a family, a neighbourhood and, eventually, a nation continues to ring true wherever you look in the less developed world.

The Commonwealth Parliamentary Association, largely through its active and effective Commonwealth Women Parliamentarians (CWP) inaugurated in 1988, has long lobbied for greater participation by women in parliamentary affairs. It has argued that given that women constitute slightly more than 50% of the world population and it is incumbent on the CWP to lead the way. The Commonwealth population of 2.4 billion, is one third of the world’s population, and 94% live in Asia and Africa. Potentially this is a powerful force and the CWP has worked ceaselessly to mobilise this force. There have been many conferences, regional and Branch workshops, networking, the setting up of women’s parliamentary caucuses and a great deal of campaigning against injustices such as the abduction of girls by Boko Haram and honour killings in India and the Sudan. The CWP has championed issues such as gender equality, the elimination of gender-based violence, parental leave and childcare, pensions and electoral reform.

But the CWP would itself admit there is still a long way to go. Twelve of the Commonwealth countries have achieved 30% or more women Parliamentarians with Rwanda, one of the newest members of the Commonwealth, achieving 61% female parliamentary representation by means of quotas. However, this still leaves 41 Commonwealth countries which are nowhere near the UN target.

Other persistent anachronisms affecting Commonwealth countries include sexual and domestic abuse, unequal pay, lack of full access to education and/or abortion, and the criminalisation of same-sex relations, let alone same-sex marriage. In the UK for example, despite legislation, there has been a reluctance to enforce the criminalisation of Female Genital Mutilation and a recent House of Lords’ Report on Affordable Child Care in the UK makes it clear that the lack of care is holding back many women from pursuing a career.

The world’s ancient and modern history tells us that women get things done! One issue which continues to be discussed and debated is how better to build on the potential for an international movement among Commonwealth women Members. There is no shortage of meetings and opportunities to renew individual friendships. The problem is how these links can become more institutionalised and effective. We all return to our day jobs after our Commonwealth gatherings and time is always short. Unless we agree clear, do-able actions to continue our conversations and our legislative campaigning on agreed goals in between our meetings, progress will not accelerate. There should be a common standard on women’s rights to which all Commonwealth countries not only aspire but actively.

Changing the law to facilitate political participation by women in the UK, because they do not allow for the organic change in cultural norms and social power that are also required. It is important to emphasise that the history of women’s political participation should not focus alone on increasing ‘women’s rights’ but should reflect everyone’s rights. Political participation is a basic human right. Creating the social and cultural conditions that encourage such political participation for women is a crucial driver for achieving wider development an establishing stable and successful societies, to benefit women AND men.

Unbeknown to me I was always political I would fight for the rights and the rights of others just because it was in my very strong opinion, the right thing to do. My father was very influential in my life as the de facto shop steward on the railways, I would sit on the living room floor listening to stories of battles won and lost at work. It was no wonder then that I became a trade union official and the Labour Party, the political party that made my parents feel welcome when they arrived from Jamaica. The values that I hold dear like fairness, equality and justice are the DNA of the Labour Party and that is why I am proud to serve as the Member of Parliament for Brent Central.

When I became the first black female MP to ever be appointed as a Minister in the UK Government and the first black female MP to speak from the despatch box in 2009, it was a momentous and proud occasion. But it was tainted by the fact that I felt the horror and disgust from some of the MPs opposite. So much so that an opposition Conservative MP tried to disparage me and criticise and question my grasp of English. He rose to his feet on the floor of the House and said “Will the Minister kindly stop this assault on the English language? Can we drop these awful terms such as ‘upskilling’ and ‘third sector’?”

Ten years later much has changed, for a start upskilling and third sector are now commonly used terms, but the battle to be recognised and not ridiculed as a black woman is still an constant battle. Much more needs to be done to accomplish the change that is really needed.

In my role as Member of Parliament for Brent Central and Shadow Minister for Women and Equalities, I am determined to make those changes and accelerate the progress of change and help tackle the structural barriers that still exist in society that prevent progress for so many people. Gender inequality is an incredibly important goal which I work towards every single day.

To build a fairer society we must tackle all injustices. A fairer society should be judged on the basis that we measure success by the obstacles we overcome. Unbeknown to me I was always political I would fight for the rights and the rights of others just because it was in my very strong opinion, the right thing to do. My father was very influential in my life as the de facto shop steward on the railways, I would sit on the living room floor listening to stories of battles won and lost at work. It was no wonder then that I became a trade union official and the Labour Party, the political party that made my parents feel welcome when they arrived from Jamaica. The values that I hold dear like fairness, equality and justice are the DNA of the Labour Party and that is why I am proud to serve as the Member of Parliament for Brent Central.

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**Hon. Dawn Butler, MP** was first elected to the UK Parliament as the Member of Parliament for Brent South in 2005 and became the first elected African-caribbean woman to become a Government Minister in the UK. She was later elected for Brent Central in 2015. Dawn is currently the Shadow Minister for Women and Equalities and continues to commit her time in the UK Parliament to representing groups and people in society that are often underrepresented.

To build a fairer society we must tackle all injustices. A fairer society should be judged on the basis that we measure success by the obstacles we overcome.
Association on these issues and more, including attending the CPA’s celebrations for Commonwealth Day last year where I spoke to so many young people from across the Commonwealth. Young people are our present and future and they are paramount in ensuring we achieve these Sustainable Development Goals and bring about real positive change in society.

As young people start creating ways of elevating others and forcing change and progress, it gives us hope that Goal 5 of the Sustainable Development Goals is achievable. One such initiative is inclusion where actors refuse to act in a film unless there is diversity behind and in the pipeline of a film. I know from personal experience just how important allies are and the difference it makes to have more than one ‘other’ at the table. In 2005 when I first entered the UK Parliament, Rt Hon. Diane Abbott MP and I were the only two black female MPs. For me this was hard and often soul destroying. Besides the fact that 8/10 times I was called Diane and not by my actual name, I recall the moment I was in a lift on my way to a Parliamentary Committee and was told by another Member of Parliament that ‘you lift ain’t for colourless’.

Roll-forward 13 years later and although there are more women of colour in Parliament, being wrongly identified is still very prevalent and sadly the abuse has not stopped. As a black female Member of Parliament, I suffer abuse on a daily basis, as do so many of my colleagues.

We need to do so much more to have equally and ensure that everyone, no matter their gender or background, feels like they belong exactly where they are and that they can do and achieve anything. There are so many challenges holding back gender equality – and at the heart of it’s valuing the role that women play in society.

Women's Economic Empowerment

At the heart of the gender pay gap are several issues; discrimination, the undervaluing of roles predominantly done by women, the unequal distribution of labour with more women in part-time low-paid jobs, the dominance of men in best paid positions and unequal caring responsibilities. Tackling these issues must be our main priority if we are to see sustainable change in workplaces as an in the home.

To remove structural barriers, it is imperative that you chip away at the foundations which contribute and build on policies that encourage transparency. Any of the policies I have been campaigning for is to require all large private and public employers to obtain government certification of their gender equality practices or face further auditing or fines. They must produce action plans demonstrating how they will tackle issues of recruitment, progression, pay and work life balance. Only companies with this certification will be considered for government contracts under a Labour government. This is important because there is no guarantee that the gap will close over time – it needs significant and sustained investment in businesses and society.

A further step is the pledge by the Labour Party to introduce mandatory race and gender reporting for large companies, alongside company action plans, to encourage businesses to tackle racial discrimination in the workplace. These steps are about encouraging companies to take ownership of the issues and encouraging them to be exemplar employers.

We must ensure there is better provision and greater take up of parental leave and more affordable childcare. Only then will we have more balanced workplaces and homes, because as we know, women contribute to a greater role in caring for children and sick or elderly relatives.

Just 7% of engineering apprenticeships achieved last year were undertaken by women. And at the top men continue to dominate the most senior and best paid roles. ‘This gap’ in 2018, only seven Chief Executives in the FTSE 100 list of top UK businesses were women. We must support women’s journeys into male-dominated sectors.

If we are to evolve as a society we must examine the intentions of the goalkeepers of businesses and their unconscious bias. That is why, to tackle the underrepresentation of women and people of colour in positions of power, I believe we must implement the Parker Review recommendations to increase diversity on boards.

The Equality and Human Rights Commission Estimates 34,000 mothers a year are forced to leave their jobs early after they become pregnant. So one of the things we must do to tackle gender inequality is create a more balanced and flexible working environment for all. A holistic approach to economic empowerment means tackling the things that unfairly hold women back. Another Labour Party policy that I am proud of is the policy to end period poverty. In the UK on average, every female spends around £5,000 in their lifetime on menstruating products.

Low income families shouldn’t have the additional burden of struggling to afford sanitary products; or homeless women suffering on the streets; or young people missing school once a month because they just can’t afford sanitary protection. The Labour Party has pledged to provide free sanitary products in schools, colleges and foodbanks, as well as free prescriptions for sanitary protection or reusable cups. This is just one part of my vision of tackling gender inequality and the economic empowerment of women.

Women’s Representation

Representation matters in politics – not just for its own sake, but because it shifts the balance of power, brings in more people who are directly affected by policies. Diversity can also dictate which issues are heard or ignored.

Fifty-one percent of the population are women and since 1918, just 491 women have served as elected MPs in the UK Parliament. There were 206 female MPs elected at the UK General Election in 2017 – 20% of all MPs. This is the highest even number and proportion so clearly we are making progress, but it is not anywhere near fast enough if we are to reach true representation.

Even more of an effort needs to be made on diversity, 52 MPs in the UK House of Commons are from non-white backgrounds, 8% of the total. This is compared to around 14% of the whole UK population who are from a non-white background.

One of the simplest steps that could improve diversity in our politics is to enact Section 106 of the Equality Act 2010 which includes a requirement for political parties to publish the demographic make-up of their election candidates. The Equality and Human Rights Commission (Black, Asian and minority ethnic) and disabled etc. Previous research has shown that transparency can be a driving force for change.

The UK Parliament has agreed to introduce a trial of proxy voting for MPs on baby leave. This is a welcome small step to bring the UK Parliament into the 21st century. As a feminist and a campaigner, I have been left asking what about the MPs who are hospitalised, MPs with cancer? These small steps sometimes need to be a leap. Too often we have seen the indigity of MPs being wheeled into Parliament in a wheelchair to vote. MPs were being asked to pay that gender equality and the economic empowerment of women.

One of the simplest steps that could improve diversity in our politics is to enact Section 106 of the Equality Act 2010 which includes a requirement for political parties to publish the demographic make-up of their election candidates. For instance, for example, we can’t claim pay discrimination on multiple identity grounds. We must change that. And I was proud to announce that a Labour government would change just that.

Violence Against Women and Girls

Sadly violence against women and girls continues to be a global epidemic, affecting an estimated one in three women worldwide. We will not be able to achieve women’s economic empowerment or greater women’s representation if we cease to value women or if women are not safe. It is proposed that a Labour government would appoint a Commissioner to set new standards for tackling domestic and sexual violence.

Age-appropriate sex and relationship education is also becoming a compulsory part of the curriculum so young people can understand, appreciate and learn about respectful relationships and so that young people fully understand it means to understand power and consent. The law should be strengthened, banning the use of community resolutions as a response to domestic violence. And we must ensure that under the Istanbul Convention, disability hate crime and violence against women with disabilities is reported annually, with national actions plans to address these issues.

The response I received after announcing the domestic abuse policy made many in the Commons, me included, feel that they could ‘put their mark on the special relationship that we have with the Commonwealth’.

Women’s workforce in the workplace domestic abuse policies and provide up to ten days paid leave for victims of domestic violence. This will allow women and men to leave their abusive partners safely and get the help, protection and support they need knowing their livelihood is secure.

Radical Workplace Revolution

Firmly believe we must lead a radical workplace revolution to ensure that employees no longer have to rely on the ladder of success because this ladder of success has failed women and people of colour back for too long. How many times have we heard people say they did all that was asked of them, worked extra unsociable hours. Yet they were still unable to take the next step. In most cases, men seem to seamlessly rise up this ladder of success with little effort or set back. So instead of relying on the shaky ladder of success, I am determined instead to build the foundament of an escalator of success. Where we, as a government, remove the structural barriers, and ensure that career progression along with pay progression are transparent so that employees are treated fairly, paid equally and fulfilled. And companies are held to account and their good practices rewarded, where we ensure strong workplace protections are in place, and when people need it, there is access to justice. Throughout this journey, we must remember that the pursuit of gender equality must include everyone – that includes our LGBTQI+ community and women of colour, disabled women, older women, working class women, single mums, as well as other groups who are traditionally underrepresented.

My overarching belief is that equality is equally, you cannot pick and choose. That means we must fight for the rights of everyone as if they were our own. Together, we can achieve it.

Diane Abbott: MP joined the CPA Chairperson, Hon. Emma Monjowa Lillie, MP for the CPA Youth Programme on Commonwealth Day 2018, to speak to young people from across the Commonwealth about how they ‘could put their mark on the special relationship that we have with the Commonwealth.”
THE WORK OF THE WOMEN AND EQUALITIES SELECT COMMITTEE IN THE UK PARLIAMENT

Last year, the UK Parliament celebrated Vote100 to mark the anniversary of 100 years since it passed a law enabling some women and all men to vote for the first time. As Chair of the UK Parliament’s Women and Equalities Select Committee, I was delighted this milestone was celebrated with such enthusiasm and hope.

“I am particularly proud of the cross-party nature of the Select Committee’s work and how concerned for these issues overrides any political divisions. Working collaboratively and applying our collective range of experience and skills is key to driving forward the Committee’s ambitious programme of inquiries.”

The Select Committee’s work is central to providing evidence on laws and policies and ensuring they are fit for purpose. We focus on issues such as gender equality, working conditions, violence against women, and issues faced by people with disabilities. I have been pleased to attend events such as the Commonwealth Parliamentary Women’s Network (CPWomen) BIM Regional Conference in April 2018, and it was heartening to see women across the world celebrating the 100th anniversary of the UK’s first female Member of Parliament, Hon. Margaret Thatcher. I am particularly proud of the cross-party nature of the Select Committee’s work and how concerned for these issues overrides any political divisions.

Working collaboratively and applying our collective range of experience and skills is key to driving forward the Committee’s ambitious programme of inquiries. I am certain that the work of the Women and Equalities Select Committee has helped push these important issues to the top of the policy agenda and to the forefront of people’s minds. I have been delighted to see the UK Parliament’s Women and Equalities Select Committee work on a cross-party basis with colleagues to keep these important issues to the fore.

The Committee applies pressure on the government by conducting inquiries, and by using the media to keep these issues at the top of the political agenda. Our latest inquiry focusses on the use of non-disclosure agreements in discrimination cases, which builds on the Committee’s recent inquiry into sexual harassment in the workplace.

The rapid rise in cases of non-disclosure agreements in sexual harassment cases, and this new inquiry now gives us the opportunity to explore this in more detail. We have issued a call for evidence and once all written evidence submissions have been collated, the Committee will call on witnesses to shape our understanding of how areas of the law can be improved.

I am particularly proud of the cross-party nature of the Select Committee’s work and how concerned for these issues overrides any political divisions. Working collaboratively and applying our collective range of experience and skills is key to driving forward the Committee’s ambitious programme of inquiries. I am certain that the work of the Women and Equalities Select Committee has helped push these important issues to the top of the policy agenda and to the forefront of people’s minds. It has also encouraged the UK Parliament to rethink how it works for women with record-breaking steps made to improve accessibility and the working environment, as well as undertaking an IPU-backed Gender Sensitive Parliament Audit.

In addition to my work with the Women and Equalities Select Committee, I am also a member of the CPA UK Executive Committee which enables me to bring about change. Further information will be sent out shortly, but if you are interested in taking part please contact the CPA UK Branch.

I am also strongly supportive of CPA UK’s Modern Slavery Project on which have achieved excellent results in supporting legislative change in a number of countries. Of course, we are disproportionately affected by this heinous crime. I credit the Commonwealth Women Parliamentarians for their work over the last 30 years and draw many parallels with the work of the Women and Equalities Select Committee in the UK. Along with all the other organisations invested in gender-balanced, accessible Parliaments, I look forward to witnessing more change for the better.

Above: Rt Hon. Maria Miller, MP speaks in the UK House of Commons about the work of the Women and Equalities Select Committee at the Women MPs of the World Conference. Please turn to page 68 for a full report.

Rt Hon. Maria Miller, MP is the Chair of the Women and Equalities Select Committee in the UK Parliament and a member of the CPA UK Branch Executive Committee. Before entering Parliament, Maria worked for 20 years in marketing. Maria was first elected to the UK Parliament in 2005 to represent Basingstoke and has held a number of Ministerial roles including Secretary of State for Culture, Media and Sport, and Minister for Women and Equalities (2012-2014).

Left: Rt Hon. Maria Miller, MP speaks at the Commonwealth Women Parliamentarians workshops on gender equality held at the 62nd Commonwealth Parliamentary Conference in London, UK for Women and Equalities from 2012-2014, I was adamant that the establishment of a Select Committee was necessary to challenge the government on equality issues. I fought hard for the Women and Equalities Committee to be set up in 2015 in the UK Parliament, and as Chair, I work on a cross-party basis with colleagues to keep these important issues to the fore.

The Committee applies pressure on the government by conducting inquiries, and by using the media to keep these issues at the top of the political agenda. Our latest inquiry focusses on the use of non-disclosure agreements in discrimination cases, which builds on the Committee’s recent inquiry into sexual harassment in the workplace.

A key recommendation from that report was for the UK Government to clean up the use of non-disclosure agreements in sexual harassment cases, and this new inquiry now gives us the opportunity to explore this in more detail. We have issued a call for evidence and once all written evidence submissions have been collated, the Committee will call on witnesses to shape our understanding of how areas of the law can be improved.

I am particularly proud of the cross-party nature of the Select Committee’s work and how concerned for these issues overrides any political divisions. Working collaboratively and applying our collective range of experience and skills is key to driving forward the Committee’s ambitious programme of inquiries. I am certain that the work of the Women and Equalities Select Committee has helped push these important issues to the top of the policy agenda and to the forefront of people’s minds. It has also encouraged the UK Parliament to rethink how it works for women with record-breaking steps made to improve accessibility and the working environment, as well as undertaking an IPU-backed Gender Sensitive Parliament Audit.

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1918 saw two pieces of legislation that were critical to the realisation of women’s political equality in the United Kingdom. The Representation of the People Act passed in February of that year gave some British women the right to vote; women had to be over 30 and meet a property qualification – be the wife of a husband so entitled or the head of a household. It would take an amendment to bring about equality in voting rights between British women and men, at the age of 21.1

The second, and less well known law, is The Parliament (Qualification of Women) Act. Passed in November 1918 this provided all women over the age of 21 with the right to stand for election to the UK’s House of Commons.2

At the general election a couple of weeks later, 17 women stood as candidates.3 Only one, the Sinn Fein candidate Constance Markievicz was successful, although as an Irish Republican she did not take up her seat. The first woman MP to sit in the House of Commons in the UK was the American-born Nancy Astor in 1919.

The centenary year of 2018 witnessed a great number of celebrations and commemorations across the UK. The first ever statue of a woman was unveiled in Parliament Square in London of Millicent Fawcett, the leader of the National Union of Women’s Suffrage Societies; and Manchester was the site for a statue of militant suffragette Emmeline Pankhurst, the leader of the Women’s Social and Political Union, only the second statue of a woman in the city after Queen Victoria. These were not the only statues — a seemingly popular form of commodification.4

Thousands of women also took to the streets, marching like their foremothers in numerous cities.5 Many donated purple, white and green sashes. Parliament’s senior archivist Mari Takayanagi argues that the suffragette colours have now become synonymous with suffrage, whether militant or not. There were numerous academic conferences,6 and national and local museums put on exhibitions. Plays and musicals were staged and books on women’s suffrage and women in politics were (re-)published.7 Equal-Tees – tea and cake parties with suffrage related board games - were held in homes, workplaces and girls organisations.8

At the UK Parliament, Westminster Hall’s ‘Voice and Vote’ exhibition recreated the ventilator and the cage – the iconic hall and cage were able to view parliamentary debate when formally excluded from the public galleries.9 The names of all women MPs who had ever sat on the green benches were also listed. Portrait(s) House, the new home of the parliamentary estate, staged the ‘20/9’ photography exhibition of sitting UK women MPs.10

In the UK House of Commons Chamber itself, RIH, Harriet Harman, MP, the longest continually serving current woman MP in the UK, hosted over a hundred women Parliamentarians from 86 countries.11 (See page 68 for full report.)

On the centenary of the Qualification Act itself, and as part of the #AskHerWho exhibition, current UK MPs - male and female – brought women into the UK Parliament for the day.12 There was - for women up and down the country - no end of possibilities to participate in centenary activities of one sort or another. As someone who participated in a good many – including an ‘end of year’ live radio broadcast from inside the UK House of Commons on BBC Radio 4’s ‘Woman’s Hour’; these events were highly informative, engaging and entertaining, and frequently moving. To see suffrage memorabilia in person; to hear from historians and suffrage experts; to read books about hitherto unknown political women,13 or simply to celebrate with other women the acquisition of women’s political rights. One could also buy plenty of suffrage centenary gifts including designer jewellery, tea towels, mugs, and most famously (at least at the UK Parliament) Suffragette rubber ducks for one’s bath.14

1918 was then well and truly marked in 2018. Yet, as the year ended, it could only be concluded that there were no ‘deeds’ in 2018 worthy of the suffrage meaning of the word. I say this specifically with regard to the gender gap amongst Parliamentarians at Westminster.

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Parliamentarians’ dispositions, and experiences relevant to the job of being an MP.

1. Engage in various parliamentary and other activities to enhance the supply of, and demand for, diverse parliamentary candidates.

2. Secure a cross-party concord regarding candidate selection for the 2020 Parliament following the boundary review: all political parties should seek to increase the percentage of its women MPs – at the absolute minimum all parties currently represented in the House should maintain existing percentage of women MPs.

3. Introduce prior to dissolution for the 2020 general election statutory sex/gender quotas to take effect for the 2025 general election if, three months prior to the 2020 general election, political parties currently represented in Parliament have failed to select at least 50% women in a party’s ‘vacant held’ and ‘target seats’. Introduce permissive legislation to allow for party quotas for other under-represented groups, where parties have

4. Publish a series of statements detailing and promoting the role and work of MPs, to both educate the public more about what it is that MPs do, and to explicitly signal the range of characteristics, skills,
failed to select proportional percentages of candidates from these groups. 18. Support the production of comprehensive website materials showing that a diversity of people are, and can be, MPs. 19. Support the development of a residential ‘Introduction to being an MP’ Programme for under-represented groups.

22. Immediately commence implementation of Section 106 of the Equality Act 2010 (which requires political parties to provide data relating to parliamentary candidates).

23. Clarify the status and effectiveness of the Access to Elected Office Fund for supporting disabled people to stand for election as local councillors or MPs.

24. [Women and Equities Committees] Call the Secretary of State for Women and Equalities before the Committee to report on the progress concerning commencement of Section 106 of the Equality Act 2010.

25. [Political Parties] Engage in various activities to increase the supply of, and demand for, diverse parliamentary candidates. The snap election of 2017 overtook Recommendations 8 and 9 regarding implementation of Section 106 of the Good Parliament Report, it would moreover have provided candidate diversity data to be published on a rolling basis as parties selected their candidates; the data would have been systematic and comparable across parties; would distinguish between selections in winnable and unwinnable seats (to illuminate whether diverse candidates had a good chance of being elected and not just selected); and would be hosted by the Electoral Commission.

Section 106 was a political ‘task’ that was very much felt by academics and campaigners to be in tune with other gender-gap auditing processes. It was very much hoped that it would find favour precisely because the Government had arguably gone down a similar road with gender pay gap audits. That campaigns were in 2018 asking for Section 106 and not for legislative quotas should be ‘on the table’ if there was a reduction in women’s political presence in the parliamentary Conservative party.20

What of Section 106 of the Equality Act 2010. Recommendations 22 and 24? None of the recent Secretaries of State for Women have been favourably disposed. Their reluctance in the face of a public campaign21 and the Women and Equalities Committee inquiring into women’s under-representation once again in 2018, was inexplicable according to the FAfC Society’s Sam Smethers.22

Section 106 passed the outgoing Labour government in 2010 requires political parties to provide candidate diversity data. A transparency and monitoring measure, Section 106 would enable academics, civil society groups and the public to hold political parties to account for the outcomes of their selection processes. It is also expected to nudge political parties to select more diverse candidates. As described in The Good Parliament Report, it would moreover have provided candidate diversity data to be published on a rolling basis as parties selected their candidates; the data would have been systematic and comparable across parties; would distinguish between selections in winnable and unwinnable seats (to illuminate whether diverse candidates had a good chance of being elected and not just selected); and would be hosted by the Electoral Commission.

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The last time that I wrote an article for The Parliamentarian was in 2001, when I was the Chairperson of Commonwealth Women Parliamentarians (CWP) Australia Region. My article was about increasing women's political and parliamentary representation, which is still my passion today. It is therefore with great pleasure that I am contributing again, almost two decades later, as the inaugural Chairperson of the new CWP Alumni Initiative, which aims to leverage the expertise of former women Members of Parliament to support setting women MPs. I thank the Commonwealth Women Parliamentarians (CWP) for the privilege to champion this program and promote it across the Commonwealth.

In 2001, women comprised 14% of MPs in the Parliaments of the world. In 2019, women still comprise only 24% of MPs, indicating the extent of the challenge ahead to achieve gender equality. In this article, I would like to review the current parliamentary representation of women across the Commonwealth, and describe the role the CWP Alumni Initiative can play in contributing to the goal of gender equality in women’s representation by 2030.

Current parliamentary representation of women

Women currently comprise 24% of MPs in the lower houses of national Parliaments in the Commonwealth, matching the world-wide parliamentary representation of women MPs. Rwanda leads both the world and the Commonwealth with 61% women MPs in its Parliament, and the Commonwealth now has 12 countries with more than 50% women Members in their national Parliaments. However, at the other end of the scale, there are still 12 Commonwealth countries with less than 10% women MPs in their national Parliaments.

Papua New Guinea and Vanuatu currently have no women MPs. Most concerning, the rate of increase in women MPs worldwide is now stagnating, with an increase of only one percent from 23% in December 2016 to 24% in December 2018. It is evident from extensive global research that a multifaceted approach is required.

Women’s political under-representation is due to the combined effect of institutional and structural constraints, as well as cultural and attitudinal barriers that suggest women should not have a leading role in public life. While temporary special measures, such as candidate quotas and reserved seats, are a powerful tool, and work should continue on implementing such measures, but they alone are not enough. The other recognised barriers also need to be addressed, particularly deeply entrenched gender norms.

I recently contributed to the design of a new program funded by the Australian Government to increase women’s political participation in the Pacific region, where advocacy campaigns to implement temporary special measures have had limited success. Women leaders in the Pacific identified the need to transform gender norms as a key priority to enable them to achieve the legitimacy needed to participate and lead in the political sphere.

Response from the Commonwealth

The Commonwealth Women’s Forum (CWF), held in April 2018 as part of the Commonwealth Heads of Government Meeting, focused on the theme ‘An Empowering Future for Women and Girls.’

The CWF developed an Outcome Statement and called on the Commonwealth Heads of Government to implement a number of recommendations to increase gender equality. Recommendations 2 and 6 were of particular significance for women’s leadership.

UN Women Theory of Change

The 2016 UN Women Theory of Change provides a useful framework to guide future work on women’s political leadership. It proposes a four-pronged strategy, including the need to focus on both current and future women MPs, as set out below:

- Support development and implementation of robust legal frameworks and administrative arrangements that facilitate women’s participation. This includes relevant reforms to constitutions, gender equality laws or party statutes, and policy actions such as setting numerical targets for women in leadership positions with temporary special measures and reforming party statutes.
- Expand the pool of qualified and capable women to run for election, including by initiating programmes that boost women’s confidence and capacity to lead, enhancing their campaign strategies and techniques and promoting linkages with supportive civil society organisations.
- Transform gender norms so that women are accepted as legitimate and effective leaders including through developing campaigns that sensitise the media, male political leaders and electorate on the need for women in public life at all levels.
- Support women leaders in gender-sensitive political institutions, including Parliament, political parties and Electoral Management Bodies to attract, promote and retain women leaders, and highlight the constructive contribution they make to decision-making.

CWP Alumni Initiative

The CWF has primarily focussed its efforts on supporting women leaders in Parliaments, which matches the fourth component in the UN Women’s strategy. However, it has also recognised that success in supporting women Members and highlighting the constructive contribution they make to decision-making can contribute to changing gender norms. Thus, attitudes can change when voters and male leaders learn about and experience successful women MPs who perform their roles honestly and effectively, delivering for their constituencies and serving their countries. They can also be influenced by women performing well in the high-level roles of Speaker, Minister, Prime Minister or President.

Such women MPs can demonstrate to their male colleagues, and the wider community, that women do in fact make good political leaders and achieve positive results for their communities. Women MPs can also serve as role models for the next generation of young women and encourage them to aspire to a career in politics.

The new CWP Alumni Initiative, as outlined in the CWP Strategic
Child Care. Further research is Pay, Choice, Diversity and legislation between 2014-18, Impact Analysis Report the Inter-Parliamentary Union to representation. From descriptive to substantive and influence that women MPs and focusses on the impact of moving beyond mere numbers will in fact support many of the role models. Achieving this goal Parliamentarians to support the expertise of former women MPs will be used as the key strategy to achieve the goals of the CWP Alumni Initiative, Former women Members will be recruited to act as mentors for newly elected women MPs and Senators, as well as for those seeking support to progress their parliamentary career to a higher level. It is therefore intended that a database will be created in each region of former women MPs who are interested in becoming mentors to help to widen the network. Mentoring is a well-established and proven technique used to help women progress their careers in the public and private sector. It is also a successful method of supporting women candidates to win elections, as shown by the work of EMILY’s List, which began in the United States and now also operates in the United Kingdom and Australia. Established in 1996, EMILY’s List Australia has supported the successful election of more than 236 women candidates with financial support, mentoring and training. Many have gone on to become political leaders, including the former Australian Prime Minister, Rt Hon. Julia Gillard and the female Premiers of Queensland and Tasmania. Mentoring has also been used as a strategy to support newly elected women MPs. For example, the International Women’s Development Agency (IDAW) in partnership with the Myanmar non-governmental organisation (NGO) Akhaiva, began piloting a successful mentoring programme2017 to support women MPs in Myanmar using current and former women MPs, including myself. The pilot evaluation confirmed the mentoring experience supported Myanmar MPs to: Improve public speaking skills and confidence in political debates Gain knowledge and insights into political strategic arenas such as continuous campaigning Engage their electorates on gender equality issues Expand their connections to the women’s movement and become active supporters of gender equality. As a result of the success of the pilot program, another six women MPs will be selected in 2019 and we will continue to expand the mentoring program as proposed in the CWP Alumni Initiative.14 The New Zealand Parliament and CWP Pacific Region mentoring program began in November 2017 with Pacific MPs from Fiji, Tonga and Nauru being mentored by New Zealand women MPs.15 Feedback from both New Zealand and Pacific women MPs was very positive, with lessons learnt including: the need for flexibility; commitment to long term support and regular contact; and a willingness to learn from each other. The New Zealand mentoring program is continuing in 2019 with mentoring programs planned for women MPs from Fiji and the Cook Islands.16 The CWP Alumni Initiative will learn from these and other mentoring programs for women MPs to: Support public speaking skills and confidence in political debates Engage on issues of importance to them, such as gender equality Expand their networks with a focus on women MPs Women MPs Share Experiences, 2017. Women in Parliament: which electoral system can we can and will build the future we want, working towards a future of equal rights, equal opportunities and progress for all.16

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15 UN Women, Women in Parliament: which electoral system can we can and will build the future we want, working towards a future of equal rights, equal opportunities and progress for all.16
17 UN Women, Women in Parliament: which electoral system can we can and will build the future we want, working towards a future of equal rights, equal opportunities and progress for all.16
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Below: Dr Lesley Clark has been the Gender Expert with several Commonwealth Election Observer Missions across the world including in Ghana and Nigeria.
Male Parliamentarians as ‘agents of change’

As the 30th anniversary of the establishment of Commonwealth Women Parliamentarians (CWP) approaches, I have been reflecting on how the lives of women have changed over this period and, in particular, the participation of women in politics. Over the past 30 years, women have fought to gain better access to higher education and more diverse career opportunities. For example, through increased participation in higher education and having more diverse career opportunities. More women are now in senior roles and positions of influence. However, there is still a long way to go. Although the number of women in such positions has increased over this period, the ‘glass ceiling’ only has a small crack, there remains a long way to go before it is broken. Gender stereotypes still abound – albeit sometimes more subtly than 30 years ago.

In 1999, when the Scottish Parliament met for the first time in almost 300 years, 37% of its newly elected representatives were women – at the time one of the highest percentages in any Parliament in the world. At the last election, this figure has reduced to 35% and according to global rankings published by the Inter-Parliamentary Union, the Scottish Parliament has now slipped to 27th place. Twenty years on, conversations about ensuring women are equally represented in the Scottish Parliament are still taking place. Parliament must reflect the society they serve. The rise in the use of social media has improved access to information and opinions. Used properly, it is a powerful democratic tool for politicians to engage with their communities. However, online abuse, towards anyone, regardless of gender, sexual orientation, religion, political persuasion, is totally unacceptable, detrimental and does nothing to advance the cause of women’s empowerment. When social media is used as a tool to harass and intimidate those people involved in public life, there is a danger that freedom of speech can become curtailed and thus the democratic experience is compromised. The #MeToo movement has shone a light on the abuse of power and opened up a new discussion about gender equality. For too long inappropriate behaviour has been viewed as ‘the way things are’. However, #MeToo has encouraged men and women across the globe not only to call out inappropriate behaviour but also to think about the structural inequalities which need to be addressed and the action that needs to be taken to address this imbalance of power.

As we have seen with the #MeToo movement, gender equality is not just a ‘women’s issue’, it is an issue about structures and powers within society and therefore is an issue that everyone should be concerned about. This will of course involve addressing this power imbalance which helps facilitate this abuse. The current CWP strategy was developed during a meeting of its Steering Group and other women Parliamentarians from 16 Commonwealth countries in February 2017 including a Member of the Scottish Parliament, Ms. Margaret Mitchell, MSP. An initiative to emerge from this was the call for the appointment, by all CPA Branches, of a ‘male champion of change’ to ensure that male Parliamentarians also carry the torch for gender equality in Commonwealth Parliaments and Legislatures.

Although I am not keen on the name ‘male champions’ itself, the objectives of the initiative include raising awareness of the importance of gender representation and gender sensitive policy development both within Branches and across the CPA and CWP networks.

The CPA Scotland Branch Executive Committee responded to the CWP and I was appointed as the ‘CWP male champion’ for the Scottish Parliament in September 2017. It is clear that the women Members in the Scottish Parliament do not need a male to speak on their behalf, they are more than capable of doing so themselves. So, since being appointed, I have tried to define what this role should involve and how I could help. I am keen to take this role seriously so in November 2018 I met with the current CWP Chairperson, Hon. Dabo’i Nirami Ahmad, MP (Malaysia) to discuss the current CWP strategy. This sets out the gender priorities. I was struck by her enthusiasm to renew the effort to increase women’s political participation across the Commonwealth and her determination to focus on women in leadership; economic empowerment; ending violence against women and engaging men in the gender agenda. The ‘male champion’ initiative is a pillar of the CWP Strategic Plan.

I have hopes that a Commonwealth-wide network of CWP male champions of change will be established to share knowledge and experience and learn from each other and to support the work of the CWP. As far as I know, I am the only one appointed thus far! However, perhaps a network of ‘change agents’ for gender equality, of both women and men, might be a better way forward.

A long-time supporter of the work of the CWP, Hon. Lechesa Tsenoli, MP, Deputy Speaker of the Parliament of South Africa has delivered an interesting and informative CPA Masterclass video on ‘The role of male MPs as Agents of Change’ which is available online.

I also urge Members, through their respective CPA Branches, to consider this initiative from the CWP and to feed in their views on how discussion and consideration in this area is best taken forward, by both female and male Parliamentarians.

**ONE HUNDRED YEARS OF WOMEN’S SUFFRAGE IN JERSEY**

As a series of exhibitions and events are organised to mark the 100th anniversary of women’s suffrage in Jersey, the Assistant Greffier of the States Assembly takes a look at the history of Jersey women in politics.

In 1919, women in Jersey were given the vote – they provided they were over 30 years of age and a rate-payer. One hundred years on, women are able to vote without those restrictions, but they are still a minority voice in Jersey’s Parliament.

**Jersey’s first female election candidate – Caroline Trachy**

Women in Jersey were able to vote in elections from 1919 but it took the repeated efforts of one woman to become a politician before the law was changed to enable women to stand for election.

In December 1922, Caroline Trachy stood for election as a Deputy in the parish of St Helier. Jersey’s Deputies are elected by residents of the district or parish and are appointed as voting Members of the States Assembly.

Caroline was successfully proposed and seconded, but she was disqualified after the nomination process on the grounds that, although women could nominate and vote in States elections, they were not eligible to stand.

Caroline founded the Jersey Women Political Union on 9 April 1923, which aimed to obtain “full political and civil rights for women in Jersey, embracing legal and moral support to women in difficulties caused by present, unjust laws.”

On 17 August 1923, the Union submitted a General Petition to the States requesting full civil rights for women. The journal ‘The Vote’ described that petition as asking “for the granting to women of full civil and political rights now enjoyed by the women of Great Britain.”

However, when the petition reached the States, it was only moderately successful. A law passed in February 1924 that made women eligible to stand as Deputies, but only if they were separated. A second law, the Married Women’s Property Act, was passed in February 1925, which removed the rate-paying clause from a woman’s eligibility, but did not permit married women to stand for election.

In the wake of these changes, Caroline stood again in the 1925 election but was disqualified by the Royal Court and the Bailiff on the grounds that she was not separated. Her response was that she would not “prejudice other married women by being separated” and would continue her fight.

The States went on to change the law in 1949, allowing married women to stand for election but only if they were separated from their husband.

Caroline became an eligible candidate for the upcoming election, but was not elected by the people of Jersey and ranked last in the polls. It would be another 20 years before the first female States Member would be sworn into office.

**Jersey’s first female politician – Ivy Forster**

It was 30 years after women in Jersey secured the right to vote that the first female was elected as a Member of the States of Jersey.

Ivy Forster was elected as a Deputy for St Helier in 1948. Jersey had been occupied by the Nazis during World War II and during that time, Ivy had helped escaped Russian slave workers who had been brought to the Island by the Nazis. For almost two years, Ivy had sheltered Russian prisoner-of-war, Georgi Kirov, in her attic. She was arrested in May 1944, but managed to avoid deportation due to illness, and was permitted to serve her sentence on Island.

After Jersey’s liberation, Ivy became an after-dinner speaker, giving talks on her experiences during the war, and was encouraged by the then Bailiff, Alexander Coutanche, to stand for election. After being elected as Jersey’s first female politician in 1948, Ivy went on to become the first woman to top the poll when she was re-elected in 1951 but her political career came to an end when she lost her seat in 1954.

**Women in the States today**

Jersey’s Parliament has 49 seats, but since Ivy’s time in the States, only 43 other women have ever been elected to serve as a States Member. The Members of the States Assembly are elected to the positions of Senator, Deputy, and Constable, and all have equal voting rights in the Assembly.

The only difference between the categories of Members is the way in which they are elected, with Senators being elected by the whole electorate, and Deputies and Constables being elected by voters in the parish or district in which they stand for election.

One of the Island’s 13 current female politicians is Senator Kristina Moore who, in November 2011, was elected as first female Deputy for the parish of St Peter.

Left: Ivy Forster was elected as a Deputy for St Helier in 1948, for the first time in Jersey she would be successfully elected.

As a Deputy, Kristina was elected solely by the residents of the parish of St Peter. She held the position for two terms, then last year, she decided to seek an island-wide mandate and stand for the position of Senator. She came second in the poll, which was topped by another female candidate, Senator Tracey Valkios.

“One kindly observer’s advice was that I had a good chance, after all, they said, there is always a token female vote,” Senator Moore said. “We’ve proved last year that voters don’t just give women a sympathy vote. The people of Jersey placed women in first, second and seventh place in the May 2018 election.”

“Twenty-seven percent of the Members of the States Assembly are women. But why aren’t women taking half of the seats in the 21st century? Particularly in Jersey, where there are so many more economically active women in the world. It is an important time to take stock and consider where we are. Only 44 women have ever been elected in Jersey. The parish of St Ouens has never elected a female Constable or Deputy and seven parishes have never had a female Constable. One wing of our General Hospital has been named after the first female Senator, Gwennyth Hulme, but there are no other rooms named after women in any of our public buildings.”

“A former Constable of St Lawrence, his Le Fouet, famously said that her husband did not have a problem with her being a States Member, as long as his dinner was on the table. And despite some signs of change, we still see women taking the brunt of domestic duties, even when they work full-time. Why is it, for example, that girls out-perform boys at school and university, but by the time the women fall pregnant, if the couple has to make an economic decision over who has the best career prospect, the woman is often already behind in terms of pay and prospects, so decides to stay at home as paying for childcare doesn’t stack up?”

“What I think puts many women off is that first hurdle. Putting yourself out there before the electorate and expecting people to vote for you. We have established an organisation called ‘Jersey Women in Politics’ to help and support women who are interested in Jersey’s political system and in standing for election to the States. Shaping the future path for our Island is so important and by ensuring that a diverse range of opinions is heard, and a proper debate is had, we can take Jersey on the right path to equally of representation in the States.”

**Details of the events being held in Jersey throughout 2019 to mark the centenary of women’s suffrage will be published on the States Assembly website: www.statesassembly.gov.je**

**One hundred years of women’s suffrage in Jersey, the Assistant Greffier of the States Assembly takes a look at the history of Jersey women in politics.**

**Anna Goodyear** was born in Jersey and holds a BA (Honours) degree in English from the University of Exeter. She began her career as a journalist with the States Evening Post then started work for the States Greffe as a Committee Clerk in 2008. Anna was appointed to the post of Assistant Greffier of the States of Jersey in October 2014.

Ivy died at the age of 90 in June 1997 and was posthumously named in 2010 as one of 29 ‘British Heroes of the Holocaust’ by the then UK Prime Minister, Gordon Brown.

“It has been man’s prerogative for time immemorial to govern this island, and I do not suggest that 100% women, or even 50-50, would be the perfect choice, but do most sincerely suggest that women’s opinion in the States Assembly would not be detrimental to the governing of the Island.” - Ivy Forster, 1907 - 1997.

**Women in Politics in Jersey**

**Historical timeline of women in Politics in Jersey**

- 1919: A law is passed enabling female rate-payers aged over 30, and non-rate-paying men aged over 21, to vote.
- 1922: Caroline Trachy stands for election to the States but is disallowed as it is illegal for women to sit in the States.
- 1923: The Women Jersey Political Union is formed.
- 1924: Women who are British subjects, aged over 30 and whose property affairs are separate from those of their husband, are permitted to stand for election to the States of Jersey.
- 1925: Caroline Trachy stands for election to the States but is disallowed as her property affairs are not separate from those of her husband.
- 1928: Caroline Trachy successfully stands for election, but is not elected.
- 1930: The voting age for women is lowered to 21.
- 1945: Men and women are permitted to vote in Jersey on an equal basis for the first time when the requirement to be a rate-payer is removed.
- 1948: Ivy Forster is elected to the States as Jersey’s first female politician.

Right: Senator Kristina Moore is one of the Island’s 13 current female politicians. She was first elected in November 2011, the first female Deputy for the parish of St Peter.
A PERSONAL VIEW: THOUGHTS ON GENDER EQUALITY IN PARLIAMENTS FROM A VERY SMALL ISLAND

Norma Paris is a former Member of the States of Alderney. She stood down at the last election in December 2018 having served for nearly five years as the only woman of the ten States Members. She held the Chair of the Business Development, Tourism and Marketing Committee for one year and the Chair of the General Services Committee for two years as well as serving on several other committees. Before entering politics she was involved in publishing and general aviation.

Alderney is indeed a very small island. For those who may be unsure of its whereabouts it is the most northerly of the Channel Islands and lies about 1.3km to the west of the Cotentin Peninsula of France. The island is about 5.8km by 2.9km with a population of just over 2,000 people. It is perhaps best known for the reference to the aldey cow in A.A. Milne’s poem “The King’s Breakfast” and the Womble Aldey who was named after the author Elizabeth Beresford’s home. However, on a more serious note, Alderney's position in the English Channel has given it an historical strategic and military importance far in excess of the size of the island. It has been subject to periods of intensive fortification from Roman times right through to the Second World War. One of our forts is Roman in origin, most were fortifications built during the French Revolutionary and Napoleonic Wars and then overbuilt during Victorian times. All, including the Roman one, show evidence of conversion into German strongpoints during the Second World War, as Alderney became part of Hitler’s Atlantic Wall. After the surrender of Germany in 1945 the island, which had effectively been evacuated in 1940, saw the return of some of the population to the island. The Homescaping, which is still just within living memory, is commemorated every year on the date of the anniversary.

Alderney is a self-governing, democratic territory and one of the principal islands of the Bailiwick of Guernsey. The Channel Islands have never been subject to the British Parliament and their relationship with the UK is with the Crown through the Privy Council. The island has always been outside the EU and the UK looks after the Channel Islands in the fields of foreign affairs, defence and the islands’ association with the EU.

Many Members are a little reluctant to discuss women’s role in the States. However, we have considerable evidence of female involvement both historically and in more recent times. When I first joined the States in 1998 there were only two women Members (one States Member and one States Auxiliary). We have now spanned four elections in which there were always women Members. I was elected to the States at a by-election nearly five years ago and joined a team which had been totally male since 2010.

During my term of office, which has spanned two elections, no women have been elected, although several have stood. I therefore feel that it is important to discuss women’s role in the States and the difficulties that women have faced in getting elected.

Perhaps of greater influence on potential candidates is the fact that the independent spirit of Alderney residents means that we have a very lively and active democracy. Politics here is not for the faint hearted. In such a small community you are bound to be well known to the majority of your electorate who, rest assured, will engage with you whenever the desire or opportunity presents itself. Feelings can run very high over relatively personal matters as well as major policy decisions.”

Since 1945, there has never been more than three women serving together at any particular time. I did not stand for re-election in December 2018 and the new States still consists of nine men and one woman. Of the 5 seats available, two sitting Members were re-elected and three new Members. Interestingly, our “new girl on the block” topped the poll. In a jurisdiction where turnout to vote is high (60% at this election, often approaching 70%) and a system where there are no party allegiances in play, topping the poll carries weight. I shall observe from afar with great interest and I most sincerely wish her well.

However, it is generally accepted that organisations whose management team closely reflects the make-up of their customers, or in the case of governments, their electorate, tend to be more successful. If for no other reason, this is because they are more in tune with the concerns and aspirations of their market place or electorate. It is generally accepted that organisations whose management team closely reflects the make-up of their customers, or in the case of governments, their electorate, tend to be more successful. If for no other reason, this is because they are more in tune with the concerns and aspirations of their market place or electorate. It is generally accepted that organisations whose management team closely reflects the make-up of their customers, or in the case of governments, their electorate, tend to be more successful. If for no other reason, this is because they are more in tune with the concerns and aspirations of their market place or electorate. Since 1945, there has never been more than three women serving together at any particular time. I did not stand for re-election in December 2018 and the new States still consists of nine men and one woman. Of the 5 seats available, two sitting Members were re-elected and three new Members. Interestingly, our “new girl on the block” topped the poll. In a jurisdiction where turnout to vote is high (60% at this election, often approaching 70%) and a system where there are no party allegiances in play, topping the poll carries weight. I shall observe from afar with great interest and I most sincerely wish her well.

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thoughts on gender equality in parliaments from a very small island

The oldies - and I am sufficiently confident in my abilities to be able to stand my ground and speak my mind. However, when I have lobbied other women whom I think would make excellent, hardworking States Members I am told by them, almost without exception, that the rough and tumble of how our democracy works does not appeal to them. I find this a slightly sad reflection on all those spirited women who refused to take ‘no’ for an answer when seeking the vote. There is no doubt that our electorate can be formidable and sometimes grumpy, but another image of a sunny afternoon always springs to my mind. After the funeral of a local dignitary, I sat on the wall outside our community hall with about half a dozen other mourners. Whilst we ate sandwiches, drank tea and basked in the sunshine there was a wide-ranging discussion about various issues of the day. And all on first name terms. There are few jurisdictions where such informal access to politicians is available. So, how has it been working with my nine male colleagues? I would be speaking less than the truth if I did not acknowledge that as the lone woman there have been some decidedly ‘off message’ moments. I have been accused of being bossy and wanting my own way. Perhaps in the description of a man in my role this might well translate as being decisive and goal orientated? I have grown accustomed to having many of my ideas received in silence and then ‘man-spaced’ (man explained) back to me later. Does one need the credit for the ideas? Yes, but the next best thing is to see them translated into action. Naturally, I am accused of nagging, but as any woman will tell you nagging is merely the unwelcome repetition of unpalatable facts.

However, that is about as far as it goes. I am paid the same amount as my male colleagues and I have found throughout my term of office that our small civil service team has always been immensely helpful. It is an interesting aside that the male/female balance of senior roles in our civil service reflects our island demographics much more accurately than States Membership. The routine matters of government are performed by the three major Committees enshrined in law. I have been elected the Chair of one of these, the General Services Committee, for the past two years and was the Vice-Chair for the two years before that. General Services is an old-fashioned name for what might well be called Environment and Infrastructure elsewhere. An attempt was made to change its name several years ago, but the momentum of the old name soon stopped that.

In a truly sexist working environment it would be regarded as a ‘blue’ rather than a ‘pink’ job. We may be a small island but we face nearly all the issues of a nation state and many of these fall within the mandate of the General Services Committee. We have responsibility for the roads, the water supply, the harbour, sea fisheries, coastal erosion, waste disposal, the upkeep of States owned properties, agriculture and environmental monitoring, recreation and sports activities. Apart from the housekeeping that such a broad mandate entails, during my two years in office, the Committee has brought to fruition a major project with the renovation of one of our most important heritage sites and we have created a new use for it. This will enable it to be open to the public and, hopefully, make a contribution to its future upkeep. The seventeenth century barracks building contained within the curtilage of our Roman Fort has been converted into hostel accommodation for those coming on island to pursue archeological and wildlife research. It is now the home of our newly accredited Bird Observatory which has received extensive publicity as the sheer scale and richness of our bird populations becomes apparent. This has been a landmark project to which I am proud to have been associated with.

One of my colleagues pointed out to me early in my political career that, in his opinion, any successful woman always has a man behind her. This is an interesting take on the old sexist joke that ‘behind every successful man there is a surprised woman’. In some respects, and this is definitely one of them, it is true that we are stubbornly behind the times here, but the upside of this is that few people lock-up their homes or their cars, it is safe to walk home alone at night and you would never lie dead in your bed, undiscovered for weeks. We are a caring, close knit community and that is almost beyond price.

Commonwealth Women Parliamentarians at inaugural Women Leaders Global Forum in Iceland discuss positive developments for women in leadership

Commonwealth Women Parliamentarians from across the network attended the inaugural Women Leaders Global Forum, which was held between 26 and 28 November 2018, in Reykjavik, Iceland. The Women Leaders Global Forum is where women leaders discuss and share ideas and solutions on how to further advance society, increase equality between women and men and promote and positively develop the number of women in leadership positions.

The Forum is annually co-hosted by Women Political Leaders (WPL) and the Government and the Parliament of Iceland, and is co-chaired by leaders of the OECD, World Bank, World Economic Forum and others. The forum was founded by Silvana Koch-Mehrin, Founder and President of the Women Political Leaders (WPL), and Hanna Birna Kristjansdottir, Chair of WPL’s Executive Board, who were inspired by the World Economic Forum and wanted to devise a women’s forum. They chose Iceland as the host as it is the best country for women, according to the WEF’s Global Gender Gap Report.

The inaugural Women Leaders Global Forum featured keynote speakers, all internationally recognised for their contribution to advancing society and 400 delegates from over 100 countries, who attended two days of workshops as well as bilateral meetings and events. The Commonwealth Women Parliamentarians were represented at the Forum by Hon. Laura Ross, MLA (Saskatchewan), the Chairperson of the CWP Canadian Region who said: “As the Chair of CWPV Canada Region, I was honoured to be invited to attend the Women Leaders Global Forum 2018 alongside four hundred women from over 100 countries. This Forum was the perfect opportunity to network with fellow legislators, business and community leaders. The objectives of both CWP and WPL are very similar in that increasing the number of women and their influence within their Legislatures is our main objective. Having more women sitting at the decision-making tables changes politics and public policies.

A large number of delegates had the opportunity to present to the Forum on the current situation within their respective countries on the status of elected women within all levels of government. Many of the presenters also talked about quotas so that more women would be able to be elected to public office. I had the opportunity to present on behalf of the CWP and to give the perspective of the CWP Canada Region on the present status of the number of women elected to Federal, Provincial and Territorial offices in Canada. In my presentation, I was able to share why it is so important for partisan politics to be set aside so that work undertaken with CWP will be successful. It is the advancement and the encouragement of women of all political stripes to seek public office.”

The Women Leaders Global Forum continued with presentations on women as change-makers in the digital revolution and it was noted that entrepreneurship is integral to the world economy and that women need to be fully engaged. A key session at the Forum looked at ‘The World Atlas of Women’ and the measurements taken across the world showing the differences in parity in the distribution of political and business power.

The Women Leaders Global Forum’s mission is to provide a platform where women leaders discuss and share ideas and solutions on how to further advance society, increase equality between women and men and promote and positively develop the number of women in leadership positions. Under the heading ‘We Can Do It’, the 2018 theme was ‘Digitalisation’ and the way it has created an increasingly interconnected world, single-handedly changing the way we live, work and love.
Commonwealth Women Parliamentarians attend the first historic Women MPs of the World Conference at the UK Parliament

In a historic first, women MPs from five continents and almost 100 countries including many Members of the Commonwealth Women Parliamentarians (CWP), met in the ‘Mother of Parliaments’ in Westminster for a unique conference, held to mark 100 years since the first women in the United Kingdom gained the right to stand for election to Parliament. The conference was granted the rare privilege to hold its proceedings in the House of Commons Chamber at the Parliament of the United Kingdom on 8 November 2018.

The one-day event brought together women MPs from around the world to celebrate their achievements, discuss how to strengthen visibility and further empower women Parliamentarians to continue to drive change nationally and internationally. The focus of the event was to inspire the next generation, to contribute to women’s equal participation in Parliaments globally, and to demonstrate how elected women around the world are shaping the political agenda and making a difference to women and girls in their home countries. Delegates discussed how to advocate for greater representation of women in Parliament and public life, as well as exploring the specific challenges facing women MPs and how these might be overcome.

Women MPs were able to share their experiences and propose solutions to what can be done to help them become more effective, counter harassment and abuse, balance family and political responsibilities, and to help more women get into Parliament. Women Parliamentarians are spearheading policy change and through this conference were able to shine a spotlight on four policy areas that affect the lives of women and girls: promoting women’s economic empowerment; ending violence against women and girls; breaking the barriers to girls’ education; and family planning; and breaking the barriers to girls’ education.

The historic event was co-hosted by the United Kingdom Secretary of State for International Development and Minister for Women and Equalities, Rt Hon. Penny Mordaunt, MP, who gave the opening speech in the House of Commons Chamber and the conference was also supported by the UK Leader of the House, Rt Hon. Andrea Leadsom, MP and the former Deputy Leader of the Opposition, Rt Hon. Harriet Harman, MP, who also both contributed to the debate in the Chamber.

The delegates to the conference included many Members of the Commonwealth Women Parliamentarians (CWP); former Chairperson of the Commonwealth Parliamentary Association, Hon. Dr Shirin Sharmin Chaudhury, MP; Speaker of the Bangladesh Parliament; Hon. Bardish Chagger, MP, Leader of the Government in the House of Commons, Canada; Diane Abbott, MP; Shadow Home Secretary, United Kingdom; Hon. Aishatu Dukku, MP; Nigeria; Ay Kumba Jati, MNA, The Gambia; Hermene Patricia Tomaino Ndam Njoya, MP, Cameroon; Rt Hon. Maria Miller, MP, Chair of the Women and Equalities Select Committee, United Kingdom; Nikki Kaye, MP, Opposition Spokesperson for Education, New Zealand; Hon. Lindiwe Zulu, Minister of Small Business Development, South Africa; Jessie Kabwila, MP, Malawi; Hon. Sarah Flood, Saint Lucia; Hon. Nafisa Shah, MNA, Pakistan; Hon. Cynthia Forde, MP, Barbados; Hon. Jovai Kamateeka, MP, Uganda; Hon. Emilíia Lókhít Tong, MP, Sierra Leone; Princess Kasune Zulu, MP, Zambia; Dawn Butler, MP, Shadow Minister for Women and Equalities, United Kingdom; Rushanara Ali, MP, United Kingdom.

Women MPs also attended from: Colombia, Egypt, Indonesia, Oman, Ireland, Slovakia, Venezuela, Bosnia and Herzegovina, Philippines, Israel, Romania, Peru, Norway, Burkina Faso, Nepal, Turkey, Albania, Senegal, Germany, Kuwait, Afghanistan, Greece, Jordan, Brazil, Tunisia, Iceland.

The event was supported by the UK Foreign and Commonwealth Office, British Council, Commonwealth Parliamentary Association UK Branch, Westminster Foundation for Democracy and Wilton Park.

Commonwealth Women Parliamentarians Alumni Champion begins new role

In accordance with the Commonwealth Women Parliamentarians (CWP) Strategy, the CWP Alumni Initiative has been launched by the CPA Headquarters Secretariat with the objective of providing a framework for former women Parliamentarians to deliver mentoring, coaching and advice to the benefit of sitting women Parliamentarians and to act as a resource for the CPA.

Dr Lesley Clark, a former Member of the Legislative Assembly of Queensland in Australia has been nominated to the position of CWP Alumni Champion and she will act as an Ambassador for the CWP Alumni Initiative and will share her experience and expertise across the CPA and CWP’s membership. Dr Lesley Clark was Member of Parliament from 1989 to 1995 and again from 1998 to 2006. Like many Members of Parliament, she was involved with local politics before entering Parliament, serving as a member of the Mulgrave Shire Council. During her parliamentary career, she held many positions and served on numerous Parliamentary Committees, giving her a wealth of experience. Since retiring from Parliament, she has held the position of the Director of Equity and Diversity at James Cook University in Queensland and now works as a consultant in international development to increase women’s parliamentary representation.

Please tune to page 56 to read about the work of the CWP Alumni Champion.

To contact the CWP Alumni Champion please email hseec@cpahq.org.
COMMONWEALTH PARLIAMENTARIANS AT 67th WESTMINSTER SEMINAR DISCUSS HOW TO CREATE EFFECTIVE PARLIAMENTS

Over the last year as Chair of the Commonwealth Parliamentary Association UK Executive Committee, I have enjoyed meeting and hosting delegations of Parliamentarians and clerks from around the Commonwealth who have visited the UK Parliament. It is always a pleasure to meet my Commonwealth counterparts and I always learn something from our time together.

Last November, we had the pleasure of hosting over 70 Commonwealth Parliamentarians and clerks at the 67th Westminster Seminar, a five-day programme of workshops in the UK Parliament organised by the Commonwealth Parliamentary Association UK Branch. The theme of the Westminster Seminar was ‘Effective Parliaments’, and all sessions were designed to help participants learn and share knowledge on best practice. I was struck by the enthusiasm of all participants and the wealth of experience they contributed from a wide range of countries, including The Gambia, Canada, Seychelles and Pakistan. To have representatives from over 30 countries together for a whole week provides a rich opportunity for all. Many new friendships and networks grew out of the week.

The first three days of the Westminster Seminar were tailored to meet the working needs of Parliamentarians and clerks, including sessions on communications, legislation and committees. My opening session with my colleague, Rt Hon. David Hanson MP, was entitled ‘The Political Scene in Westminster’. Unsurprisingly, Brexit occupied much of the discussion. It was useful to reflect upon responses from delegates, as well as sharing our own different viewpoints.

The Commonwealth Parliamentary Association UK Branch was also delighted to host His Excellency Festus Mogae, former President of Botswana and His Excellency Joaquim Chissano, former President of Mozambique, to talk about the importance of inclusive public health policy to prevent the further spread of HIV and AIDS. In the week before World Aids Day, this session focussed all minds on the implications of leaving minority groups behind.

The fourth day was spent at the National Assembly for Wales with our hosts, the Commonwealth Parliamentary Association Wales Branch, looking at how the Senedd is run. The visit served as a useful comparison to understand how different authorities organise themselves, how they work around challenging issues, including pressures on local housing.

On the final day of the programme, delegates joined up with UK Parliamentarians in their constituencies and carried out local engagements including visits to local councils and schools. Again, this served as a useful comparison to understand how different authorities organise themselves, how they serve their communities and how they work around challenging issues, including pressures on local housing.

After saying farewell to all the delegates, it struck me how much information and knowledge had been shared during the course of the week, and how much more we all still have to learn about harnessing the potential our Parliaments have to offer. I therefore do urge you and your colleagues to think about participating in the next Westminster Seminar 2019 and contributing your valuable knowledge to our Commonwealth parliamentary family.

Hon. James Duddridge, MP is the Chair of the Commonwealth Parliamentary Association UK Branch (CPA UK). Since 2005, he has been the MP for Rochford & Southend East. Before politics, he pursued a successful business career in the private sector and was a banker with Barclays in London and in Africa, working in the Ivory Coast and Botswana. He was also a founding member of the highly successful national polling firm YouGov. He has held positions in government as a Government Whip and was Foreign Office Minister between 2014 and 2016.

RT Hon. Andrea Leadsom, MP, Leader of the UK House of Commons summed up the Westminster Seminar when she commented: “The countries of the Commonwealth collectively create a network which is diverse in parliamentary structures and rich in knowledge. The Westminster Seminar brings together Parliamentarians from across the Commonwealth to share their experience and best practice.”
Once upon a thousand years ago, a Parliament was born. Minning Vikings vanished the Manx people in the tenth century and bequeathed a parliamentary system that still endures today, with some modernizing over recent centuries by its native Celts and later English influences.

Located geographically at the centre of the British Isles but for many years a self-governing Crown Colony, the Isle of Man boasts autonomy over its law-making and revenue raising that many a new Parliament would envy.

So how well is functioning as a modern Parliament? That is the crucial question examined in a recent article by Dr. John K. Johnson leads the various modules enabling Members to better understand factors that influence and impact on parliamentary functions. He provides encouragement to undertake self-assessment and analyses the merits and demerits of their assemblies.

Alongside the Isle of Man’s 1,000 years of tradition, the course brought together a panorama of Commonwealth colleagues from such diverse and distant assemblies in CPA Small Branches as Tasmania, the Falkland Islands, the Caribbean Region and even fascinating little Bougainville. Geographically part of Solomon Islands but politically part of Papua New Guinea, Bougainville has a post-conflict Parliament inaugurated on 15 June 2005. Participants hear directly from Members, frequently two per Parliament, usually on opposing sides of political and party dividing lines.

The residential week at McGill University was a privilege and an eye-opening collision of historic tradition and evolving modernity. Additionally, it enabled for many of us a first visit to Quebec’s biggest city in an historic week when cannabis was legalised (although none of us, to my knowledge, bothered queuing around the block to sample the newly legally produced). Mostly it was an opportunity in an exceptionally mild week in early Fall to enjoy meeting Commonwealth Parliamentarians from across the globe, plus a little sightseeing, with our forays around Montreal brightened by the public art adorning every street and square in the streets adjacent to the McGill University campus.

While most participants were newly-elected Members, a few were in a governing party and amongst the cohort was a Madam Speaker, the first woman in one of the participating small jurisdictions. But she reported ‘token lip service’ to women in her Assembly, participating in the workings of a parliamentary centre of the British Isles but for later English influences.

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Still endures today, with some modernizing over recent centuries by its native Celts and later English influences.
Member presentations with Paul Bates, a former Clerk to the Parliament of Canada, plus the evaluation round-up sessions at the close, Dr Rick (it’s quite informal) also provided information on the Administration and Financing of Parliament and with Dr Johnson led us through the core functions: looking at how to enhance the democracy of our Parliaments and make them better for our citizens, guarding against the common issue of the encroachment of the Executive on parliamentary power. Consideration of core functions progressed later in the week with Oversight (Dr Rick) and Committees and Executive Scrutiny plus the Role of Parties from Kevin Deaveaux. There was plenty more including Codes of Conduct and Legislation, the Role of Back Benchers, etc. A long history. Recent appointments from the Isle of Man Parliament enabled each of us to identify and share the top three things we would take home and recommend to our Parliament. While these centre on the CPA Benchmarks, it also throws into sharp relief the absence of any women in the Isle of Man Council of Ministers, which I feel would be addressed if more experienced women Members are returned next time at the ballot box; but other structural issues have also been highlighted by the course and its various modules. The Lord Lisvane Review of the Functioning of the Isle of Man Parliament exposed some criticisms that continue to resound with the Marx public as unresolved: for instance, the lack of an appointed Auditor-General, and the number of Members from upper and lower chambers taking a role in the government. These and other management issues will be my focus in the near future, armed with the political science learnings of my year on the CPA Fundamentals Programme with McGill University, which is thoroughly recommended for any Parliamentarians who are interested in living, breathing and improving their own parliamentary structure.

I commented to one of the tutors that I was turning into a parliamentary process nerd. His response: ‘We need more parliamentary process nerds.’

For more information and how to apply for the CPA Fundamentals Programmes, please visit: www.cpahq.org/cpahq/cpafundamentals or email hq.sec@cpahq.org. There are two Programmes available – one for all Commonwealth Parliamentarians and one for Members from CPA Small Branches (with McGill University).

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The Parliamentarian | 2019: Issue One | 100th year of publishing

Parliament on 5 June 2018 by the Minister (Amendment) Act No. 24 of 2018

Parliamentary matters has become very important to combat transnational crime and Sri Lanka had enacted a legislation in this regard in 2002. The main objectives of this legislation is to improve the effectiveness of investigation, prosecution and prevention of crime and the confiscation of criminal proceeds. In this Bill, there are provisions for international co-operation and mutual assistance to the widest extent possible for the purpose of investigations or proceedings concerning criminal offences related to cybercrimes. It provides for the collection of evidence in electronic form in respect of computer crimes and criminal offence from other countries and international organizations through the use of technology that is not available elsewhere. This legislation covers a wide range of cybercrimes, such as cyber-terrorism, cyber-espionage, and cyber-warfare. It also provides for the possibility of exchanging assistance in criminal matters with foreign countries and international organizations, and it is also possible to have direct agreements with countries to exchange assistance in criminal matters if a country is not a party to an international convention. He further stated that this Bill makes provisions for any country and any international organizations to ask for an accessible means to give evidence for a crime. It is not only confined for corruption but also other criminal activities and any person of the country including security forces. It is also essential for the country, where crimes can be handled over to another country, such as a country that asks for such a person as a witness. He stated that they have no objection to signing such a bill, but the Bill paves the way to victimize the war heroes of the country and has an adverse impact on the security of the country and therefore he opposed this Bill. Hon. Ameena Pirie-Arachchige Yasu, MP, described the Bill as a better medicine coated with chocolate and stated that this Bill not exclusively apply to bribery and corruption. He questioned whether any other South Asian or SAARC country presented such a Bill with regard to Mutual Assistance in Criminal Matters. He further added that this Bill has been brought for the interest of imperialists, as they want to weaken the countries, which talk about their identity and independence. He pointed out that the plight of the former Yugoslav war-winner, Milosevic, who had been handed over with the charges of war crimes against humanity in the international arena but died in the process. He further stated that in Spain, some magistrates have the power to issue warrants to arrest persons in any country and the President of Chile was arrested in England by a warrant provided by the South American countries. He further stated that in Spain, some magistrates have the power to give evidence to conduct court proceeding regarding the possibility of exchanging assistance in criminal matters with foreign countries and international organizations to punish the wrongdoers. He also stated that this Bill was brought with the intention of punishing the culprits who were involved with bribery or corrupt practices etc, and he appreciated the Minister for her initiatives to enact laws in order to abide by the Rule of Law in the country. He also stated that it is essential to work with foreign countries and international organisations to punish the wrongdoers.

Hon. (Ms.) Thalita Ahtukorala, Minister of Justice and Prison Reforms, wound up the debate and stated that with globalization, new crimes have been identified and this legislation is introduced to amend the principal enactment in order to cover all those new crimes and to facilitate mutual assistance. She also stated that the following new objects are excluded in Section 4 of this Act in order to facilitate the provision and to obtain assistance in criminal and related matters, including:

- the tracing of crimes committed via the Internet, information communications technology, cloud computing, block chain technology and other computer networks including the trading of any digital currencies;
- bribery if any foreign public official or official of a public international organisation and their respective proxies and beneficiaries;
- expected preservation of stored computer data and expected disclosure of preserved traffic data and data retention;
- location of proceeds of a criminal activity; acts of using documentary evidence obtained in a specified country through specific authorization to be made admissible in a judicial proceeding; and
- admiralty and applicability of evidence led from a specified country through video conferencing technology.

The Bill was passed on 8 August 2018 and the Act came into force from 15 August 2018 from the date on which the Hon. Speaker endorsed his certificate on the Bill.

Recovery of Damages for the Death of a Person

The Recovery of Damages for the Death of a Person Bill was debated and approved by Parliament on 10 January 2019. It became the law of the country with effect from 17 January 2019. This Bill was published in The Gazette on 3 September 2018 and introduced in the Sri Lanka Parliament on 9 October 2018. There are no direct provisions under the Roman Dutch Law for the recovery of damages pertaining to the death of a person caused by a wrongful act, omission, negligence or default of another person and for other matters connected therewith. The provisions of this Act will be in addition to and not in derogation of any other right or remedy provided by any other written or unwritten law.

In this Bill, there are provisions for the Courts to seek assistance from experts to determine whether an applicant for the damages suffered from mental pain and suffering due to the death, the loss of the love and affection, and care and companionship of the deceased, before awarding damages. Further, the Bill prohibits a person to claim damages if the person has abandoned the deceased person.

The Minister of Justice and Prison Reforms, Hon. (Ms.) Thalita Ahtukorala, MP, outlined the objectives of the Bill and said that every person has to recognise the value of the life of the other person. She said it is important to create a crime free environment and to respect family values and the sentiments of others, as we all believe in strong family ties.

She stated that there are provisions in the Roman Dutch Law to claim compensation for
a person’s death, but no provisions to claim compensation for the mental stress and trauma caused by the death of a loved one, even when the death occurred as a result of negligence of someone.

The Minister stated that the special feature of the Bill is that a parent or parents, a child or children, a sibling or siblings, a grandparent or grandparents jointly will be able to claim damages for the loss of love, affection, care and companionship and the mental suffering they have to endure, from any person whose wrongful act, omission, or negligence caused a death of their loved one.

The Minister pointed out if an applicant dies before a damage claim is made or a judgement is awarded, there is no right to claim damages.

Hon. Chandraasri Gajadare, MP, stated that it is detrimental for not allowing the heirs, executors or administrators to proceed with the legal action on behalf of the applicant before a judgement is delivered. He requested the Minister to make appropriate provisions for the living heirs to continue with the legal action to claim damages.

Hon. Ajith P. Perera, MP, Minister of Digital Infrastructure and Information Technology, said we follow the Roman Dutch law and there are provisions under the Roman Dutch law to claim damages for the death of a person caused by a wrongful act, omission, negligence or default of another. He stated that bit of debates took place in respect of claims for the death of a person from a person whose wrongful act, omission or negligence is the cause of such death, after the determination of the Roman law. He stated that in the medical field there was no appropriate legal provisions to claim damages from the people or organisation, who is responsible for such death. This Bill contains progressive provisions to fill the gap in the law and now we can institute legal action to claim damages for the wrongful act or negligence of another person, which cause death of another person.

However, the Member pointed out that there is a drawback in this law as the heirs, executors or administrators of the applicant cannot proceed the case if the applicant died. This lacuna may cause adverse effect, as there is a possibility to eliminate the applicant to proceed with the legal action by kidnapping or killing the person. The Member requested that the Minister of Justice bring an amendment to enable the heirs to continue the legal proceeding when the applicant of such claim dies before the judgement is delivered.

Hon. Hector Appuhamy, MP, stated that the Bill is very special to our country as our people give priority to family and family values. The Bill makes provisions to claim damages from the person who is responsible for the death of a person who lived in the family very closely. He stated that he would like to highlight, not the possibility of claiming damages after the death of a person, but for claiming damages for the loss of love and grief of a kin person due to the death of the beloved one.

At the conclusion of the debate, the Minister of Justice and Prison Reforms, Hon. (Mrs) Thalathita Athukorala, thanked all Members for their valuable contribution to the debate. She also stated that taking into consideration of the suggestion made by Hon. Douglas Devananda, MP, an amendment would be incorporated to the Bill to make provision for the spouse to claim damages.

Budget Measures Implementation (Employer Health Tax) Act, 2018

Bill A4, Budget Measures Implementation (Employer Health Tax) Act, 2018, enacts a new annual tax on employers with payrolls above $500,000 with rates phased in for payrolls up to $1.5 million, effective 1 January 2019. The Bill also outlines a specific tax treatment for charitable and non-profit employers.

During the Second Reading debate, Hon. Carole James, Minister of Finance, explained that the tax will partially replace revenue from medical services premiums, which were reduced in 2019 and will be eliminated in 2020. She described medical services premiums as regressive and costly to administer, and noted that other jurisdictions in Canada similarly use a payroll tax.

Shirley Bond, MLA and Official Opposition Critic for Finance, agreed on the need to eliminate medical services premiums; however, she expressed concerns about the impact of a payroll tax on small businesses, consumers and major public services. She particularly had questions about the use of only a payroll tax to replace medical services premiums, instead of a combination of personal income and payroll taxes, as well as the 2019 transition year when reduced premiums and the employer health tax will apply.

Andrew Weaver, MLA and Leader of the Third Party, similarly expressed support for the elimination of the medical services premiums and outlined an alternative approach that would include new elements of personal responsibility based on ability to pay.

The Budget Measures Implementation (Employer Health Tax) Act, 2018 was received Third Reading on 6 November 2018.

Budget Measures Implementation (Speculation and Vacancy Tax) Act, 2018


During the Second Reading debate, the Attorney General, Hon. David Eby, stated that public consultation informed the Bill, emphasizing a consensus on the need for an independent office, and noted that the province had been without a human rights commission since 2002. He also added that the legislation did not change the mandate of the BC Human Rights Tribunal, which continues to directly accept discrimination complaints.

Michael Lee, MLA and Official Opposition Critic for Attorneys General, supported the Bill, and reflected on the evolution of human rights in the province; he also sought clarity with respect to the Commissioner’s inquiry powers and the ability of the Commissioner to intervene in certain proceedings.

The Leader of the Third Party, Andrew Weaver, MLA, discussed the application of the tax and proposed three amendments which were supported by government and adopted that the Minister conduct an annual consultation with mayors in the taxable areas to review the tax and proposed three amendments which were supported by government and adopted that the Minister conduct an annual consultation with mayors in the taxable areas to review the tax and proposed three amendments which were supported by government and adopted that the Minister conduct an annual consultation with mayors in the taxable areas to review the tax.
Closure of Centre Block
In January 2019, the Centre Block, which housed the Senate of Canada and the House of Commons for nearly a century, closed for the largest, most complex heritage rehabilitation project ever undertaken in Canada. The Senate and the House of Commons have moved to new temporary chambers within the parliamentary precinct until the renovation project is complete in approximately a decade. The Centre Block was built between 1916 and 1927, after the original Centre Block was built between 1908 and 1916. The Library, burnt down in 1916.

Parliamentary Legislation
Before Parliament adjourned in December 2018, several government Bills received Royal Assent, including:

• Bill C-76, the Elections Modernization Act, which, among a number of reforms, aims to curb foreign interference in Canadian elections, introduces a ‘pre-writ’ period with spending limits and disclosure rules for political parties, increases the amount of child care expenses during a campaign for which qualifying candidates can be reimbursed from 60% to 90%, caps the length of an election period at 50 days or less, allows at-home voting for people with disabilities, and allows Canadian citizens permanently living abroad to vote

• Bill C-89, Postal Services Resumption and Continuation Act, which, in light of rotating Canada Post strikes, provided for the resumption and continuation of postal services and imposed a mediation process to resolve matters remaining in dispute between Canada Post and the Canadian Union of Postal Workers.

• Bill C-21, An Act to Amend the Customs Act, which authorizes Canada Border Services Agency to collect biographic information on all travelers – including Canadian citizens – as they leave Canada. The Act also permits for the exchange of biographic data between Canada and the United States on travelers at all land ports of entry, including Canadian and U.S. citizens.

• Bill C-47, An Act to amend the Export and Import Permits Act and the Criminal Code (amendments permitting the accession to the Arms Trade Treaty and other amendments) which makes the necessary changes to Canada’s export and import control regime that will enable Canada to join the United Nations Arms Trade Treaty.

• Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act, which, among other changes, amends provisions in the Code relating to sexual offences. Specifically, it sets out a procedure for determining the admissibility and use of the complainant’s records when they are in the possession of the accused. Furthermore, Hon. Jean-Yves Duclos, MP, Minister of Families, Children and Social Development introduced C-67, the Poverty Reduction Act. C-67 sets out poverty reduction targets for Canada and establishes the National Advisory Council on Poverty.

Committee reports
A number of reports were presented in the House of Commons, including:

• Moving Forward – Towards A Stronger Canadian Museum Sector (Standing Committee on Canadian Heritage);

• Democracy under Threat: Risks and Solutions in the Era of Disinformation and Data Monopoly (Standing Committee on Access to Information, Privacy and Ethics)

• Moving Forward in the Fight Against Human Trafficking in Canada (Standing Committee on Justice and Human Rights)

• Responding to Russian Aggression Against Ukraine, Moldova and Georgia in the Black Sea Region (Standing Committee on National Defence)

• Protection and Recovery of Endangered Whales: The Way Forward (Standing Committee on Fisheries and Oceans)

Changes in the Senate
In December 2018, the Prime Minister, Rt. Hon. Justin Trudeau, MP, announced the appointment of seven Senators based on the advice of the Independent Advisory Board on Senate Appointments. The new independent Senators are:

Hon. Margaret Dawn Anderson, a proud Inuvialuk and long-serving public servant, to fill a vacancy in the Northwest Territories.

Hon. Pat Duncan, former Premier of Yukon and long-serving public servant, to fill a vacancy in the Northwest Territories.

Hon. Yves-François Blanchet, former Minister of Indigenous Services, was appointed Minister of Veterans Affairs.

Hon. Seamus O’Regan, MP, former Minister of Indigenous Services, was appointed Minister of Veterans Affairs.

Hon. Jane Philpott, MP, former Minister of Indigenous Services, was appointed Minister of Indigenous Services.

Hon. Nicola Di Iorio, MP, former Minister of Justice and Attorney General of Canada, was appointed Minister of Veterans Affairs.

Hon. Tony Clement, MP, resigned from the Conservative Party caucus and from his role as justice critic, following reports that he had shared sexually explicit images of himself online.

On 1 December 2018, Raj Grewal, MP, left the Liberal Party caucus following allegations of a severe gambling addiction.

On 29 January 2019, Nicole Di Iorio, MP announced his resignation after several months of absences from the House of Commons. Di Iorio was chosen by the Liberal Caucus to replace Justice Minister Nicola Di Iorio, a member of the Liberal Caucus who had been appointed by Prime Minister Justin Trudeau, MP, in December 2018.

Changes in the House of Commons
On 4 January 2019, the Prime Minister announced changes to the Ministry and welcomed several new Members to Cabinet:

Hon. Jane Philpott, MP, former Minister of Indigenous Services, was appointed Minister of Veterans Affairs.

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Apology in the House of Commons
On 7 November 2018, the Prime Minister, Rt. Hon. Justin Trudeau, MP, delivered a formal apology in the House of Commons to the Jewish people who were aboard the MS St. Louis in 1939. After being denied entry into Canada due to strict immigration policies, the ship returned to Europe and 254 passengers were murdered in the Holocaust.

Attorney General of Canada, was appointed Minister of Veterans Affairs.

Hon. David Lametti, MP, former Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, was appointed Minister of Justice and Attorney General of Canada.

Hon. Bernadette Jordan, MP, former Parliamentary Secretary to the Minister of Democratic Institutions, was appointed Minister of Rural Economic Development.

Hon. Scott Brison, MP, was appointed Minister of Industry, Science and Economic Development.

Hon. Jane Philpott, MP, was appointed Minister of Veterans Affairs.

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AUSTRALIAN FEDERAL GOVERNMENT LOSES ON SUBSTANTIAL LEGISLATION – THE FIRST IN ALMOST 80 YEARS

On 12 February 2019, the minority Morrison Government reached a new low when it lost a vote, 74-75, on key legislation dealing with the medical evacuation of asylum seekers from the detention facilities on Nauru and Manus Island. About 1,000 detainees are on these Islands with some being in detention for up to five and a half years. The Labor Opposition and the Crossbenchers succeeded in amending the government’s legislation to make it easier for medical evacuations from Nauru and Manus Island. This was against the advice of security officials who argued that this could encourage the clients of people smugglers to now attempt to travel. The legislation subsequently cleared the Senate by 36 votes to 34.

While this is an embarrassment for the Prime Minister, Hon. Scott Morrison, MP, he insists the government retains the ability to govern. This means continuing with the government’s strategy of delivering the budget on 3 April.

Opposition leader, the Labor Party, claims that he met the government would be hoping to make the issue of border control a major issue at the upcoming election.

Minister resigns in new scandal

On 12 December 2018, the Assistant Minister to the Deputy Prime Minister, Hon. Andrew Broad, MP, resigned from the ministry, claiming that he met a ‘sugar baby’ in an overseas hotel. The magazine New Idea reported that Mr Broad spent time in Hong Kong with a woman, Amy, with the online alias of ‘Sweet Sophia Rose’. It was reported that Mr Broad used taxpayer’s money to pay for a domestic leg of his flights to reach Hong Kong. Amy claimed that ‘he told me he was in Hong Kong for a conference, but he shouldn’t have been here at all. He kept saying that he was very important and that when he left he was going to have to throw away his phone. He referred to himself as James Bond numerous times.’

Mr Broad argued that ‘he had been advised that the person making the allegation may have engaged in criminal activity. This matter has been reported to the Australian Federal Police and I will not be making any further comment.’

When the former Deputy Prime Minister, Hon. Barnaby Joyce, MP, was involved in a controversy with one of his staff, Mr Broad was one of the first National Party Members to call for Mr Joyce to resign.

On the very day that Mr Broad’s scandal was reported, the government was releasing its mid-year economic and fiscal outlook which was expected to showcase the government’s economic management and return to a budget surplus.

However, all of this was overshadowed by the media’s attention on Mr Broad. To make matters worse it was revealed that the Deputy Prime Minister, Hon. Michael McCormack, MP, had known about the controversy since 8 November. When Mr McCormack was questioned on why he did not take early action on the matter, he commented that ‘Mr Broad had told him he’d been on a date with a woman he met online but did not tell him all of the details about lust text messages that were published by New Idea magazine.’ Nevertheless, Mr McCormack’s judgement and decision-making has been brought into question.

On 18 December 2018, Mr Broad announced that he would not contest the next election. He commented that ‘after recent media stories about my private life, it is clear that the people of Mulwala will be best served in the next Parliament by a different Nationals candidate.’

The Deputy Leader of the Nationals, Senator Hon. Bridget McKenzie says the reports on the behaviour of Mr Broad led her ‘deeply disappointed’.

Senator in alteration in Parliament House

Senator Brian Burston is a Crossbench Senator with the United Australia Party and previously with Senator Pauline Hanson’s One Nation Party. Senator Burston has been confronted with sexual harassment allegations. It is reported that he offered to have sex with a staff member ‘to make her feel better’. Senator Burston denied the allegations and has thus far, been unchallenged.

Senator Hanson claimed that she had twice sexually harassed him. Senator Pauline Hanson respondent that ‘I might be 64 but I’m not that desperate. These are allegations that have been made and there are no truth to them whatsoever and I feel sorry for my wife, I really feel sorry for her.’

The matter degenerated even further when Senator Hanson’s Chief of Staff, Mr James Ashby and Senator Burston had a physical altercation in Parliament House which was captured on film and CCTV footage.

The President of the Senate, Senator Hon. Scott Ryan took immediate and decisive action stating that the Senator’s conduct left him with no other choice but to launch an inappropriate behaviour by a passholder towards a Senator. Accordingly, I have exercised my authority under section 33 of the Crimes of Australia Act 1901 of his pass to access the building and prohibit him from re-entering the building for the time being. This does not affect his employment, which is not a matter for the Presiding Officer. Senator Cory Bernardi, Australian Conservatives, stated ‘Mr President, I want to put on the record how grateful I am for your expedient investigation of this and your determination to remove the pass of the Hon. Brian Burston under these circumstances. I say not because I have any malice towards Mr Ashby or anyone else but because I think those who are entrusted with a pass in this place, just as Senators are entrusted with free rein across Parliament House, have a special privilege. I think that for any chief of staff or any staff member who accosts a Senator in the manner in which it was alleged, there is only one appropriate course of action. I have to say, Mr President, it filled me with dread that this would be referred off to another Committee or an investigation or something else, so I want to go on the record with my congratulations to you for your prompt action. The term ‘for the time being’ concerns me because, unfortunately, Mr Ashby has quite a track record in this place. I hope that ‘time being’ is a very long time.’

Defence Amendment (Call Out of the Australian Defence Force) Act, 2018

The legislation permits states and territories to request the Commonwealth of Australia to call out the Australian Defence Force (ADF) in various circumstances.

The Attorney-General, Hon. Christian Porter MP, commended the legislation which will enhance the ability of the ADF to support state and territory police to respond to domestic security incidents, including and, most specifically, terrorism. Mr Porter noted that ‘the threat to our society is undoubtedly real and more complex than that which we faced when these laws were introduced almost 20 years ago.’

Mr Porter explained that ‘Australia has a broad continuum of operational response to terrorism attacks spanning from general police duties to the specialist members of the ADF. The police and other emergency services are, and will remain, our first responders to such terrible events. It is the immediate actions of these first responders that can have the greatest impact in terms of saving lives, protecting people and neutralising a threat.

Mr Porter noted that while the ADF’s primary counterterrorism role is off-shore, the ADF has personnel, resources, specialist skills and assets that can assist our emergency services in the event of a terrorist attack. This support includes specialist capabilities such as tactical assault forces, and chemical, biological, radiological and nuclear response and recovery. For this reason, it is essential that the defence forces are able to contribute effectively to domestic counterterrorism efforts in every environment.

The principles underpinning the call-out of ADF personnel to assist law agencies are:

• The ADF should only be called out to assist civilian authorities.
• If the ADF is called out, civilian authorities remain paramount, but ADF members remain under military command.
• When called out, ADF members can only use force that is necessary and reasonable in all the circumstances.
• ADF personnel remain subject to the law and are accountable for their actions.

Mr Porter concluded that the measures in this Bill will ensure that Defence’s specialist counterterrorism capabilities are readily available to States and Territories and if and when they are necessary and required. Significant, the amendments will enable the ADF to respond to a threat spanning jurisdictional borders and be pre-authorised to respond to threats on land, at sea or in the air. This will ensure the most rapid response possible, which is critical given the current threat environment.

Third Reading: Australia

The legislation provides for the ADF to be pre-authorised to respond to certain threats. Senator Polley stated that this ‘pre-authorised or contingent call-out’ was in place to allow the Australian Defence Force to respond if specific circumstances arise. Today, contingent call-out is limited to protecting Commonwealth interests from air threats. The type of call-out has been put in place regularly by both major Commonwealth events – the G20, the ASEAN summit and the Commonwealth Games. This Bill extends contingent call-out to be available for State and Commonwealth interests.

The legislation provides for the ADF to be pre-authorised to respond to threats on land, on the high seas and in airspace.

Senator Rex Patrick, Centre Alliance Party, noted that while the legislation is necessary, if the provisions continue in the Bill, the ADF will be called out on an almost daily basis.

Intelligence Services Amendment Act, 2018

This legislation authorises the Attorney-General to specify additional persons outside Australia who may be protected by an Australian Secret Intelligence Service (ASSI) staff member or agent. In addition, the legislation provides that an ASSI staff member or agent performing specified activities
outside Australia will be able to use reasonable and necessary force in the performance of an ASIS function.

The role of ASIS as a foreign Intelligence and Security. Mr. Fletcher stated that in the five years since the last amendment related to the use of force, the world has undoubtedly become more complex, and Australia has become more engaged in international tensions and power targets. As a result, the legislation enables ASIS to better protect its officers and other persons when operating in hazardous environments.

The legislation enables the Minister for Foreign Affairs to specify additional persons outside Australia who may be protected by an ASIS staff member. Senator McKim concluded that this will ‘address a legal uncertainty identified by the Australian Government Solicitor (AGS) in the ability of an ASIS staff member to be covered by the Act when defending certain other persons including bystanders, and to train for the use of force in those circumstances.’

In relation to oversight, Mr. Fletcher stated that before any amendment was made, the Minister for Foreign Affairs will be required to consult with the Prime Minister, the Attorney-General, the Minister for Defence, and other relevant ministers. He acknowledged that ‘while lethal force may already be used in self-defence, this is mission creep. This legislation…’

The Bill passed its Third Reading in the House of Commons on 15 June 2018. Mr. Fletcher concluded that the Bill was necessary to protect Australia’s national security and interests.

Sir Christopher Chope, MP (Con) told the House: “I am sure her Bill will get the continued support it deserves as it progresses.”

The Bill received widespread support from all sides of the House, with the Green Party and the Liberal Democrats each sending a message of support for the Bill. The Bill was passed with the necessary cross-party support and the necessary amendments were made. Mr. Fletcher stated that the Bill was a “great success” and that he was “very pleased with the outcome.”
BREXIT DOMINATES UK PARLIAMENTARY LEGISLATION

Brexit has dominated the UK Parliament and politics, involving several historic events.

‘Meaningful vote’ delay
As set out in the European Union (Withdrawal) Act 2018, the Withdrawal Agreement between the UK and the EU may be ratified only once the House of Commons passes a motion approving the Withdrawal Agreement and political declaration, known as the ‘meaningful vote’.

The draft Withdrawal Agreement, published on November 2018, proved highly controversial, primarily due to the Northern Irish ‘backstop’. The ‘backstop’ establishes that, if no permanent trade deal has been agreed between the UK and the EU at the end of the transition period (December 2020) and there is no agreed extension of the transition period, the ‘backstop’ of “a single customs territory between the (European) Union and the United Kingdom” will be triggered. This is to ensure that there is no ‘hard’ border between the Republic of Ireland (part of the EU) and Northern Ireland (part of the UK).

Further, Northern Ireland will remain in regulatory alignment with the EU for trade purposes. Opponents argue that, if triggered, the UK could not leave the ‘backstop’ unilaterally and it is not time-limited.

The ‘backstop’ arrangement is opposed by Democratic Unionist Party (DUP) MPs who, as pro-unionists of the UK, are against regulatory alignment with the Republic of Ireland. The DUP have a ‘confidence and supply’ agreement with the Conservative Government to enable the Government to command a majority in the House of Commons. The Government was defeated on several amendments relating to the Brexit process, including a cross-party amendment tabled by Rt Hon. Dominic Grieve, QC, MP (Con) to the business motion on 4 December 2018. This amendment established that, should the House of Commons refuse to approve the negotiated Withdrawal Agreement (in the so-called ‘meaningful vote’), MPs would be able to table amendments to the new motion which the Government was obliged to bring forward to enable the House to debate its plan for proceeding (neutral motions are ordinarily unamendable).

This was considered to give MPs significant control over the Government’s future course of action. The Government was defeated on this amendment by 321 to 299. With widespread opposition to the proposed Withdrawal Agreement, the UK Prime Minister, Rt Hon. Theresa May, MP announced in a statement to the House of Commons on 10 December 2018 that the vote would be postponed, stating that “if we went ahead and held the vote tomorrow, the deal would be rejected by a significant margin. We will therefore defer the vote scheduled for tomorrow.”

Procedurally, the key question now was, exactly, the debate and vote could be postponed, given that the House had agreed to hold the debate and votes on specific named dates. The Order of the Day for resuming the adjourned debate remained in the ownership of the mover of the motion – in this case the Government – and therefore all that was needed was for the Government whip, when the order was read by the Clerk at the Table, to say “Tommorrow” instead of “Now”.

The Speaker of the House of Commons, Rt Hon. John Bercow, MP confirmed that this was in line with the rules of the House but suggested that the better option would have been for the Government to move that the debate be adjourned, thereby allowing the House to have a say on postponing the debate. He added that “no fewer than 164 colleagues have taken the trouble to contribute [and this] will be thought by many Members of this House to be deeply discourteous.”

Historic Government defeat and vote of ‘no confidence’
The Government rescheduled the vote on the Withdrawal Agreement for Tuesday 15 January 2019 after attempts to seek reassertion from the EU on the ‘backstop’. Despite these attempts, opposition to the Government on all sides of the House remained steadfast.

On 15 January 2019, the Government backed motion was defeated by 434 to 202, a majority of 232. This was the biggest Government defeat in history, overtaking the defeat of then Prime Minister, Rt Hon. Ramsay MacDonald, MP in 1929 by 166 votes. This immediately led the Leader of the Opposition, Rt Hon. Jeremy Corbyn, MP, to table a motion of ‘no confidence’ against the Government, the first since 1993.

As is customary, the Government made time to debate the motion: in this case, the next day. The motion of ‘no confidence’ was defeated. This would cut the time Government must respond to the defeat of its Withdrawal Agreement from 21 days as set out in the European Union (Withdrawal) Act, 2018. This decision led to lively points of order on 9 January 2018 before the division on the amendment. Sir Bernard Jenkin, MP (Con), Chair of the Public Administration and Constitutional Affairs Committee, quoted Standing Order No. 118 in the debate: “The Speaker shall put forthwith the question thereon...has always been thought and understood to mean that these motions are unamendable... Why have you changed your interpretation of that word in this case?”

Seeking to gain support for the Withdrawal Agreement, the Prime Minister, Rt Hon. Theresa May, MP told the House of Commons after the ‘no confidence’ division: “We have a responsibility to identify a way forward that can secure the backing of the House, and to that end I have proposed a series of meetings between senior Parliamentarians and representatives of the Government over the coming days.”

Unprecedented amendment to a business motion
The Speaker of the House of Commons, Rt Hon. John Bercow, MP faced scrutiny following his choice of an amendment to a Business of the House motion. The business motion for the original (December 2018) ‘meaningful vote’ debate was being amended by the Government on 9 January 2019 to allow the debate to resume. The December 2018 business motion provided that it could not be varied or supplemented except by a motion moved by a Minister of the Crown, and that any such motion should be taken ‘forthwith’.

An amendment to the government motion amending the business motion was tabled by the backbenchers, Rt Hon. Dominic Grieve, QC, MP (Con). It stated that “a Minister of the Crown shall table within three sitting days a motion... considering the process of exiting the European Union under article 50” should the motion on the Withdrawal Agreement be defeated. This would cut the time Government must respond to the defeat of this House of Commons and demonstrates that it is taking back control? As Speaker, you have an absolute duty to ensure that this House of Commons is taken seriously, which is why I commend you for the decision you have taken today.” Speaker Bercow later stated that “If we were guided only by precedent, manifestly nothing in our procedures would ever change. Things do change. I have made an honest judgment. If people want to vote against the amendment, they can; and if they want to vote for it, they can.”

Following Points of Order, the amendment was approved by 308 to 259 without debate. This precedent could be significant, as the term ‘forthwith’ is used repeatedly in the House of Commons Standing Orders.

Contempt of Parliament debate
In December 2018, the UK Government was found in contempt of Parliament for the first time. The contempt motion was tabled by the Opposition because the Government declined to publish the legal advice provided by the Attorney General to the Cabinet on the EU Withdrawal Agreement, despite a resolution of the Commons on 3 November 2018 requiring publication of the advice.

The Attorney General, Rt Hon. Geoffrey Cox, QC, MP, who took questions in the chamber on his advice, stated that: “If I am satisfied and convinced that any disclosure of the kind the House has asked for would be contrary to the national interest, I cannot comply with the House’s request.”

The Government attempted to avoid defeat by tabling an amendment to the contempt motion to refer the case to the House of Commons Privileges Committee. The Government amendment was defeated by 311 to 307, and the contempt motion passed by 311 to 293. As a result of publishing the legal advice which implied Northern Ireland would remain in the single market for goods as a result of the ‘backstop’. This was subsequently described as “unacceptable” by the DUP, contributing towards their opposition to the Withdrawal Agreement.
Child Poverty Reduction Bill and the Children’s Amendment Bill

The Child Poverty Reduction Bill and the Children’s Amendment Bill introduced sit one Bill and subsequently divided at the Committee of the whole House, represent key pieces of legislation for the Labour – New Zealand First coalition government.

The Bills put into law provisions that require the government to set 10-year child poverty reduction targets, develop and report on strategies to promote child well-being, and, on Budget day, report progress on its stated child poverty reduction goals. Additionally, the Bills require the Government Statistician to prepare a report measuring child poverty each financial year, independently from government, and that the report be presented to the House of Representatives.

As the Bills’ sponsor, the Prime Minister and Minister for Child Poverty Reduction, Rt Hon. Jacinda Ardern, MP (Labour), stated, “The essence of the Bill is about ending enduring poverty, improving political accountability, consent, and action on the issue of child poverty and to reduce it.”

…“it sits within the Government’s wider work programme to ensure that the benefits of growth, growing economy are shared more fairly. It’s about how we contribute to society. It provides an opportunity to harness collective goodwill, knowledge, and resources to create positive change.”

Members of the Opposition supported the Bills. Third Reading with National Party spokesperson for Children, Ms Maureen Pugh, MP commenting, “There’s no question that across this House we are all combined in our desire to bring our children of Aotearoa out of poverty. This Bill certainly sets the way for us to begin that journey. This is a Bill of the whole Parliament.”

Prime Minister and Minister for Economic Development, Hon. David Parker, MP said, “This Bill is a win-win for our economy. The New Zealand economy is up and running, that defence may well be more affordable, and we can access medical cannabis that is produced to a higher standard.”

The Opposition Member and ACT Party Leader, Mr David Seymour, MP (Co-Leader, Green) argued, “Things should never have gotten this bad. There is absolutely no excuse or reason why things have gotten this bad. Things have been going so wrong, particularly within families that are suffering...,” The ACT Party remained the only party opposed to the Bills. Mr David Seymour, MP (Leader, ACT) countered that the provisions in the Bills would only address symptoms that had been full for a long time now. Therefore, “more money was the solution, then the Government spending tens of billions of dollars a year in benefits and Working for Families and accommodation supplements would have solved poverty by now. This Bill is going to do is tell us how many households are within 60% or 40% or 50% of the median income. It is not a measure of child poverty. Not even a measure of the incomes that houses have. It is a measure of how many households have incomes similar to how many other households. That’s the first problem with this Bill – that it doesn’t actually solve the problem of child neglect.”

The Bills passed their Third Reading on 18 December 2018, with 118 votes to 1. Misure of Drugs (Medicinal Cannabis) Amendment Bill

The Minister for Disability Issues, Hon. Carmel Sepuloni, MP (Labour), told the House that children with disabilities will be an important focus within the child well-being strategy, which is currently being developed. This will set out the Government’s vision for the well-being of all children, and, as New Zealand’s first child well-being strategy, it’s an opportunity to harness collective goodwill, knowledge, and resources to create positive change.

Mr Dan Bidos, MP (National) added that while the Opposition supported the Bills, “there is much more that needs to be done around the family unit, and we want to acknowledge the contribution from speakers on this side of the House who emphasised the role of the family unit but also that hard work and the pioneering attitude. How can we as politicians encourage and lead that work ethics throughout New Zealand society? I think we can do all of those things, then we will truly alleviate child poverty in New Zealand.”

The Green Party of Aotearoa New Zealand, as the government’s confidence and supply partner, also supported the Bills at their Third Reading however, some Members did feel that action on child poverty should have occurred sooner.

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The Minister of Health, Hon. Dr David Clark, MP (Labour), disagreed, however, “it’s true that most licensing regimes are administered by officials. They seek expert advice and report to Ministers, in many different portfolios, on the practical implications of the law. Sometimes, because if things are up and regulation, it’s easier to quickly move if there’s a change in circumstance, such as new studies that reveal new products are dangerous or interest with others and that changes need to be made.”

Green Party Member party spokesman for drug law reform, Ms Chloe Swarbrick, MP (Green), supported the issuance of local medicinal cannabis production: “Our vision for a local medicinal cannabis scheme in Aotearoa which provides us with an opportunity to harness collective goodwill, knowledge, and resources to create positive change.”

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The Bills passed their Third Reading on 18 December 2018, with 118 votes to 1.
The Parliament of India has been amended to provide reservation in employment and higher education to the economically weaker sections of society. As required by the Constitution, each House of Parliament passed the Constitution (124th) Amendment Bill 2019 by a majority of the total membership of each House and by a majority of not less than two-thirds of the Members of the House present and voting. The Bill received President’s assent on 12 January 2019.

On 8 January 2019, the last day of the Winter Session of Lok Sabha that had commenced on 11 December 2018, after a near five-hour long debate, the House passed the Constitution (124th) Amendment Bill 2019 to provide 10% reservation to economically backward sections in the general category in recruitment and promotion in higher educational institutions.

In Lok Sabha, 323 Members voted in favour of the Bill, while three voted against it. In Rajya Sabha, which had been extended by a day, the Bill and the motion for its reference to a Select Committee for examination and report were discussed together on 9 January 2019 and after rejecting the demand for sending the Bill to a Select Committee, the House passed the Bill by 165 to 70 votes, after a long-seven-hour debate.

The Act empowers the State to make any provision for the reservation in appointments or posts in favour of any economically weaker sections of citizens and for their admission to higher educational institutions including private educational institutions, whether aided or unaided by the State, subject to a maximum of 10%. All minority educational institutions as mentioned in the Constitution have been excluded from the ambit of this law. This will be in addition to the existing ceiling of 50% reservation available to the socially and educationally backward classes (OBC), the scheduled castes (SC) and scheduled tribes (ST).

The Act amends Articles 15 and 16 of the Constitution, by adding a clause which allows States to make special provision for the advancement of any economically weaker sections of citizens. The economically weaker sections will be such as may be notified by the State from time to time on the basis of family income and other indicators of economic disadvantage.

Most of the Opposition parties, including the SP, TRS, AITC, BJD, the Left and the NCP supported the Bill. However, several of the opposition parties also questioned the timing of the Bill, claiming that the government’s move was spurred by the coming national elections. AIADMK staged a walkout before the voting.

Moving the motion for the consideration of the Bill in Lok Sabha, the Minister of Social Justice and Empowerment, Shri Thawarchand Gehlot clarified that 10% reservation would be given without tampering with the existing quotas for SCs, STs, and OBCs. As such efforts were earlier struck down by the Supreme Court due to lack of constitutional authority, the government decided to amend the Constitution for making such provision. After the addition of the new clause-to Article 15 and 16 of the Constitution, the State and Union governments cannot be debarred from making legislation on this subject.

Initiating the debate, Prof. KV Thomas (INC) said his party is not against the concept of the Bill, but the way it has been brought raises several questions on the sincerity of the government. He alleged that the government has brought the Bill without proper homework and referred for it to a Joint Parliamentary Committee (JPC). Intervening in the debate, the Minister of Finance and Minister of Corporate Affairs, Shri Arun Jaitley described the Bill as a move to grant equal opportunity to all and for ensuring Sabka Saath, Sabka Vikas.

This equality of status and opportunity mentioned in the Constitution was meant to remove the gap between the privileged and the disadvantages. The Parliament is expected to make laws giving special opportunities to those who are socially or educationally backward. Similarly, the poor section of other classes will be provided 10% reservation on the basis of economic backwardness. The ceiling of 50% for reservation imposed by the Supreme Court under Article 16(4) is based on caste basis reservation.

Shri Jaitley countered the allegations related to timing of the legislation and cited the Congress party’s 2014 election manifesto in which it had talked about such move. He accused the Congress Party of adopting double standards. The AIADMK member and the Deputy Speaker of Lok Sabha, Dr M. Thambidurai demanded that the reservation ceiling be 69% for the socially backward people. Questioning the reservation on economic ground, he wanted to know whether the various schemes for the economically weaker sections started by governments including the ones led by the BJP and the Congress have failed.

Shri Sudhir Bandopadhyay (TMC) while supporting the Bill questioned the government record of providing reservation to the unemployed youth and asked the government to take concrete steps in this direction. Shri Anandrao Adsul (Shiv Sena) supporting the Bill said providing 10% reservation for people belonging to economically weaker sections is a just a starting.

Shri A. P. Jithender Reddy (TRS) said reservation in education and also in employment opportunities for the economically weaker sections of the society will make the society inclusive and stronger. He believed the reservation policy would be more effective when standardized.

The Minister of Consumer Affairs, Food and Public Distribution, Shri Ram Vilas Paswan (LJP) said it was a long-standing demand which has been fulfilled by the present NDA government. He suggested that along with the SC, ST and OBC quota, this 10% provision for upper caste should be included in the Ninth Schedule of the Constitution to remove any fear of it being challenged in the Supreme Court. Shri Paswan also asked the government to provide reservation in private sector and judiciary too.

Stating that economically weaker sections of first time will get benefit through affirmative action, Shri Bharturthu Mahabat (BJD) said the economically weaker section of society needs to be identified and be provided with affirmative support.

Shri Jitendra Chaudhury (CPM) said the economically backward section of population is required to be supported in all respects. In order to make the Bill more comprehensive he wanted it to be examined by a JPC or the Standing Committee.

Smt. Supriya Sule (NCP) supporting the Bill wanted to know what was the urgency in bringing such an important Bill? Shri Dharmendra Yadav (SP) while supporting the Bill raised question about the intention and manner in which the Bill has been introduced. He asked for undertaking a caste-based census and providing reservation in proportion to the percentage of population.

Dr Mahendra Nath Pandey (BJP) described the Bill as a historical step and said the government has given the benefit of reservation to the poor from the general category without reducing anyone’s reservation.

Opposing the way the Bill was introduced, Shri Jai Prakash Narayan Yadav (RJD) asked for a survey to find out the persons who are landless and shelter-less persons and those deprived of education and jobs to provide reservation on that basis.

Shri Nishikant Dubey (BJP) said the Bill represents Sabka Saath Sabka Vikas.

The Minister of State in the Ministry of Health and Family Welfare, Smt. Anupriya Patel (Agra) wanted to ensure that people whose economic condition improves after availing the benefit of reservation do not continue to avail the benefit of reservation. She wanted to know whether reservation will be provided to backward classes according to their population after the 2021 census.

Shri Dushyant Chautala (NLD) wanted to know how the government will identify that a particular person is economically poor and whether any survey will be conducted as the data available with the government is that of the year 2011 and the economic condition of the people has deteriorated during the last eight years from 2011 to 2019.

Shri Ramdas Athawale (RPI) appreciated the decision to provide 10% reservation to the economically weaker sections of general category. Opposing the Bill, Shri Ramesh Khurasania (AIMIM) said the Bill is a fraud on the Constitution as the Constitution does not recognize economically weaker section. The original purpose of the reservation was to give social justice, to reduce social and educational backwardness.

Shri Kavinder Kumar (JD-U) was happy that a Bill has been brought to give reservation to economically backward people from general category. Shri Prem Das Rai (SDF) also supported the Bill. Supporting the Bill, Shri Rajesh Ranjan (RJD) urged the government to bring caste census so that reservations can be granted on the basis of population of each caste and category.

Shri Hukumdev Narayan Yadav (BJP) said the Bill has translated his dream and the cause he has been fighting all his life into a reality.

Shri Venkatapur Subbaiah Ugrappa (INC) appreciating the Bill said if the government was so keen on social justice, it should have brought this Bill much earlier.

Relying to the debate, the Minister, Shri Thawarchand Gehlot said, it is a historic moment and the Bill will provide equal opportunities to those who are economically weaker in upper caste. He said, millions of poor from the general category irrespective of their religion, will get the benefit of reservation. Shri Gehlot believed that the law, even if challenged in the Supreme Court, will stand the scrutiny as it has been brought with the constitutional provisions. He refuted the charge that decision on the issue has been taken in haste. He assured that though the decision is belated, the policy and intention is pure.
The Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017

The Requisitioning and Acquisition of Immovable Property Act, 1952 was enacted to empower the Central Government to requisition, for the purposes of the Union, any immovable property, and to acquire such requisitioned property under certain specified conditions. The said Act came into force on 14 March 1952.

The power to requisition immovable property for public purposes is, under Section 3 of the Act and the power to acquire requisitioned property is under Section 7. The principles and method of determination of compensation for requisitioned property and payment thereof had been laid down in Sections 8 and 9 of the Act. There had been instances of persons interested in the requisitioned property challenging the notice of acquisition on the ground that the same had been published without affording personal hearing to them by the competent authority. However, after prolonged litigation traversing up to the Supreme Court, if the interested persons succeeded in getting a notice of acquisition quashed, they would be bestowed with the unintended benefit of compensation for their property as on the date of publication of fresh notice of acquisition.

It was felt that this may cause astronomical hike in the quantum of compensation because of the inevitable appreciation of the market value of the property between the original date of publication of notice of acquisition and the present date of publication of the same, pursuant to the orders of the courts.

Accordingly, the Government brought forward the Requisitioning and Acquisition of Immovable Property (Amendment) Bill, 2017. In Section 7 of the parent Act a new Sub-Section viz. (1A) had been inserted which contains provisions to enable the Central Government to re-issue the notice of acquisition to the owner or such other person interested in the property, for the purpose of giving opportunity of being heard. The owner or the person interested in the property has also been entitled to annual rate of interest prevalent at any relevant time on the compensation payable, from the date of publication of the first notice, till the final payment of compensation.

Further, it had also been provided that any enhanced compensation with or without interest awarded by the court or other authority, before the date of commencement of the proposed amendment, shall be subject to the re-issuance of the proposed notice of acquisition and shall be applicable only to the cases of property being acquired for national security and defence purposes. It was proposed to give effect to the amendments from the date of enactment of the Requisitioning and Acquisition of Immovable Property Act, 1952, namely, the 14 March 1952.

Debate

During the discussion on the Amending Bill in both Houses, the following points mainly emerged:

A reasonable opportunity of hearing is being provided under clause of the Amending legislation. This is beneficial to the person who is going to be affected. There are number of cases where the acquisition proceedings were taken up but remained inconclusive. No compensation had been given. Ultimately, so many acquisitions and requisitions had been declared illegal and void. The compensation which had been assigned under the Act had been provided under Section 8 of the Act. In substance, nothing had been given as to what would be the amount of compensation. If it is either by an agreement or by arbitration as to what could be the principles, nothing had been laid down as such. Hence, there must be a formula of paying compensation.

The Requisitioning Bill intends to ensure justice and payment of outstanding amount to the people in a time-bound manner.

There is no objection to the acquisition of land for public purposes and security purposes, if proper compensation is paid to the affected persons. But it is not proper to acquire cultivable and fertile land to raise a business. A law needs to be invariably made to convert the wasteland into fertile land. Notwithstanding, therefore, needs to be served to the landowner only. People tend to lose their land and property. It would not be appropriate to acquire land on the rates prevailing in 1950. Further, therefore, had been requested that there is a need to bring improvement in this regard.

With regard to compensation, it was felt that amount of compensation can be increased if it is related to security only. It would not be appropriate to acquire land on the rates prevailing in 1950. Further, therefore, had been requested that there is a need to bring improvement in this regard.

Finally, the Minister reiterated that this Amendment is specifically to deal with the Government of India’s acquisition under Section 7 for national security and defence purposes only. The Amending Bill was passed by Lok Sabha on 20 December 2017 and by Rajya Sabha on 18 July 2018. The Bill was passed by both Houses of Parliament was assented to by the President of India on 31 July 2018.

The Constitution (One Hundred and Second Amendment) Bill, 2018

The National Commission for the Scheduled Castes and Scheduled Tribes came into being consequent upon passing of the Constitution (Sixty-Fifth) Amendment Act, 1990. The said Commission was constituted on 12 March 1992 replacing the Commission for the Scheduled Castes and Scheduled Tribes that was set up under the Resolution of 1967. Under Article 338 of the Constitution, the National Commission for the Scheduled Castes and Scheduled Tribes was constituted with the objective of monitoring all the safeguards provided for the Scheduled Castes and the Scheduled Tribes under the Constitution or other laws.

The National Commission for Scheduled Tribes was created vide the Constitution (Eighty-Ninth Amendment) Act, 2003 by inserting a new Article 338A in the Constitution. Consequently, under Article 338 of the Constitution, the reference was restricted to the National Commission for the Scheduled Castes. Under clause (10) of Article 338 of the Constitution, the National Commission for Scheduled Castes is presently empowered to look into the grievances and complaints of discrimination of Other Backward Classes also.

In the year 1992, the Supreme Court of India in the matter of India Sawmills and others Vs. Union of India and others (AIR 1993 SC 477) had directed the Government of India to constitute a permanent body for entertaining, examining and recommending requests for inclusion and complaints of persons in the list of Backward Classes and under-inclusion in the Central List of Other Backward Classes. Pursuant to the said Judgment, the National Commission for Backward Classes was constituted on 14 August 1993 under the said Act.

At present the functions of the National Commission for Backward Classes is limited to examining the requests for inclusion of any class of citizens as a backward class in the Lists and hear complaints of over-inclusion and under-inclusion of any backward class in any List and tender such advice to the Central Government as it deems appropriate. With a view to safeguard the interests of the socially and educationally backward classes more effectively, it had been proposed to create a National Commission for Backward Classes.
Salient Features of the Bill

- A new Article 338A has been inserted to constitute the National Commission for Backward Classes which shall consist of a Chairperson, Vice-Chairperson and three other Members. The said Commission would have the mandate to hear the grievances of socially and educationally backward classes, a function which has been discharged so far by the National Commission for Scheduled Castes and the Scheduled Tribes. It has also been provided that the provisions of the Code of Criminal Procedure, 1973, applicable to the Scheduled Castes and Scheduled Tribes were also applicable to the scheduled backward classes.

- Amendments have been made in Article 366 of the Constitution by inserting new sub-clause (22) providing that “socially and educationally backward classes” mean the backward classes as are so deemed under Article 342A for the purposes of the Constitution.

Debate

During the debates on the Constitution Amendment Bill, Members expressed their unanimous consent to the measure. The Bill was passed by Lok Sabha on 10 April 2017. On a procedural matter, an amendment to arrest a person and there is no requirement of obtaining of an approval from any authority for the purpose of the Bill. The principles of criminal jurisprudence and Section 47 of the Code of Criminal Procedure, 1973 as interpreted in several judgments, implies that once the investigating officer has reasons to suspect that an offence has been committed, he can arrest an accused. This decision to arrest or not to arrest cannot be taken away from the investigating officer. In view of this position the Government felt that it was expedient in the public interest that the provisions of the Code of Criminal Procedure, 1973 be made applicable in respect of registration of First Information Report relating to commission of an offence or arrest of any person without any preliminary enquiry or approval of any authority, as the case may be. Accordingly, the Government brought forward the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill, 2018. The Bill was brought to give justice to the 24 lakh vacancies in Government and now in total 47 offences are covered under it.

The provisions of the Code of Criminal Procedure, 1973, provide that any information relating to commission of an offence, if given, shall be recorded and where the investigating officer has a reason to suspect the commission of an offence, he can arrest a person and there is no requirement of obtaining approval from any authority for the purpose of the Bill. The principles of criminal jurisprudence and Section 47 of the Code of Criminal Procedure, 1973 as interpreted in several judgments, implies that once the investigating officer has reasons to suspect that an offence has been committed, he can arrest an accused. This decision to arrest or not to arrest cannot be taken away from the investigating officer. In view of this position the Government felt that it was expedient in the public interest that the provisions of the Code of Criminal Procedure, 1973 be made applicable in respect of registration of First Information Report relating to commission of an offence or arrest of any person without any preliminary enquiry or approval of any authority, as the case may be. Accordingly, the Government brought forward the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill, 2018. The Bill was brought to give justice to the 24 lakh vacancies in Government and now in total 47 offences are covered under it. On certain issues where writ petition was filed in the Supreme Court, the Government realized that to the justice to the people belonging to Scheduled Castes and Scheduled Tribes was being delayed. Therefore, the Government took a considered view to restore the purpose of the Act for which it was enacted. A new provision to Section 79 had been made by adding 18A.

Debate

During the discussion on the Amendment Bill in both Houses of the Parliament the following main points emerged—

- The proposed clause 18A would provide relief for all the concerned persons. 24 lakh vacancies in Government sector need to be filled. A suggestion was also made to include the Bill in the North Schedule to the Constitution of India.
- The Bill was brought to give justice to the 24 crore people belonging to Scheduled Castes and the Scheduled Tribes. To ensure the supremacy of the Parliament, it is mandatory that all speak unanimously in its favour. The Bill nevertheless met with consensus among all sections of the Houses. The Bill was passed by Lok Sabha on 6 August 2018 and by Rajya Sabha on 9 August 2018. The Bill as passed by both Houses of Parliament was assented to by the President of India on 17 August 2018.
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